

Developing Employee Handbooks

An Instructional Tool-kit



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Preface

This publication is a direct result of Bailey House, Inc.'s efforts and its 20-year history of providing services to people living with HIV and AIDS (PLWHA).

Bailey House, Inc., the nation's oldest provider of housing to PLWHA, was founded in 1983 by clergy, community activists and business people in the West Village, the New York City neighborhood then most devastated by AIDS. Known at that time as the AIDS Resource Center, our mission was simple: to give people with AIDS a place to live and die with dignity. Just like the epidemic, our work has evolved to keep pace with the changing needs of people infected with and affected by HIV/AIDS. Our commitment now is to empower people living with HIV/AIDS, their loved ones and the communities and agencies that serve them to achieve their fullest potential through the development and provision of housing and supportive services.

In addition to 90 scatter-site apartments, a 44-unit congregate residence, a citywide case management program in East Harlem, an innovative post-incarceration program combining housing, job training and a family services program, Bailey House is home to Technical Assistance and Program Evaluation (TAPE) Services.

Based on the knowledge gained in our 20-year history of providing housing services directly to people living with HIV/AIDS, Bailey House developed TAPE Services in 1987 to teach other agencies how to operate, survive and develop the necessary infrastructure to continue to provide housing and services to PLWHA. Bailey House is the first provider of direct AIDS housing services and technical assistance to organizations servicing PLWHA. Our work is guided by our mission and influenced by our own experiences as a service provider.

In our work providing Human Resources Technical Assistance to AIDS housing and service providers, it became clear that many agencies needed to create and/or improve employee handbooks. *Developing Employee Handbooks* began as a method to train large groups of individuals on the basic content and constructs of employee handbooks. It has since been developed into this freestanding companion publication to be used by individual agencies.

Developing Employee Handbooks "The Basics"

How is Developing Employee Handbooks organized?

Developing Employee Handbooks begins with some general information about Bailey House, the origination of this publication, some basics for the user and information on the further availability of technical assistance from the Human Resources Technical Assistance Program and other Bailey House TAPE programs. The remainder of the publication is divided into three parts:

Part One:	Components of an Employee Handbook
Part Two:	Technical Assistance Publications
Part Three:	Appendices

The publication concludes with an Index for easy reference to topics covered herein.

Further, Part One, Components of an Employee Handbook, begins with a Sample Table of Contents, then is divided into six sections important to an employee handbook and concludes with a signature page.

Table of Contents

- I. Introduction
- II. Employment Policies
- III. General Information
- IV. Compensation
- V. Benefits
- VI. Standards of Conduct Signature Page

Each section in Part One begins with an overall description of the topic and goes on to explain the relevance of the section and concludes with sample language for an employee handbook. The sample language is meant simply as guide for you to determine the appropriate policy for you agency and is meant to show you how a policy can be written. These are samples and are not intended for direct application. Consult your board and legal counsel to determine the appropriate language for your agency and your jurisdiction.

Part Two: Technical Assistance Publications, is a listing of Bailey House Publications and contains further published resources, an order form and agency contact information.

Part Three: Appendices, includes an expanded list of potential employee handbook topics and other useful on-line resources.

Who should use Developing Employee Handbooks?

Any agency or individual about to start an agency or in need of developing human resource systems can use this to begin the process of creating an employee handbook. It is intended to be a resource that can be used by anyone assigned with creating an employee handbook, from the executive director to human resources professionals.

Ultimately, the employee handbook is a direct reflection on the agency's policy and procedures. Policy and procedures are the responsibility of the agency's Board, which has final approval. Although the Board has responsibility for policy and procedures, the process of developing employee handbooks generally rests with the senior management, HR department and other appropriate staff. Be sure to follow the appropriate internal channels for input and approval specific to your agency's internal structure for creating and/or reviewing in-house documents concerning employee policy and procedures.

Is this the only resource I need?

