

# Employee Handbook

White Paper

## **EMPLOYEE HANDBOOK ESSENTIALS**

# Employee Handbook Essentials

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# Why do you need an employee handbook for your business?

Employee handbooks are an essential part of the employee onboarding experience for new hires as they help new employees get acquainted with the policies, culture, and expectations of the company. The handbook provides a quick reference to help new hires understand schedules, policies, pay, and benefits.

Current employees can also benefit from having a quick reference guide when a question or concern arises about sick days, leave, reporting harassment or discrimination, requesting reasonable accommodations and more.

An employee handbook can also help with compliance. The employee handbook is a reference point for employees, managers, and human resource professionals on leave, time tracking, dress and grooming rules and much more.

## Begin to create your employee handbook

One of your first steps, once you've identified a need for an employee handbook, is to decide who will write the handbook.

Who in the company has the time and skillset to create a thorough employee handbook? If the answer is nobody, consider outsourcing the project to an expert. Often human resources will take charge here. If you do not have an HR department, it may fall to operations.

In a larger organization, the handbook may be a team effort. If multiple people will be contributing, put someone in charge of coordinating the completion of the handbook to keep everyone organized, motivated, and on track.

### Some key considerations are:

- **Do you have multiple worksites or office locations?** Employment laws vary by state, and even sometimes by city or county. Ensure that your

handbook is compliant with state and local laws for all locations in which you employ people. You may need to create different versions of the handbook if there is a significant variance, list different policies by region in some sections, or add wording to your policies to express that local laws will be followed.

- **How many employees do you have?** Some employment laws and regulations vary based on the size of your company. For example, FMLA covers employers with 50 or more employees within 75 miles, so you'll need to know how many employees you have at each location. Remote employees' home offices do not count as worksites, for FMLA purposes they count towards [the worksite they are assigned work by](#), so you'll need to factor that into your employee counts as well.
- **Do you have remote or hybrid employees?** Some policies and procedures will differ for those working from home. If remote staff use their own computers, you may need to update your technology policies to include guidelines on data security on personal computers and properly deleting or transferring company files upon the termination of employment. There may also be different policies regarding schedule flexibility, dress codes, communication, and other procedural differences when working from home.
- **What assets do you provide to employees?** If you provide company-owned cell phones, laptops, tablets, or vehicles you will likely need additional policies governing the use, maintenance, and return of these assets.
- **How does your organization handle complaints or concerns?** Who will you direct employees to for harassment or discrimination complaints? If you don't have a policy in place, start thinking of how your business can best investigate and handle these concerns should they arise. And remember, if you don't have an anti-discrimination and harassment policy that's designed to prevent harassment and stop it if it does happen, you don't have a legal defense should someone sue you for harassment. Your policy needs to be clear, effective and widely distributed so employees know how to report it. Also consider who to direct staff to with policy questions, leave requests, or workplace safety concerns or accidents. Take a look at your org chart and see who these should fall to so that your handbook can provide appropriate direction and resources.

- **What is your company's culture?** The handbook should reflect your company's individual culture and work style.

**Do your research:** First, you will need to know which federal laws apply to your workplace. These likely include the Fair Labor Standards Act (FLSA) for wage and hour rules, the National Labor Relations Act (NLRA) for rules on employee rights, especially rules that apply to handbooks, Title VII of the Civil Rights Act for rules against discrimination, including race, sex, religion, national origin, age, the Americans with Disabilities Act (ADA) for reasonable accommodations for disabled individuals, the Pregnant Workers Fairness Act (PWFA) and the Pregnancy Discrimination Act (PDA) for discrimination against and accommodations for all pregnancy related conditions and the Uniformed Services Employment and Reemployment Rights Act (USERRA) for military service discrimination—plus a few others like the Family and Medical Leave Act (FMLA) if you're large enough. You'll also want to research applicable employment laws for your region including those related to pay, employee classification, required paid or unpaid leaves, breaks, and more. You may want to consult an employment law attorney. Be sure that any sources you use are credible and up-to-date.

Your research may also include reviewing sample handbooks or templates to get a better feel for what you want your handbook to look and sound like.

**Outline your handbook:** An outline can help you stay organized and ensure that all of the necessary information is included. Always start your handbook with a table of contents so that employees can quickly locate what they're looking for instead of having to sift through fifty pages of policy. Provide hyperlinks and a search function if the handbook will be digital.

**Start writing:** Your employee handbook should be written in a clear concise tone. It should be easily understood by all levels of employees. Safety rules must be written at a level and in a language that your employees understand.

Generic policies are boring to read and may not accurately reflect your company policies and culture. The handbook should help new employees understand your company, so it should truly reflect the business. Use templates as a guide or starting point rather than the finished product.

Be specific, but not too specific. Don't leave your employees with tons of questions or confusion after reading the handbook, but also be careful to leave some flexibility. Don't include a bunch of stringent policies that you know aren't actually followed or enforced in your workplace.

