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Maximizing the Benefits of Your Employee Policy Manual

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Every well managed association has an employee policy manual. The manual is usually full of helpful information regarding how the association is managed. It includes information on hiring and firing, salaries, working hours, holidays and vacation time, overtime, sick leave and personal leave, telecommuting alternatives, insurance benefits, pensions and other information that enables your association to function efficiently within appropriate legal parameters.

Your employee policy manual should also include several sections on governance issues. These issues would include your anti-harassment policy, your anti-discrimination policy, your equal opportunity employment policy, your antitrust compliance policy, your environmental policy, your program for dealing with investigators from government agencies, your record retention policy and more.

Your employee policy manual should include provisions dealing with confidentiality, conflicts of interest, use of credit cards, proper financial practices, use of public media, dress codes, professional education, whistle blower protection, dealing with catastrophes, authority to speak on behalf of the association and a number of other issues depending on the nature of the industry or profession that you represent.

In describing your association practices and policies, your employee policy manual must include the procedures that will be followed when a practice or policy is violated and describe what action an employee should take when he/she believes a violation has taken place.

This sounds good but for many associations, there is a major disconnect between the written policy and what actually occurs in the work place.

Although a great deal of time and money goes into creating these manuals and periodically updating them, many associations do not take the time and effort to educate the staff on what is contained between the cover and the end page of the employee manual. When someone is hired, the HR department will give them a copy of the manual and may ask the employee to sign a statement acknowledging receipt. The HR person may skim over the pages of the manual and explain the benefit packages and the basic information that the employee needs to know when starting his or her job. The employee walks out of the HR orientation and the employee policy manual goes on a shelf, never to be seen again unless the employee thinks that he or she is about to be fired.

Here is the problem.....unless you implement a periodic staff education program with in depth seminars at least once a year, no one really knows that all these policies in the manual really exist. Yes, they know that the association doesn't discriminate and has an antitrust compliance policy. Yes, they know that employees should not use the company credit card for personal purposes but they don't understand that the association expects and requires all employees to be part of the culture that makes sure that these problems don't exist. Employees may see practices or hear conversations that they think are problematic, but in most instances, they will ignore what they see or hear. If it doesn't involve them directly or it involves someone in a supervisory role, why should they do anything?

In order for your governance programs to be effective, every employee must understand that all employees are responsible for making sure that the governance policies are followed and that the association has a whistle blower policy that will protect them if they report someone

even if what they report is not a violation. Employees must know to whom they should report things. They must understand that it is their duty to report conduct that violates company policy.

Too often we, as attorneys, are brought into a situation and we find that many employees knew that improper behavior was occurring on a regular basis. We ask why didn't you say something? The answer: Who were we supposed to tell? It's not my responsibility? I would get fired? When we show them that the employee policy manual describes how they should have responded to the issue, they shake their heads and respond: "We didn't know."

When is the last time that you sat down with your staff and went over your employee manual? When is the last time that you explained your culture and really empowered your staff? When is the last time that you revised your employee policy manual?

These are things you must do and you must do now. If you fail to have a regular staff education program, you will find that many of your policies and procedures designed to safeguard both the association and its employees, will simply be ignored.

We can review and update your employee manual. We often meet with the staffs of our association clients and discuss their governance policies and explain how these policies are implemented and what employees should do if they feel that the policies are being violated.

Can we help you? Contact Steve Fellman at 202.342.5294 or sfellman@gkglaw.com.