

Editorial | Swing Batter, Batter!

By David W. Mykins, P.E., Chair CASE Executive Committee



Imagine that, one day, you and some of your friends decide to go out and play a game of softball. You don't have enough players, so you go to the local park and find a friendly group and ask them if they'd like to play. They have never played before, but you assure them it's a lot of fun. After a cursory explanation, they agree and you take the field to start the game. The first batter comes up and, after the third strike, your team declares her 'out' and calls for the next batter. But the other team protests saying, "That's not fair. You didn't tell us we only got three strikes." And an argument begins before the game is even through the first inning.

Playing a game without everyone understanding the rules is just like running a business without an employee handbook. An employee handbook is an important foundation for any business, whether it is an emerging small business or an international mega firm. The handbook sets forth the expectations between the employer and the employee, and thus provides an important risk management tool. By that I mean, it helps businesses avoid litigation and also puts staff members at ease by spelling out the company's policies and minimizing misunderstandings.

Another benefit of having an employee handbook is that it saves time for both your management team and your HR staff. Having documented rules and procedures saves them from explaining the same policies over and over to current or new employees. These written policies also help managers apply the rules consistently across the board.

Additionally, a properly written handbook will help your firm comply with federal and state employment laws, and can be a beneficial legal defense in the event of a lawsuit.

So what are some of the do's and don'ts of an effective employee handbook?

Do use simple language – Most experts agree that it is very important to have a handbook that is written in plain, easy to understand language. Avoid legal jargon that will confuse employees and describe the policies in clear, positive terms that reflect the company's culture.

Don't go alone – Labor laws can vary significantly from state to state and it is important that the policies in the employee handbook do not contradict any Federal or State laws. Therefore, it is recommended that an attorney be consulted before finalizing and distributing the handbook.

Do get sign off – Include an employee acknowledgement page. This ensures that every employee understands and agrees that it is their responsibility to read and follow the policies set forth in the handbook. These acknowledgement pages usually are required to be signed and then are kept in the employee's personnel file.

Don't set it and forget it – The employee handbook is a living document. Regular reviews of the handbook should be made to be sure that it is up to date, not only with current labor laws, but with ever-changing living and working environments. Who would have thought 25 or even 10 years ago that we would need to address these issues:



- Concealed weapons at work
- Benefits for domestic partners
- Transgender equality
- Social media
- Political information in the workplace

These are just the start. The extent to which a handbook covers these issues and others will vary widely from firm to firm depending on many factors such as firm size, location and corporate culture. The employee handbook is very unique to the firm that produces it.

Do tell the back story – Since the employee handbook is usually the first introduction a new employee has to the company, many firms begin the handbook with a company history. This is an opportunity to familiarize the employees with the mission of the firm, why it exists, who its clients are and what its core values are. Such a statement defines the corporate culture and sets the tone for the rest of the handbook.

Don't re-invent the wheel – There are lots of great references and examples available to help you with creating a new document or updating an existing handbook. The CASE Toolkit Committee is just finishing work on a Sample Policy Manual that provides a great outline and some sample policies that can be adapted for an employee handbook. This document is set to be published in June 2016.

Hopefully this has helped you understand why the rule book is so important and spurred you to think about ways to create, enhance or improve your own. In any case, let's make sure everyone knows the rules, then step up to the plate and swing for the fences. ■



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