Also, avoid getting too specific with disciplinary measures. Including language like "this behavior may result in disciplinary action up to and including termination" is standard in employee handbooks for a reason — it gives you some wiggle room to adjust your response to policy violations to individual circumstances. Sometimes giving warnings prior to termination is not the right approach, if the misconduct has been especially egregious. In other circumstances, some leniency or empathy may be required due to extenuating circumstances. Don't lock yourself into firm discipline and termination processes.

**Special considerations for small businesses:** Depending on the size of your business, not all employment laws may be applicable. For example, private sector employees are only eligible for leave under FMLA if they [work at a location where the employer has at least 50 employees within 75 miles](#).

Small businesses also do not have the large HR departments that medium and large-sized businesses possess. Some small businesses do not even have a dedicated human resources staff member. This doesn't mean that you should skip the employee handbook. It may however be a good idea to outsource the project in order to avoid overextending your staff.

Consulting an employment law attorney is also highly recommended to ensure that your final handbook is legally compliant. You can also utilize policy or employee handbook templates to build your handbook prior to sending it off for legal review. Just be aware that employment laws can vary by region so be sure to look up policies and templates that are targeted toward your state laws.

## Distributing the handbook

Once it's time to distribute the handbook, have employees sign a short acknowledgment that they've received the handbook. Keep this for your records in

their employee files. If it is digital, require employees to sign in with their unique username and password.

Don't expect them to take it home and read it. You want your new hires to take the time to thoroughly review the handbook so that they understand the expectations, norms, and policies of your business.

It's also a good idea to make the handbook available electronically to employees, as many of them will misplace their hard copy after onboarding. You could also distribute the handbook fully electronically as an environmentally friendly approach. The handbook will probably be quite long, so printing them can use a lot of paper. Just be sure that employees still acknowledge that they've received a copy of the handbook or access to the handbook.

You're not done yet: Your employee handbook is an ongoing project. It's important to update your handbook at least once per year due to changes in employment laws. You may also need to make updates or add policies as business needs change. For example, if you shift to remote work or add a new location out of state, you'll need to review the handbook and update it to reflect these changes.

When announcing a new policy: Give adequate notice when adding or updating a policy and ensure that every employee receives a written physical or electronic copy before implementing new rules.

It is a good idea to have employees sign or acknowledge receipt of the new policy. This gives you as the employer a written record that they received communication regarding policy changes, which can come in handy if you need to take disciplinary action related to policy violations in the future. It also allows you to double-check that every employee received notice so that you can ensure that nobody was missed or overlooked.

# The nuts and bolts of your handbook

## At-will employment disclaimer

Many employee handbooks begin with the at-will employment disclaimer. Most employees in the U.S. are considered at-will employees. At-will means that both the employer and employee have the right to sever the employment relationship at any time with or without notice and with or without cause.

### Sample

No manager, supervisor or employee has any authority to enter into an agreement for employment for any specific period of time or to make an agreement for employment other than at-will employment. All employees of [Company Name] are hired on an “at-will” basis. Either party may terminate the employment relationship at any time, with or without notice, and with or without cause. Only the [president, owner, CEO] has the authority to enter into a different agreement and then only in writing. Nothing in this employee handbook should be construed as a contract or a guarantee of continued employment.

### Questions for review

- Is it clear that all employment is at-will? Employees operating under the terms of a contract or collective bargaining agreement would require separate documents.
- Does the language used explain the concept? Workers should understand that at-will arrangements give both workers and companies the right to terminate employment at any time with or without reason. However, employers cannot fire an employee for a reason made illegal under state, local or federal law such as discrimination.
- Do you mention the courtesy of two weeks’ notice before quitting? Leaving immediately is becoming increasingly popular. Make people aware of any possible repercussions, such as forfeiting the possibility of future employment with the organization.

## **Company-specific information**

It's a good idea to define your company's mission with a mission statement. A list of your company's values can also be helpful for setting a positive company culture and connecting with your employees through shared goals and values.

To write a mission statement, think about the purpose of the company. What was it founded to do? How is the company meant to serve customers or society? What need is this company meant to fulfill? A strong mission statement will often include what your company sets out to do, how it aims to accomplish that goal, who your target market is, and core values or commitments that your company holds.

Your company's core values are the guiding principles that govern your company's culture and operations. They're often short descriptions like "honesty", "compassion", and "customer first" that describe the values held by the company and its employees.

### **Sample**

[Company Name] was founded with the [adjective] objective in mind; to [goal].

Some employers also provide a bit of company history at the beginning of their employee handbooks to provide some background information to new hires. A welcome letter from the CEO or Founders can also be a nice touch.

## **Employee code of conduct**

The conduct policy gives an overview of the company's expectations for how employees should behave and interact. It often encompasses company values such as respect, fair treatment of everyone, and integrity. Employees of all levels must interact respectfully with each other, respect company property, and conduct themselves professionally.

## **Employment classification**

This section serves as an explanation of how the business classifies its employees. How many hours do employees need to work to be considered full-time? Some

employers define full-time as 30 or 35 hours per week, but 40 hours per week is the standard.

