

Important HR Policies and Procedures



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Important HR Policies and Procedures

- ❖ Equal Employment Opportunity / Discrimination
- ❖ Attendance and Leave Policies
- ❖ Remote Work
- ❖ Social Media and Technology
- ❖ Workplace Policies on Alcohol, Drugs, and Smoking
- ❖ Disciplinary Policy

Equal Employment Opportunity / Discrimination

- ❖ Equal employment opportunity (EEO) policies are important because they set a baseline for how employees should be treated at work.
- ❖ EEO policies help to ensure that everyone is treated equally and have equal opportunities for employment and advancement without regard for race, gender, age, religion, disability, or any other characteristic protected by law.
- ❖ Additionally, EEO policies help employees openly interact and engage with one another without fear of discrimination.

Federal Law

- ❖ Co-extensive with state law; all prohibit discrimination, harassment, and retaliation.
- ❖ Title VII of the Civil Rights Act of 1964
 - ❖ Race
 - ❖ Color
 - ❖ Religion
 - ❖ Sex
 - ❖ National origin
- ❖ Americans with Disabilities Act (ADA)
 - ❖ Individuals with disabilities

Federal Law (continued)

- ❖ Age Discrimination in Employment Act (ADEA)
 - ❖ Individuals 40+
- ❖ Equal Pay Act (EPA)
 - ❖ Sex-based pay equity
- ❖ Genetic Information Nondiscrimination Act (GINA)
 - ❖ Family health history, results of genetic tests, use of genetic counseling, participation in genetic research

Discrimination

- ❖ State/federal law establish FLOOR for conduct
 - ❖ Wise employers never let conduct approach a legal violation
- ❖ Direct Discrimination
- ❖ Clearly racist, sexist, or otherwise discriminatory statements
 - ❖ “How can you do your job if you are pregnant? I’m going to have to let you go.”
- ❖ No inference is needed - clear link between statement & employment action

Discrimination

- 56% of young millennials would not consider working with certain employers due to their values or behavior;
- 49% have even refused to work with companies because of their ethical policies;
- 51% of employees, from all generations, do not want to work for a company that does not have a strong social or environmental commitment;
- 70% say that they would feel more fulfilled in their job and more loyal to their company if the company itself was truly invested in a social responsibility policy.

Attendance and Leave Policies

- ❖ Attendance policies outline the agency's expectations regarding attendance, absence, and tardiness including the consequences.
- ❖ Taking time off work is necessary to ensuring your employees are happy, healthy and productive.
- ❖ Taking leave helps to improve employees' work life balance.
- ❖ It is important to ensure that your employees know and understand your agency's attendance and leave policies. Additionally, how they can request leave. Include specific policies such as vacation, FML / sick leave, holidays, and so on.

System For Monitoring

- ❖ Require timely notification
- ❖ Require documentation and signature
- ❖ Does the employee have time to cover the absence?
- ❖ Is the leave justified?
- ❖ Approval

Remote Work

- ❖ Remote work policies should be managed fairly in order to minimize the legal risks to the agency and to employees.
- ❖ Remote work policies should specify which employees are allowed to work remotely, relevant procedures, and employer expectations.

Studies show that many employees can be equally, if not more, productive when working remotely.

While the feasibility of remote work varies depending on an employee's job responsibilities, expanding remote work options can offer various benefits. These benefits can include:

- ❖ Increased flexibility
- ❖ Increased retention
- ❖ Reduced greenhouse emissions
- ❖ The ability to tap into a broader talent pool
- ❖ Fewer opportunities for diseases or illnesses to spread

Suggestions

- ❖ Daily 'Huddles' with an Agenda
- ❖ Visible Dashboards
- ❖ 1:1 Check-ins with Team
- ❖ Engage through IM, Intranet
- ❖ Build a Plan & Inform Your Team
- ❖ What Tools do They Need to Collaborate

Considerations:

- ❖ Cyber Security Policy/Training/Instruction
- ❖ Time Keeping/Recording Policy
- ❖ Set Regular Working Hours with office hours
- ❖ Professional Attire Policy (even for working from home)
- ❖ Define who is eligible

Considerations:

Recent Headlines:

“Smucker’s return-to-office plan is a full embrace of remote work—with the big catch that it creates an entirely new kind of super-commuter”

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“Why managers and employers love Smucker’s unusual remote work policy”

“Smucker’s ‘Core Weeks’ Return-to-Office Policy is Working”

Social Media & Technology

- ❖ Social media and technology policies make employees aware of their privacy rights as well as prohibited conduct with respect to an employee's actions and its impact on the agency.
- ❖ Social media policies are intended to ensure efficient use of employee time and to minimize any distraction from an employee's assigned tasks and duties.
- ❖ They also allow the agency to ensure that rules are followed, and all employees are treated fairly and consistently.