No. This resource is one of many reference tools available to the person(s) charged with developing an employee handbook. There are many other resources available both within and outside of your agency. For example you may:

- 1. Seek advice from people who have prior experience in human resources and/or employee handbook development. Ask co-workers and colleagues for input.
- 2. Scan and consult past internal memos and directives already in place that address employee issues. All agencies have procedures to get things done. Review those. Then as necessary, go to outside sources to supplement that information.
- 3. Borrow employee handbooks from similar organizations to get more ideas of items and procedures you may wish to tailor and include in your agency's employee handbook. Manuals from organizations similar in size or mission to your organization are especially helpful.
- 4. Look on the Internet to see if there are free templates on policies and guidelines. Some organizations make these available for public use. Look for and review essential elements to use as examples and work from. (See Appendix Two)
- 5. Give a draft to a labor attorney familiar with human resources and personnel law to review for legal compliance.
- 6. Review any regulatory requirements that are specific to your industry (i.e., medical specialist, counselors, etc.).

Technical Assistance and Consultant Availability

Developing Employee Handbooks is intended to act as a stand-alone publication to assist individuals and organizations creating employee handbooks. Bailey House Human Resources Technical Assistance program is available to provide one-to-one human resources technical assistance to organizations in New York City with an annual operating budget of \$2 million or less that provide housing and or supportive services to PLWHA.

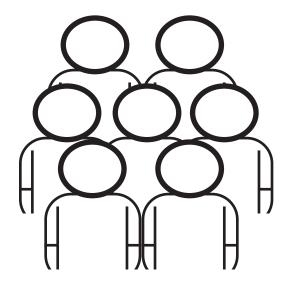
Bailey House technical assistance and other consulting services are also available to any agency or individual as determined on a case-bycase basis. Bailey House technical assistance services include:

> Fiscal Management Housing Operations HUD REAC Inspections Human Resources Organizational Development Program Evaluations

To inquire please contact:

Technical Assistance and Program Evaluation Bailey House, Inc. 275 Seventh Avenue, 12th Floor New York, NY 10001

Telephone: 212-633-2500 Facsimile: 212-633-2932



Part One: Components of an Employee Handbook

PART ONE: Components of an Employee Handbook

Table of Contents

- Section One : Introduction
- Section Two : Employment Policies
- Section Three : General Information
- Section Four : Compensation
- Section Five : Benefits
- Section Six : Standards of Conduct
 - Signature Page

Table of Contents for an Employee Handbook

Introduction:

The table of contents is the roadmap to items in the employee handbook. Simply stated, it is a list of sections, divisions or chapters and the pages on which they start. It clearly states the topic and the corresponding page numbers where the relevant information can be found.

Relevance/Importance:

As with any written resource, the reader must be able to easily access needed information. The table of contents provides a quick glance to the contents in the handbook and allows quick access to the pages. A good table of contents makes it more likely that the handbook will be used by staff. Additionally, as the agency grows, so will the handbook. As new items and policies are added, the table of contents page provides a guidepost as to where to place new policies in the handbook.

Sample:

The following is a sample of the items covered in a typical employee handbook. Individual agencies will have more or less in their employee handbooks and, consequently, more or less in their table of contents. Though the order of contents varies, this sample content page flows from broader items that dictate the tone and tenor (for example, the agency mission) to more specific items (for example, paydays, time off, etc.).

The following sample is straightforward and will be used as the structure and order for the remainder of this publication. An expanded list of topics that may be considered for employee handbooks is located in Appendix One.

Sample Table of Contents

Letter from the Executive Director		
I. Introduction		
 A. Organizational Purpose and Mission B. Purpose of this Handbook C. Employment-at-will D. Nature of Handbook: General Disclaimer E. What We Expect From You 	page # page # page # page # page#	
II. Employment Policies		
A. Equal Employment Opportunity B. Non-discrimination C. Anti-harassment	page # page # page #	
III. General Information		
A. Introductory Period B. Position Description C. Employment Categories D. Employment Classification E. Termination of Employment F. Grievance Procedure G. Performance Reviews	page # page # page # page # page # page #	
H Personnel and Medical Files	page #	
IV, Compensation	page #	
A. Pay Schedule B. Overtime	page # page #	
V. Benefits		
A. Leave Policies B. Health Insurance	page # page #	
VI. Standards of Conduct		
A. Employee and Client RelationshipsB. ConfidentialityC. Drugs in the Workplace	page # page # page #	

Letter from the Executive Director

Introduction:

The Letter from the Executive Director is the preferred way to open an employee handbook. This introduction provides an opportunity for the Executive Director to set the tone of the handbook while touching on a few of the more important points.

Relevance/Importance:

New employees need to know that the agency mission is supported from the top of the agency all the way through to the line staff. This letter provides the Executive Director with the opportunity to both welcome new staff and set the stage for the responsibilities and expectations from the employer and employee.