Give an overview of exempt vs. nonexempt employees. Exempt employees are typically administrative or management staff members paid on a salary basis. These employees are exempt from being paid overtime. The [Department of Labor](#) has set clear guidelines for determining whether an employee can be classified as exempt. Nonexempt employees are entitled to overtime pay if they work over 40 hours in a workweek.

## **Timekeeping and pay information**

Detail your procedures for employee timekeeping, reporting, and compensation. Let employees know when they can expect to be paid and how often they need to submit timesheets. It's also good to mention what the procedure is when payday falls on a weekend or holiday.

Also provide information on overtime pay, meal periods, and breaks. Expense reimbursement procedures can also be covered including expense reimbursement schedules, getting prior approval for expenses, and submitting expenses in a timely manner.

### **Sample**

Standard working hours at [Company Name] are from 8 a.m. to 5:00 p.m. Some departments' hours may vary. Your supervisor will advise you if your department's schedule varies from the norm or if business demands require you to adjust your schedule at any future date. You are entitled to an unpaid one-hour lunch each workday unless you are leaving early and working under five hours.

Overtime must be approved by your supervisor in advance and must be included on the timesheet in your total hours worked. All non-exempt employees will be paid at one and a half times their base hourly rate for any work performed over 40 hours per week.

To ensure that you are paid in a timely and accurate manner, you will be required to record your time worked and your absences on the company's employee

timesheet form. This form should be completed daily and signed and forwarded to your supervisor on a weekly basis. After reviewing the form and resolving any discrepancies, your supervisor will sign the form and forward it to payroll for processing.

Please exercise care when recording your hours and leave time taken. Falsifying a time record is a breach of company policy and is grounds for disciplinary action, including the possibility of termination.

## **Employee benefits**

You can give an overview of your benefits offerings and eligibility requirements. It's best not to get too specific here, as benefits offerings may change annually and there are often multiple options available to employees (such as different health insurance plans to choose from).

You can outline the eligibility requirements for health insurance benefits and retirement plans, consistent with state and federal laws. You can also include the waiting period for new hires and that changes may be made during open enrollment each year.

- **Company perks.** If your business provides any special perks to its employees be sure to include those. Things like employee discounts on products, work-from-home flexibility, or commuter benefits can help new hires get excited about working for your company while reviewing the handbook.
- **Health insurance.** Specific insurance plans and pricing will be provided yearly during open enrollment and to new employees once they become eligible. However, it is a good idea to include an overview of who is eligible for health insurance benefits and what the waiting period is for new hires.
- **Retirement plans.** If your business offers employees a 401K or other retirement plans, detail eligibility requirements and whether there is any employer matching.

## **PTO policy**

Detail how paid time off is accrued and the procedure for requesting time off. Also, be sure to include if there is a waiting period for using accrued PTO for new employees.

Some businesses choose to offer unlimited PTO, but most provide a set amount of sick leave and vacation time. In some states, vacation is considered part of an employee's compensation package, and accrued vacation is required to be paid out upon separation. You can clarify in your policy whether or not accrued PTO can be paid out on termination and whether unused PTO will roll over to the next year for employees.

### **Sample (holidays)**

The company will observe the following days as paid holidays each year:

- New Year's Day.
- Memorial Day.
- Independence Day.
- Labor Day.
- Thanksgiving Day.
- Christmas Day.

If a holiday falls on a weekend, the holiday will be observed on the closest working day to the holiday.

Part-time employees will receive a paid day off if the holiday falls on a day that they would regularly be scheduled to work.

If a non-exempt employee is required to work on an observed holiday, they will be compensated at their normal rate of pay for the holiday plus one and one-half times their base rate for the time that they work.

Employees may use accrued PTO to take off holidays not observed by the company. Unpaid time off will also be granted to employees observing religious holidays if

PTO is unavailable as a reasonable accommodation if doing so does not create an undue hardship.

## **Attendance**

A lot of businesses fail to document their attendance policy, or wait until an attendance problem arises before creating one. Detail your attendance expectations, how to request time off, and the procedure for alerting management of unexpected tardiness or absences.

Acknowledge that disciplinary action may occur due to recurring tardiness, unexcused absences, or no-call no-shows. You can also include expectations for standard work hours if applicable, though many businesses do have multiple shifts.

### **Sample**

[Company Name] expects all employees to assume diligent responsibility for their attendance. Regular and prompt attendance is essential to the success of the company.

If you are unable to report to work, you must notify your supervisor or department head no later than 30 minutes before your start time on each day of your absence. If you leave a voicemail message for your supervisor or department head concerning your absence, a personal follow-up call must be made by noon on the same day of the absence. Failure to properly notify the company of your absence may result in disciplinary action.

Absenteeism or tardiness that is unexcused or excessive is grounds for disciplinary action, up to and including termination. If you are unable to work a scheduled shift for reasons covered under the FMLA, due to a disability under the ADA or for a pregnancy-related reason, you are still expected to follow the call-off procedure. Your missed shift(s), however, will not be counted against you if you are entitled to time off under the FMLA, ADA, PWFA or any other law.

