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## *How Can You Tell A Good Employee Handbook?*

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Employee Handbooks have been around for years. The importance of an employee handbook has been kind of like the stock market, sometimes the value is up and sometimes it is down.

I guess the first question that comes up then is, should an employer have an employee handbook? The answer to that question is yes absolutely. The next question that could be asked is how many employees do you have to have to implement an employee handbook?

Because of the complexity of today's California Labor Laws I am going to recommend that every employer who has even one employee needs to have a good employee handbook. The reason I say this is because even with one employee there are certain policies that you must have in place, for example.

- You must have your California Paid Sick Leave Policy in place
- You must have your At-Will Policy in place.
- A Anti Sexual Harassment, Bullying in the Workplace, and Discrimination.
- Paydays need to be established and spelled out.
- Plus, others.

With that being said, how can you tell a good employee handbook from a bad one? A good employee handbook is worth it's weight in gold. Good or bad your employee handbook is your front line of defense in the event of an employee lawsuit.

One thing that every employer wants to protect is your "At-Will" status. While California by default is an "At-Will" employment state, it is important to make sure that you document states that you are exercising that right, so all of your employees will know that you are in fact using that option. There are many different employment contracts in the state of California.

While the "At-Will" tool is still a very powerful tool you do have to be careful, you have to be careful as to how and when you use it. For example, if you are going to terminate your oldest employee you would be better off to make sure that you have documentation. Firing your oldest employee without giving it a thought could have you facing a wrongful termination lawsuit based on discrimination in the workplace.

The complexity of when to use your "At-Will" status is just another reason why all employers need to have a good compliance coach, now who you get is up to you. In days gone by you could just use the "At-Will" status pretty much at will, but today is different.

Even though that is the case you do not want the verbiage in your employee handbook to destroy this tool. When you have verbiage that says up to and including in your Standards of Conduct you have just destroyed your "At-Will status. Up to and including implies that you are

a progressive discipline employer. This means that the employees have the right to expect steps, even though the specific steps are not mentioned. In the employee handbooks that we write we say you will be disciplined. This leaves the employer all kinds of options. The employer can give a verbal warning, they can send the employee home or suspend him/her as long as the employer pays for the hours worked for the day that they employee is sent home. From there if they want the employee to take a couple of days off to reflect, there is not money owed the employee unless they are salaried. They can give the employee a written warning, it is very important to leave all of your options open when it comes to disciplining your employees.

The same can be true for an employee handbook that has specific discipline steps spelled out. IE, first a verbal, then a written, and then termination.

A good employee handbook will have a good social media policy. Every employee handbook today should address the employees right to privacy, namely that there isn't any. Employees need to know that the work stations could be inspected at any time as well as lockers.

If you have video cameras you need to let your employees know that they are being filmed and that should be in your employee handbook.

Employee handbooks are not a dime a dozen and you should make sure you know what is in yours. You should also be reviewing your employee handbook every year.

Because of the complexity of todays California Labor Laws, this short article does not even begin to cover the subject completely. If you would like to talk more or if you would like to have your employee handbook reviewed, we would be glad to help you with that.