Sample:

The following is a sample based on an AIDS housing provider employee handbook. Individual agencies will stress different items based on the target populations and services specific to their industries.

Welcome to [agency name]

Dear _____

It is with great pleasure that I welcome you to [agency name]. Thank you for joining us! We want you to feel that your association with us will be a mutually beneficial and pleasant one.

You have joined an agency that has an outstanding reputation in the HIV/AIDS community. Credit for this goes to every one of our employees. We hope you, too, will find satisfaction and take pride in your work here at [agency name].

This Employee Handbook provides answers to most of the questions you may have about [agency name] policies and procedures we abide by -- our responsibilities to you and your responsibilities to [agency name]. If anything is unclear, please discuss the matter with your director/manager or Human Resources. You are responsible for reading and understanding this Employee Handbook. In addition to clarifying responsibilities, we hope the Employee Handbook also gives you an indication of our interest in the welfare of all who work for [agency name].

From time to time, the information included in the Employee Handbook may change. Every effort will be made to keep you informed through catable lines of communication. Compensation and personal satisfaction gained from doing a job well are only two of the reasons most people work. Most likely, many other factors count among your reasons for working -- pleasant relationships and working conditions, career development and promotion opportunities, and health benefits are just a few. [Agency name] is committed to doing its part to assure you have a satisfying work experience.



I extend to you my personal best wishes for your success and happiness at [agency name].

Sincerely,

Executive Director [agency name]

Section I Introduction

Introduction:

The employee handbook introduction is extremely important; it is here that the agency makes clear the purpose of the employee handbook as the official tool for the communication of policies and procedures regarding employment. It sets the tone and tenor while providing a context as to what drives the work and services provided by the agency. This section will contain language on:

> The organization's mission The nature of employment as "at-will" The non-contractual nature of the manual

Relevance/Importance:

This section answers the questions: "What are we about?" and "What do we stand for?" It conveys the purpose of why the agency exists by retelling a portion of the organization's history so that employees understand that they are part of the larger agency mission.

This section also states that employment at the agency is governed by the employment-at-will doctrine, that the employee handbook is not a contract, and that only the certain people/entities within the agency can make changes and/or amend the employee handbook. These three items are necessary to educate new employees and protect the agency from serious legal repercussions.

Sample:

The following samples provide model language to address each of the items stated below:

I.A. The Agency's History, Mission and Values

- I B. The Purpose of the Employee Handbook
- I.C. Employment-at-will*
- I.D. Nature of Handbook: General Disclaimer
- I.E. What We Expect From You

*Note: This publication was designed and created in New York State, one of the few remaining states following the Employment at Will Doctrine. Check with your legal counsel regarding your local jurisdiction.

I.A. The Agency's History, Mission and Values

Sample Agency History:

[Agency name] was formed through community organizing and grassroots efforts in 2002 to undertake activities to provide harm reduction training to address the growing HIV/AIDS infection rates among intravenous drug users and those with a history of drug use. In 2004, [agency name] purchased our first mobile unit to provide harm reduction services directly to the communities most in need.

Sample Agency Mission:

We advance access to health care in [community, city, or location] principally by operating a volunteer-run community clinic and by developing and educating community activists and organizers who will organize and propagate the message of affordable or free HIV AIDS medication for all, starting with the residents of [community, city, or location.]

Sample Values or Principles Statement:

We are committed to Integrity, Quality, and Professionalism. We are committed to enhancing our expertise and sharing it with others.

I.B. The Purpose of the Employee Handbook

Sample Handbook Purpose:

The Employee Handbook contains information about the policies and procedures developed and followed by [agency name]. Should there be changes to the policies contained in the Handbook you will be notified in a written notice prior to the effective date of any such change. However, [agency name] retains the right to change, cancel or suspend all or any part of the provisions in this handbook at any time, with or without notice. Only the Board of Directors and the Executive Director are authorized to change policy. Any changes will be communicated solely in writing.

If you have a suggestion relating to agency policies, submit your suggestion in writing to Human Resources. All suggestions will be reviewed and if they have merit, will be presented to the Executive Director for consideration.