### **Questions for review**

- Is it clear how weather-related closure decisions get made?

- How does information regarding weather-related decisions get conveyed to employees, including the timing of such messages and communication method?
- Do employees get paid on snow days? Spell out any differences by status (exempt vs. non-exempt) and length of closure (partial or full day).
- Who, if anyone, can work at home when the weather is questionable but the office is open? How does one get approval? What activities (such as trainings) “count” as working?

## Leave policies

The time off policy should make up a large section of your employee handbook. It should cover vacation, sick leave, and all types of leave offered by your organization.

### Be sure to include:

- **FMLA Leave:** The Family and Medical Leave Act is a federal law that grants employees of covered businesses the right to take up to 12 weeks of unpaid job-protected leave annually for medical purposes or to care for an applicable family member.
- **Parental Leave if this is offered separately from FMLA:** FMLA covers unpaid leave for the birth or adoption of a child, but many companies also offer additional paid time off to new parents.
- **Sick Leave:** Sick leave is required by law in some states. Some employers separate sick days and vacation, others offer a combined PTO pool.
- **Holidays:** Include a list of all paid holidays observed by your company.
- **Vacation:** Vacation accrual can vary by employee and is often included in the employee’s offer letter. You can, however, include a policy on vacation request procedures and whether seniority is used to grant requests.
- **Bereavement Leave:** This is not legally required under federal law, but many employers choose to offer leave to attend a funeral or deal with the death of a close friend or family member.
- **Military Leave:** Employers are required to grant military leave to members of the National Guard and Reserves of the Armed Forces and other types of

military service Learn more about military leave eligibility and requirements [here](#).

- **Pregnancy accommodations.** Under the Pregnant Workers Fairness Act, employers have to make reasonable accommodations for any pregnancy-related time off such as medical appointments and time to recover from childbirth or related conditions
- **Any other leave required by your local or state laws.** Some states require employers to grant paid time off for jury duty, voting, and victims of domestic violence.

### **Sample (FMLA leave)**

The Family Medical Leave Act (FMLA) applies to private employers with over 50 employees within 75 miles, public agencies, and elementary and secondary schools. If you run a small business you may not be subject to FMLA yet.

FMLA-eligible employees may take unpaid leaves of absence for the following reasons:

**Family leave.** The birth of your child or the placement of a child in your home for adoption or foster care. FMLA family leave must conclude within 12 months after the birth or placement of your child.

**Medical leave for yourself or family care.** A serious medical condition of yourself or a family member (child, spouse, parent, or one who stood in place of a parent).

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care, treatment, or supervision by a health care provider. A serious health condition includes any period of incapacity due to pregnancy or for prenatal care.

Any paid leave to which the employee is entitled at the time of the leave must be taken as part of the 12-week leave, with the remainder of the leave unpaid. In other words, if the employee is entitled to two paid weeks of vacation plus five sick days when he or she goes on leave and takes the full 12 weeks off, the employee will be

paid for the first three weeks of leave and take the remaining nine weeks without pay.

You may take up to a total of 12 workweeks for family or medical leave in any 12-month period. A 12-month period is determined by reviewing the 12 months prior to the date the requested leave is to begin.

**Eligibility:** If you are an active employee, you are eligible for family and medical leave unless you have worked less than 1,250 hours during the 12-month period before the leave is to commence.

**Procedures:** After discussing your need for leave with your manager or supervisor, you should submit any request for an FMLA leave to the Human Resources Department at least 30 days prior to the date you wish to begin the leave if the need for leave is foreseeable.

**Medical certification:** Employees taking FMLA medical leave for self or family care must submit a medical certification to human resources.

**Benefits and job continuation:** All benefits, if you elect, will continue through the leave period. You must continue to contribute your share of any medical and insurance premiums. If you are using paid leave (i.e., vacation, sick leave, personal days) for your leave, you will continue to accrue vacation and sick leave, and you will be paid for holidays that occur during the paid portion of your leave. Vacation and sick leave will not accrue during any unpaid leave, and you will not be paid for holidays that occur during your leave. When you return from FMLA leave, you will be restored to the same or an equivalent job position, unless your position has been affected by a reduction in force, reorganization or other change that would have occurred had you not been on leave.

FMLA medical leave may be taken intermittently or on a reduced work schedule when medically necessary, subject to medical certification. In such circumstances, [Company Name] may temporarily transfer you to an alternative position for which you are qualified and that better accommodates the recurring periods of leave. If a transfer is made, your pay and benefits will not be reduced.

There is also FMLA leave available for military related reasons, including caring for an injured service member and for exigencies related to active duty service. For more information on your rights under the FMLA, [click here](#).

### **Sample (sick leave)**

Full-time employees accrue one day of paid sick leave at the end of each month, beginning with the first month of employment. Sick leave may be taken for any bona fide reason.

Up to [X] days of unused sick leave may be carried over from one calendar year to the next. Each employee is allowed a maximum of [X] sick days in any calendar year. Unused accrued sick leave will not be paid out upon termination.

