

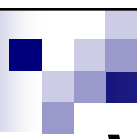


Coombs & Dunlap, LLP

Seminar Series for Napa Valley Businesses

Does your Business Need an Employee
Handbook?

Presented by:
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Whether to Have an Employee Handbook, Personnel Policy Manual or Both

- What's the difference?
- Size of employer, nature of work, preference and budget
- Employee Handbook: consistent understanding and application of company policies
- Personnel Policy Manual: Detailed overview of Company policies and procedures



The Benefits of an Up-to-Date Handbook

- Creating the Handbook: A Thoughtful, Interactive Review of Company Policies, Procedures and Benefits
- Resource for Employees
- Guideline for Management: Uniform Application of Company Policies
- Defense to Litigation
- Memorializes optional policies, i.e. arbitration, confidentiality, etc.



Questions to Ask Before Drafting or Revising Your Employee Handbook

- What are the current policies, written and unwritten?
- How up-to-date are the policies?
- Are existing policies implemented?
- What tone should the Handbook take?
- Who is responsible for decision making vis-à-vis the Handbook?
- Should employee feedback be solicited?



Top 10 Policies

1. Introductory Statement: History, disclaim contractual intent, reserve the right to modify, supersede all prior versions, integration of entire agreement.
2. At-Will Statement
3. Equal Employment Opportunity
4. Anti-Harassment Policy
5. Hours of Work, Overtime, Pay Practices



Top 10, continued

6. Paid Time Off: Vacation, Sick Leave, PTO, Holidays
7. Leaves of Absence: Mandatory and Optional
8. Open Door Policy and Internal Complaint Review
9. Termination, Discipline and Rules of Conduct
10. Acknowledgment of Receipt



Implementing the Handbook

- Impact of Collective Bargaining: need to negotiate on “wages, hours and other terms and conditions of employment”
- Train Management in Implementation
- Meet with Staff to Review
- Provide to all New Employees
- Handbook Acknowledgment



Recommended Policies

- Introductory Statement
- At-Will Statement
- Acknowledgement of Receipt, reiterates at-will policy
- Equal Employment Opportunity Statement
- Anti-Harassment Policy
- Pre-Employment Requirements: I-9, medical exam
- Employee Classifications: Full-time, Part-Time, Exempt
- Hours of Work, Overtime and Pay
 - Pay Periods
 - Timekeeping
 - Overtime
 - Rest and Meal Breaks
 - Payroll Deductions/Garnishments



More Recommended Policies

- Attendance
- Employee Benefits
- Workers' Compensation Benefits
- Personnel Files
- Workplace Safety – IIPP
- Email, Voicemail and Computer Network Policies
- Drug Free Workplace, US and CA contractors
- Standards of Performance, Discipline and Termination
- Violence Prevention
- Open Door and Internal Complaint Investigation



More Recommended Policies

- Paid Leave: Vacation, Sick, PTO, Holiday
- Mandatory Leaves
 - Family Medical Leave, 50+ employees
 - Pregnancy Disability Leave, 5+ employees
 - Temporary Disability Leave, 5+ employees
 - Military Services Leave
 - Jury or Witness Duty
 - Appearance at School
 - Participate in School Activities, 25+ employees
 - Volunteer Firefighter
 - Time Off to Vote
 - Victim of Domestic Violence, 25+ employees
 - Crime Victims' Leave



Common Optional Policies

- Bereavement Leave
- Bonuses
- Company Property: Confidential and Proprietary Information
- Customer Relations
- Dispute Resolution
- Dress and Grooming Standards
- Employee Assistance Program
- Employment of Relatives
- External Communications
- Inspection of Work Stations and Personal Belongings
- Make-up Time
- Medical Examinations
- Performance and Pay Reviews
- Proof of Insurance
- Purchase of Company Products
- References
- Regulation of Outside Employment: Conflicts of Interest
- Romantic Relationships
- Smoking in the Workplace
- Solicitation/Distribution of Materials