I.C. Employment-at-will

Sample Employment-at-will language:

[Agency name] follows an "employment-at-will" policy: either you or [agency name] may terminate your employment at any time for any reason consistent with applicable local, state and federal laws, with or without cause, with or without notice. This "employmentat-will" policy cannot be changed verbally or in writing. Modification to "employment-at-will" may be authorized only in writing in the form of a formal contract of employment jointly signed by the Board of Directors and/or Executive Director and the employee. Further, no policy, procedure, or statement contained in this handbook shall be construed as limiting this employment-at-will policy or creating an employment contract of any specific duration.

I.D. Nature of the Handbook: General Disclaimer

Sample Handbook Disclaimer:

This employer reserves the right to make changes to these polices, procedures and other statements made in this manual. Organizational conditions, federal, state and local law, and organizational needs are constantly in flux and may require that portions of the manual be rewritten. This is necessary to successfully provide the appropriate employment relationship and to meet the goals of the agency.

I.E. What We Expect From You

Sample General Expectation Policy:

Your first responsibility is to know your own duties and how to perform them promptly, correctly and pleasantly.

Secondly, you are expected to cooperate with man agement and your fellow employees and maintain a good team attitude. How you interact with fellow employees and those whom we serve, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact other departments or clients. Consequently, whatever your position, you have an important assignment; perform every task to the very best of your ability. The result will be better performance for the agency overall, and personal satisfaction for you.

You are encouraged to grasp opportunities for personal development that are offered to you. This Handbook offers insight on how you can positively perform to the best of your ability to meet and exceed all expectations.

We strongly believe you should have the right to make your own choices in matters that concern and control your life. We believe in direct access to management. We are dedicated to making [agency name] an agency where you can approach your director, or any member of management, to discuss any problem or question. We expect you to voice your opinions and contribute your suggestions to improve the quality of this agency.

Please communicate with each other and with management. Remember, you help create the healthful, pleasant and safe working conditions that are intended for you.

Your dignity and that of fellow employees, as well as that of our clients, is important.

We need your help in making each working day enjoyable and rewarding.



Section II Employment Policies

Introduction:

It's important to address expectations of employee behavior clearly and in writing. This section states in plain language what kind of work environment the organization promotes and what kinds of behaviors it will and won't tolerate. You will find here language covering items such as:

> Equal employment opportunity Discrimination Harassment

Relevance/Importance:

The policies in this section are extremely important in proactively addressing employee conduct. The Equal Employment Opportunity statement helps protect the organization from behavior that puts the organization at risk by articulating behaviors that are not tolerated in the workplace such as hiring or firing based upon gender, sexual orientation, age or other protected classifications.

Anti-harassment (including sexual harassment) policies communicate that the organization will not tolerate behavior that discriminates, disrupts or interferes or otherwise affect's another employee's work performance or work environment. These policies are designed to protect the employee and the agency.

Sample:

The following samples provide model language to address each of the topics addressed below:

II.A. Equal employment opportunity* II.B. Non-discrimination* II.C. Anti-harassment*

*Note: Federal laws set the minimum protections afforded to employees and employers. States and local laws can add to but not subtract from federal protections. Check with your local jurisdiction for additional protected classifications.

II.A. Equal Employment Opportunity

Sample Equal Employment Opportunity Language:

[Agency name] is an Equal Opportunity Employer (EOE), adhering to the laws that prohibit discrimination in the terms and conditions of employment. The [agency name] EOE policy, as adopted by the Board of Directors, provides equal employment, volunteer, and service opportunities to all eligible persons without regard to race, color, national origin, citizenship, religion, creed, sex, age, sexual orientation, gender identification, marital status, veteran status, medical condition, disability, or any other characteristic protected by law.

Equal opportunity and equal consideration will be afforded in all personnel actions involving applicants and employees, including (but not limited to) recruiting and hiring, selection for training, promotion, rates of pay or other compensation, transfer and layoff, or termination.

If you believe that you have been treated in an unlawful, discriminatory manner while employed by [agency name], you should promptly report the incident to your supervisor, who will review the matter and take appropriate action, including reporting it to the human resources staff or to the Executive Director. If you believe it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor and report it directly to human resources staff or to the Executive Director, who will review the matter. Your complaint will be kept confidential to the extent possible.



II.B. Non-discrimination

Sample Non-discrimination Policy:

[Agency name] will not discriminate in its hiring, recruitment, promotion, or personnel procedures, against any job applicant on the basis of their actual or perceived race, color, national origin, gender, age, ethnicity, religion, veteran status, disability, sexual orientation, gender identification, or marital status.