### **Sample (vacation)**

Each full-time employee may take vacation with full pay at such time as is mutually agreed upon between the employee and management. After one year of full-time employment, the employee accrues five working days of paid vacation annually; after two years, 10 days; after five years, 15 days; and after 10 years, 20 days. If an authorized holiday occurs within an employee's vacation period, equivalent time off with pay will be provided.

Full-time employees may carry over up to [X] days of vacation leave per calendar year. If not used, the remaining vacation time will be forfeited.

All vacation leave must have the prior approval of the employee's supervisor. Please check with your supervisor prior to making vacation plans. If you plan to take vacation during a popular travel time such as vacation or near a holiday, it is recommended that you provide as much advance notice as possible, as vacation requests are approved on a first-come-first-serve basis.

### **Questions for review**

- Has your handbook kept pace with relevant legislation, such as federal law requiring employers to provide reasonable time and space accommodations for breastfeeding mothers?
- Are elements of the Family and Medical Leave Act spelled out in a way that workers know how the information pertains to your workplace?

### **Other types of leave you might consider covering in your handbook:**

**Bereavement leave:** Bereavement leave, in contrast to the other forms of leave included, is not required by federal law. However, it is common for businesses to voluntarily grant it. Some states do provide for bereavement leave.

#### **Sample**

Up to [X] days of paid leave may be taken in the event of the death of a spouse, offspring, sibling, parent, spouse's parent, grandparent, son- or daughter-in-law, or life partner of the employee. Exceptions may be granted by management under extenuating circumstances when requested by the employee. Please speak with your manager or a member of human resources to request bereavement leave or to seek an exception to the above-listed policy.

**Military leave:** Federal law requires that companies provide leave to members of the armed forces, and as such, it is a good idea to include military leave within your leave policies section of your employee handbook. Most frequently, short-term military leave will be requested by employees enlisted in the Reserves or National Guard while maintaining employment with your company.

#### **Sample**

[Company Name]'s policy is to comply with all applicable laws that afford job protection rights and leave to employees serving with the Military, Military Reserve, or National Guard.

The company will supplement pay for up to two weeks per year for employees serving temporary military duty.

For active duty or enlistment, leave will be unpaid. Upon your return from military service, you may be eligible for reinstatement as provided in the Uniformed Services Employment and Reemployment Rights Act.

Members of a Military Reserve or National Guard unit may have an annual training period. When an employee receives orders for such training, he or she should promptly notify the supervisor, detailing the duration of the required service. Regular pay minus military pay received for regularly scheduled workdays will be provided for up to two weeks.

If an employee so desires, he or she may use vacation time for military service. Any additional time needed for military service will be a leave of absence without pay. Should an employee be required to take extended leave without pay to fulfill his or her military duty, eligibility for reinstatement after military duty or training is completed is determined in accordance with applicable federal and state laws.

**Time off for voting:** Time off for voting is required in many but not all states. Check your state and local laws to see whether time off for voting is required, whether it must be paid time off, and any notice requirements.

### **Sample**

Employees will be given two hours off when necessary to vote in federal, local, or state elections. If you believe that you will not have sufficient time outside of work hours to vote, please notify your manager or the HR department at least 48 hours prior to election day.

**Domestic violence leave:** Some states require employers to grant leave to those experiencing or escaping domestic violence. Even if it is not required, you may grant this at your discretion. This can be a kind policy to include in your handbook to show victims that the company will support them.

### **Sample**

Employees who are experiencing domestic violence and need time off to attend court proceedings or relocate to safe surroundings may take unpaid leave to do so. Employees requiring this leave should provide documentation of the abuse, such as

police or medical reports. This documentation will be treated as confidential information. As with any other type of leave, the employee must provide an estimated date of return to work and provide status updates as soon as practicable.

**Jury duty:** While it is common to provide paid leave to employees for Jury Duty service, it may not be required. Check the applicable state laws to determine if you need to pay employees serving jury duty. If you are not required to provide paid leave, you may elect to modify this template to state that employees can use PTO during their jury duty service dates.

### **Sample**

The company encourages you to fulfill your right and duty as a citizen when you are called for jury duty. Time off will be granted for the duration of your jury duty. Please provide your jury duty summons to your supervisor as soon as possible so that proper arrangements can be made to cover your absence. You will receive your full salary for time spent on jury duty up to [X] business days. You will also be eligible for employee benefits as if you were actively employed during the full course of your jury duty. In the event that you are dismissed from jury duty early on any given day, you must report to work for the remainder of the workday.

**Pregnant Workers Fairness Act:** Employers must provide reasonable accommodations for pregnant workers who have pregnancy-related limitations unless doing so creates an undue hardship.

### **Sample**

We are committed to follow the Pregnant Workers Fairness Act, a federal law that provides reasonable accommodations for common and uncommon pregnancy-related limitations. Common problems like morning sickness, the need for frequent breaks and stools for sitting are available by asking your supervisor. Less common conditions and possible reasonable accommodations should be discussed with HR. These accommodations can include time off, removal of essential functions temporarily and reassignment to open jobs. Once we receive your request, we will promptly meet to discuss options and arrive at a solution.