Why is Social Media so Popular?

A LOT of Pros:

- ❖ Free and easy way to communicate
- ❖ Widespread, instantaneous exchange of information (RSS feeds)
- ❖ Increase problem-solving capabilities – survey residents, pulse of the community assessment
- ❖ Provide live feed meetings without local cable access
- ❖ Advance tourism/local business interests

Pros (continued):

- ❖ Forum for ideas on how to improve government, administration, or community relations
- ❖ Facilitate meetings without travel
- ❖ Potential to increase time and improve focus upon mission
- ❖ Increase information flow to and from government
- ❖ Increase community involvement (local businesses, residents, etc.)

Problematic Use

- ❖ Employees making disparaging comments about their Employer, or discriminatory or defamatory comments about coworkers
- ❖ Posting information that reflects badly on them or the organization
- ❖ Posting or emailing confidential information
- ❖ Misuse of employer equipment
- ❖ Employees being cross-examined for bias about matters that they included in online profiles, or about comments posted online

So, Why is This a Problem?

Governmental employment is different. At the outset, public employees often have either civil service protection or collective bargaining agreements. Beyond that, however, governmental employers must honor an employee's constitutional and statutory rights.

- ❖ Sources of Rights

- ❖ First Amendment

- ❖ Fourth Amendment

- ❖ Federal and State Wiretap Laws / Stored Communication Act

- ❖ These provisions shape “what process is due” (or not due), under various laws and the 14th Amendment.

Things to Consider:

- ❖ Limited Right to Free Speech When Talking about Your Job
- ❖ Safety Issues with Technology
- ❖ Understanding Your Confidentiality Expectations
- ❖ Your “Public” Role as a Public Employee
- ❖ Excessive Wasting of Work Time is a Problem

One More Thing to Keep in Mind ...

In the electronic age ...

Delete Does Not Necessarily Mean Delete!

This means your electronic footprint, particularly on Social Media platforms, could follow you for years to come. How often do we see people copy something to re-Tweet or re-Post?

Think BEFORE you Post, Tweet, Pin, etc.!

Workplace Policies on Alcohol, Drugs, and Smoking

- ❖ Having a clear policy on alcohol, drugs and smoking can help managers and employees deal with any issues that may arise.
- ❖ It will also help to ensure your agency meets any legal responsibilities to ensure the health, safety and welfare of all employees.
- ❖ An effective policy should clearly set out the rules and procedures for dealing with issues relating to alcohol, drugs and smoking.

Drug and Alcohol-Free Policy Sample

- ❖ It is the EMPLOYER'S intent to provide a drug and alcohol-free, healthy, and safe working environment.
- ❖ Employees are expected and required to report to work on time and in appropriate mental and physical condition.
- ❖ The EMPLOYER reserves the right to adopt policies addressing the testing of employees and applicants for drugs and alcohol.
- ❖ Employees may not appear on EMPLOYER premises or represent the organization while impaired by alcohol, using illegal drugs, or improperly using legal drugs.
- ❖ Employees are prohibited from using, selling, distributing, or possessing illegal drugs on EMPLOYER premises or while representing the EMPLOYER.

Drug and Alcohol-Free Policy Sample (continued)

- ❖ Employees are expressly prohibited from operating any vehicle when their blood-alcohol content is in violation of any law or ordinance or is unsafe in any other regard to operate a vehicle.
- ❖ Employees who are injured on the job and whose consumption of alcohol or drugs has contributed to the cause of their injuries may not be eligible to receive workers' compensation benefits.
- ❖ Violations of these rules may result in employee discipline up to and including immediate termination of employment.

Disciplinary Policy

- ❖ Disciplinary policies are important because they provide employees with guidelines for expected conduct and what consequences they can expect if the rules are broken.
- ❖ Discipline in the workplace helps to deter employees from acting in a manner that may be harmful to the success of an agency, prevents negative impact on other employees, and provides employees for opportunities for improvement.
- ❖ They also help to protect the employer against legal claims.

Disciplinary Policy

NOTHING will kill a great employee faster than watching you tolerate a bad one.

Corrective Action or Progressive Discipline

Objectives of Progressive Discipline:

- ❖ Inform employee of what is expected
- ❖ Instruct employees on unacceptable conduct
- ❖ Interpret policies, rules, and regulations
- ❖ Ensure employees act in accordance with policies, rules, and regulations

Types of Corrective Action

- ❖ Reprimands/Warnings (Verbal and Written)
- ❖ Suspension with or without pay (Working Suspensions)
- ❖ Fines (Vacation)
- ❖ Demotion/Reduction
- ❖ Removal/Discharge

Questions?



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