II.C. Anti-harassment

Sample Anti-harassment Policy:

[Agency name] intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility or other offenses that might interfere with work performance. Harassment of any sort including, verbal, physical, or visual will not be tolerated.

Harassment can take many forms. It may be, but is not limited to, words, jokes, signs, pranks, intimidation, physical contact, or violence. [Agency name] prohibits any employee from engaging in any unwelcome sexual, verbal or physical contact, including flirtations, vulgar verbal abuse, graphic or suggestive comments, or any other similar behavior which harasses, disrupts or interferes with another employee or which creates an intimidating, offensive or hostile environment.

[Agency name] zero tolerance policy against harassing or discriminating conduct applies to sex, gender, race, color, age, marital status, sexual orientation, religion, disability or any other characteristic protected by law. The prohibitions apply also to behavior and treatment of [agency name] clients, volunteers, vendors, consultants, or any individuals encountered in the course of business.

[Agency name] seeks to promote respect among coworkers and therefore does not condone harassment or discrimination of any kind. Should you feel at any time that you have experienced harassment or discrimination, or should you observe such misconduct, you should report the circumstances to your supervisor, and/or Human Resources. An investigation of any complaint will be as confidential as possible. Any employee who is found to be responsible for harassment or discriminatory conduct will be subject to appropriate corrective action, up to and including termination of employment. There will be no reprisals of any kind as a result of exercising your rights under this policy.



Section III General Information

Introduction:

After employees have been hired and joined the team, they want and need to know what processes they are going to encounter in the normal course of their employment. They need to know all those things that will make them a successful contributor to the organization. This section will contain policies such as:

> Introductory period Grievance procedures Performance reviews

Relevance/Importance:

This section communicates what is expected of employees by detailing and explaining introductory periods, grounds for termination and the performance review process. For example, language in the introductory period section reiterates the employee-at-will message and information about termination lets them know what behaviors are grounds for discipline and/or termination. This entire section is important for the line staff and as an on-going guide for managers.

Sample:

The following samples provide model language to address each of the items addressed below:

- III.A. Introductory Period
- III.B. Position Description*
- III.C. Employment Categories
- III.D. Employment Classification
- III.E. Termination of Employment**
- III.F. Grievance Procedure
- III.G. Performance Reviews
- III.H. Personnel and Medical Files

*Note: Do not include job descriptions in your employee handbook. As written in III.B., simply describe the content/format of all job descriptions.

**Note: There are separate policies for when an employee initiates termination (resigning or retiring) and for when the employer initiates the process (termination). See III.E.

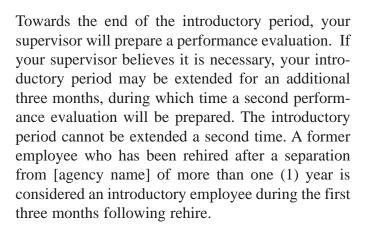
III.A. Introductory Period

Sample Introductory Period Policy (Simple):

All employees will be subject to a introductory period of [*three to six months generally, whichever coincides with your benefits waiting period*]. This period is a learning and orientation time for both employee and employer. The supervisor will meet with the employee at least monthly during this period to review the employee's progress. At the period's end, an evaluation will be conducted on the employee's performance and on the employee's suitability for the job.

Sample Introductory Period Policy (Detailed):

The introductory period of employment is normally the *[first three to six months generally, whichever* coincides with your benefits waiting period | following your date of hire. Upon hire, you will receive your job description and a set of goals and timelines from your supervisor. During this period, you are expected to become familiar with the responsibilities of your position. You and your supervisor have the opportunity to determine whether you can fulfill your responsibilities satisfactorily. During this introductory period (and at any time under our "employment-at-will" policy) if you experience difficulties meeting the job requirements, you may resign your position or your employment be terminated.



Successful completion of the introductory period shall not alter in any way your status as an employee at-will.

III.B. Position Description

Sample Position Description Policy:

The position description is the official record of responsibilities and qualifications required for a specific position. It is in place before an individual is hired. It is the description of the job, not the employee.

Position descriptions have the following elements:

Position Objective?

A brief summary of the position including how it advances the work of a department and agency.

Major Responsibilities:

A fisting of key outcomes and duties of the positions.

Minimum Qualifications:

A description of the minimum level of knowledge, skills abilities and other characteristics needed to perform successfully all the functions.