## **Dress code**

Set some guidelines for what is considered appropriate attire for your workplace. Provide examples of appropriate and inappropriate clothing options. It's fine to have a more casual dress code if that suits your company's culture and industry, however, it's still a good idea to have a dress code in place. Be sure that your dress standards are inclusive of all cultures, religions, and gender identities.

### **Sample**

Employees are expected to wear appropriate business [casual] attire. Employees are expected to dress neatly and maintain appropriate personal hygiene standards.

Acceptable workplace attire includes button-up shirts, blouses, dresses, polos, khakis, dress pants, clean un-ripped jeans, sweaters, and similarly appropriate attire. Shorts (except knee-length shorts), tank tops, mesh shirts, cutoff shirts, sweat pants, athletic wear, caps, ripped jeans, and T-shirts with controversial slogans are not appropriate.

Adjustments may be made during inclement weather and for offsite company events. Employees will be provided with advance notice of any dress code changes.

Employees in customer-facing roles are expected to dress appropriately for client meetings, which may require more formal attire. Employees should use their best judgment when determining appropriate dress for client meetings and events.

If you have any questions about what's appropriate or to request a religious reasonable accommodation, contact the HR office.

### **Questions for review**

- Have outdated rules (such as requiring men to wear suits and women to wear dresses) been modified to reflect that the company does not enforce the dress code in a way that reinforces stereotypes about how a particular gender should look and dress?

- Have gendered hairstyle rules (such as no long hair or buns on men) been rectified?
- What legislation regarding hairstyles may affect your workplace? Most states already have passed the CROWN Act to ban discrimination against natural hair (including afros, braids, twists, and locks), with federal action on the horizon.
- Does the code correctly place an emphasis on neatness, cleanliness, and safety in workplace dress over dictating specifics?
- Do the guidelines display an organizational commitment to supporting employees' religious, ethnic, and cultural beliefs?
- Does the handbook encourage workers with questions regarding appearance standards to consult with HR?

## Harassment and discrimination

It should be made abundantly clear that your business does not tolerate harassment or discrimination. This should be emphasized through the company culture and messaging from leadership, but it also needs to be stated in a company policy.

### Here are the policies that you'll need in this section:

- **Anti-discrimination:** Discrimination based on race, ethnicity, religion, sexual orientation, gender identity, age, disability status, or national origin should be expressly prohibited. Any employee that displays discriminatory behavior should be subject to disciplinary action up to and including termination.
- **Equal opportunity policy:** This policy should state the measures that the company is taking to ensure that discrimination does not occur. It should also address that the business does not discriminate in its hiring process. This policy applies to employees and applicants.
- **Anti-harassment:** Define what constitutes harassment including sexual harassment, quid pro quo harassment, and creating a hostile work environment.
- **How to report harassment or discrimination:** Detail how to report harassment or discrimination of any kind. It is a good idea to put HR in

charge of receiving and investigating harassment complaints. Harassment often comes from the employee's direct supervisor or a member of their team. Having a third party to report concerns to may help victims feel more comfortable.

### **Sample**

[Company Name] is committed to preserving a working environment free from sexual or other harassment. Sexual or other harassment is against the law and is a form of discrimination. [Company Name] does not tolerate discrimination on the basis of gender, pregnancy, sexual orientation, sexual identity, race, religion, age, national origin, citizenship, veteran status, disability, or any other personal characteristic unrelated to an employee's ability to perform work requirements. The aim of this policy is to prevent harassment of any kind by anyone employed by or associated with the company.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or unwanted sexual attention by anyone associated with the company, whether male or female. Harassment may include references to employment status or conditions or may serve to create a hostile, intimidating, or uncomfortable work environment. Harassment includes, but is not limited to, obscene jokes, lewd comments, sexual depictions, repeated requests for dates, touching, staring, or other sexual conduct committed either on or off company premises.

All employees are responsible for helping to ensure that our workplace is kept free of harassment. Managers and supervisors are required to report observed harassment to the HR office even if the harassment is in a different division or office. If you see something, say something to HR.

If you feel you have been a victim of sexual or other harassment or discrimination, report the behavior to any supervisor or member of the human resources department. If you have witnessed sexual harassment or any form of harassment or discrimination, you also are urged to report the incident to human resources or management so that prompt action may be taken to investigate the matter.

All complaints will be treated seriously, kept as confidential as possible, and investigated fully. [Company Name] expressly forbids any retaliation against employees for reporting a sexual harassment incident.

If an investigation confirms that sexual harassment has occurred, immediate action will be taken to put an end to the harassment. [Company Name] will take appropriate corrective actions against anyone found to be in violation of this policy, including potential termination of employment.

### **Questions for review**

- Does the language used throughout the handbook reflect the recent Supreme Court ruling that Title VII's sex discrimination provision applies equally to discrimination based on sexual orientation and gender identity? This is an area currently in flux as the EEOC is planning to drop recent harassment guidance related to gender identity. For now, the Supreme Court ruling remains the law of the land.
- Does your equal opportunity statement include that the company does not discriminate on the basis of sex — including sexual orientation and gender identity/transgender status?
- Has your anti-harassment policy been updated to specifically state that the organization does not tolerate harassment based on sex, sexual orientation, or gender identity?

### **Equal employment opportunity policy**

This policy should emphasize that the company provides equal employment opportunities to all employees and prospective employees. It can state that the business does not discriminate based on race, ethnicity, religion, age, disability status, genetics, sexual orientation, gender identity or expression, or any other protected characteristic in regard to hiring, promotion, layoff, termination, or compensation.

### **Sample**

[Company Name] recruits, hires, trains, assigns personnel, promotes, and compensates employees without regard to race, color, religion, national origin, age, sex, marital status, disability, or sexual orientation. All employment decisions at [Company Name] are made on the basis of merit and job requirements.

## **Social media**

Having a social media policy can help protect the reputation of your business. Your staff's actions are often seen as a reflection of your business and its values, even actions taken outside of business hours.

Your employees should be free to express themselves online, but it's okay to place a few restrictions on their expression.

Here's what to include in your social media conduct policy:

- Do not share proprietary or confidential company or client information.
- Do not post defamatory, derogatory, or inflammatory content about the company, customers, or team members.
- No cyberbullying coworkers, customers, or others.

### **Sample**

Social media platforms are a common means of communication and self-expression. Because online postings can conflict with the interests of [Company Name] and its customers, the company has adopted the following policy. Breach of this policy may result in disciplinary action, up to and including termination.

Outside the workplace, you have a right to participate in social media and networks using your personal email address. However, information and communications that you publish on personal online sites should never be attributed to the company or appear to be endorsed by, or to have originated from, the company.

Do not disclose company trade secrets or other confidential information related to the company, its customers, or employees. Sharing these types of information, even unintentionally, could result in harm to the company and legal action against you or the company.

If you choose to disclose your affiliation with the company in online communication, then you must treat all communications associated with the disclosure as professional communications governed by this and other company policies.

Do not post any information or engage in any online activity that violates applicable local, state, or federal laws, or professional rules of conduct.

Avoid hostile or harassing communications in any posts or other online communications involving the company. Harassment is any offensive conduct based on a person's race, sex, gender, gender identity, national origin, color, disability, age, sexual orientation, veteran status, marital status, religion, or any other status protected by law.

Nothing in this policy is intended to or will be applied in a manner that limits employees' rights to discuss their working conditions or engage in protected concerted activity as prescribed by the National Labor Relations Act.

### **Questions for review**

- Do you adequately cover relevant topics? It's important to include guidelines on confidentiality of company/client information, posting on work time or devices, and staying away from harassing colleagues.
- Who can post on official company sites? You may wish to limit who comments/posts on company sites and pages. In addition, you may wish for employees that comment on company social media posts to disclose their employment with the company.
- Does your language leave the impression that the company is trying to prohibit employees from talking about work? Remember that the National Labor Relations Act enables employees to converse freely with each other about employment and working conditions, including topics like pay, hours, and treatment.

## **Safety**

Workplace safety policies protect your staff and your business. Include information on general workplace safety, specific safety procedures related to your industry and operations, and how to report and document an injury. Emphasize that accidents or injuries sustained at work need to be reported even if they are relatively minor and do not require medical care. That tiny cut that they sustained while opening boxes could end up becoming infected down the road and requiring medical care.

If your employees drive company or personal vehicles during the normal course of their work, a vehicle safety policy should also be included. This can include how to report an accident in a company vehicle, that employees are responsible for parking tickets and traffic violations incurred while driving for work, and that no employees may drive under the influence of any substances. A general substance abuse policy may be needed as well, particularly if employees operate machinery in the course of their work.

## **Flexible work arrangements policy**

Flexible working arrangements have become quite popular. They help parents and disabled employees remain in the workforce. Flexible work hours or telecommuting opportunities are also becoming a popular perk for employees. Although RTO efforts are affecting many, employees have increasingly expressed a desire to have continued flexibility to work from home in at least some capacity.

### **Sample**

[Company Name] offers flexible work arrangements as an alternative to a traditional work schedule. They provide you with options in the number of hours you work and where you work. The company will consider full or partial telecommuting arrangements.

You may request a flexible work arrangement when a traditional work schedule is not ideal for you. For example, you may need special hours to care for a child or other relative, to attend school, or to meet other personal demands. Flexible or

remote work arrangements will also be considered as a form of reasonable accommodation for disability or pregnancy if needed.

Not every job is suitable for a flexible work arrangement, so there is no assurance that an arrangement can be approved by your manager. An approved flexible work arrangement typically begins on a temporary basis to make sure that the arrangement is workable for you and for your area's business. Your manager and human resources representative will work with you to implement the arrangement.

### **Questions for review**

- Who is eligible to telecommute, and under what circumstances?
- What technology is required, and who will pay for it?
- Do employees have set hours to be online while telecommuting, and is there any flexibility in scheduling?
- What security measures does the company have in place and expect telecommuting employees to follow when working outside of the office?
- Is it clear that telecommuters must display the same professional behavior when working online as when in the office. Ensure employees know improper conduct such as bullying coworkers on company chat platforms is subject to disciplinary measures.

## **Confidentiality**

If employees will be privy to private customer, employee, or company data a confidentiality policy is a must.

As part of the confidentiality and data security policy, be sure to specify the expectations for returning company property such as cell phones and work-issued laptops. Also, mention any expectations in terms of deleting company files off of personal devices if employees are allowed to use personal phones and computers for work. Many employees have been using their own laptops for remote work recently, so even if you have an existing policy on this subject matter it may require an update.

## **Internet and tech policy**

In many job roles and industries, staff spend the majority of their time at a computer, so it makes sense that you would need a policy on internet and computer usage. Improper usage can result in viruses, security threats, or workplace misconduct. Outline what is and is not appropriate using this template. In the template, casual browsing is allowed during breaks as this tends to build goodwill with staff, but you can alter it to ban any personal use if preferred.

### **Sample**

[Company Name] provides internet access and company-owned computers for business use. The internet's vast informational and educational capabilities can help us all do a better job, but not at the expense of either productivity or security for our core business systems and sensitive company and client data.

Employees are expected to use internet access in a professional manner, primarily for business-related research and communication.

Employees with internet access must be clear on the point that the company can and will monitor internet usage for appropriateness. All existing company policies apply to conduct on the internet, especially those that deal with intellectual property protection, privacy, misuse of company resources, sexual harassment, information, and data security, and confidentiality.

Employees may use company computers and internet access for nonbusiness research or browsing during meal periods or other breaks, or outside of work hours, provided that all other usage policies are adhered to.

Offensive and/or sexually explicit content may not be displayed, printed, archived, stored, distributed, edited, or recorded using company devices or resources.

Software or files with direct business use may be downloaded via the Internet into the ZYX network and thus become the property of ZYX. Such files or software may be used only in ways consistent with their licenses or copyrights.

No employee may use ZYX facilities to knowingly download or distribute pirated software or data.

Intentional use of any company resources for any illegal activity is grounds for immediate dismissal, and ZYX will cooperate with any legitimate law enforcement activity in that regard.

Any employee attempting to disable, defeat or circumvent any company security facility (firewalls, proxies, screening programs, etc.) is subject to immediate dismissal.

Any file or software downloaded from the internet to company equipment must be scanned for viruses before being accessed. Do not download any files from unknown or suspicious email addresses, and report any suspicious activity to the IT department.

## **Personnel records policy**

There are times when employees will request to see, copy, or even withdraw their records from HR. Make sure you outline what can and cannot be seen, duplicated or accessed by others. Check state and local laws for any limits, as some laws limit when and how often employees may review their records.

### **Sample**

[Company Name] maintains a personnel file on each employee. The personnel file includes information such as the employee's job application, résumé, training records, copies of past performance reviews, and other applicable employment records.

Personnel files are the property of [Company Name], and access to the information they contain is restricted. Only supervisors, management, human resources staff, and legal counsel of [Company Name] who have a legitimate reason to review information in a file are permitted to do so.

Employees who wish to review their own file should contact the human resources department. With reasonable advance notice, employees may review their files in

the presence of a member of human resources or another person appointed by the company to maintain the files. Personnel records may not be removed from the premises.

## **Vehicle policy**

This template may be modified if your organization does not possess company vehicles for employee use. It is still a good idea to include a vehicle policy even if your staff does not generally drive in the course of their work, as staff may occasionally need to operate their own vehicles to attend offsite meetings.

### **Sample**

Company-owned vehicles may be utilized for approved business purposes. If an employee drives their own personal vehicle for approved business purposes they will be reimbursed according to the current IRS mileage rate.

Vehicles are to be driven only by those employees who have been specifically authorized to do so. Unauthorized use of a company vehicle will result in strict disciplinary action, up to and including termination.

Any employee who is authorized to drive a company vehicle, and allows any other unauthorized use of the vehicle will be subject to the same disciplinary action described above. Employees may not transport family members or non-employees.

Each employee who is assigned a specific vehicle for ongoing use is to maintain that vehicle according to the company's Vehicle Maintenance policy. Employees should report any maintenance concerns promptly and refrain from driving the vehicle if it does not appear to be safe to operate.

Employees should follow all relevant traffic laws and exercise safe driving practices. Employees may not operate company or personal vehicles while under the influence and should refrain from using their cell phones while driving. Employees are responsible for any parking or traffic violations incurred while driving a company-owned vehicle or while using their personal vehicle for business purposes. Reasonable toll and parking fees will be reimbursed, but there shall be

no such reimbursement on fines for violations including parking violations, moving violations, or toll violations.