A review of the position description is included as part of an annual performance review. Position descriptions will be updated whenever there are organizational changes that affect the responsibilities, relationships, and/or qualifications of that job.

Sample Employment Clarification Policy:

At the time you are hired, you are classified as a full-time, parttime, temporary or per diem employee or as an intern. These categories of employment may affect the level of benefits you receive. The categories are defined as follows:

Full-Time Employees

An employee engaged in a staff position for a minimum of [# hours] per-week. Full-time employees are eligible for all benefits, including paid time off plans and all insurance and savings/retirement benefits.

[Please note, that a full-time employee works a base of no less than 30 but not over 40 hours per week. Agencies generally adopt a standard base of between 30 and 40 hours per week. Insert the appropriate number based on your agency's policy]

Part-Time Employees

An employee engaged in a staff position for less than [# hours] per week. Eligibility for benefits for part-time employees depends on the employee's scheduled hours of work per week and the terms of benefit plan documents. Part-time employees scheduled for:

> At least [# hours] per week are entitled to all benefits, including paid time off plans (pro-rated to match scheduled hours) and insurance and savings/retirement plans.

> Less than [# hours] per week, but more than [# hours] per week are entitled to only pro-rated holiday time, pro-rated vacation, sick and bereavement time, workers compensation and short-term disability insurance plans and savings/retirement plans.

> Less than [# hours] per week are entitled only to workers compensation and shortterm disability, insurance benefits, and the savings/retirement plan.

> [Please note that part-time employees work a base of less than a full-time employee's base weekly work.]

Temporary Employees

An employee engaged either in full- or part-time employment for a limited period, not to exceed [# of months]. At the end of the period, a temporary employee must either have his or her status transferred to full-time or part-time employment or the temporary status will be terminated. A temporary employee is not eligible for any time-off plans, retirement, or insurance benefits with the exception of workers' compensation and short-term disability.

Per Diem Employees

An employee engaged on an as needed basis. A per diem employee is not eligible for any time off plans, retirement or insurance benefits with the exception of workers compensation, and eligible short-term disability.

Interns

From time to time [agency name] will sponsor internships in various disciplines from colleges or universities. An internship is unpaid and therefore does not fall under any compensation or benefit categories. Interns are covered under workers compensation.

III.D. Employment Classification

Sample Classification Policy:

[Agency name] classifies its employees as follows:

The Federal Fair Labor Standards Act (FLSA) divides all employees into two classes: "exempt," or ineligible for overtime pay, and "non-exempt," or eligible for overtime pay. Human Resources will advise each employee whether the position is exempt or non-exempt.

As an exempt employee, you are paid a salary for your continuous contribution to the work at [agency name]. You do not receive payment for additional hours of work beyond your regular schedule.

As a non-exempt employee, you are compensated for the hours worked. You may be eligible for overtime pay beyond your regular [insert # based on full time work week] hour per week schedule. Alternatively, an adjustment may be made in your schedule within the week to maintain a [insert # based on full time work week] hour workweek. Barring such an adjustment if you work over 40 hours within a week you will receive one and one half times your regular rate of pay per hour. When calculating the time and one half rate for hours over 40, any time off taken during that week or pay period, with or without pay (e.g., vacation or personal days, holidays, or sick time) is not treated as time worked. Prior to working overtime, all non-exempt employees must have written authorization from [appropriate personnel]. No overtime will be worked without prior written approval.



III.E. Termination of Employment

Sample Resignation Policy:

If you resign from [agency name], you must give notice of [appropriate #] of working days. You must submit a letter of resignation to your department/program director with a copy to Human Resources. If the resignation occurs after your introductory period, and you give the appropriate notice, you will receive any accrued, unused vacation days up to a maximum of [# of hours], either with your final paycheck, or in a separate payment. Any time off taken during your resignation period must be pre-approved by your supervisor/director. Any time off will reduce your notice period and may result in loss of accrued vacation or personal time. Employees will have the right to COBRA health insurance continuation coverage as provided by the law.

Sample Retirement Policy:

If you retire from [agency name], you should provide three months notice to Human Resources to allow time for the completion of all administrative requirements prior to your retirement.

Sample Termination Policy:

[Agency name] policies and procedures are developed to protect the advancement of its mission, and to ensure that the rights of the organization and co-workers are respected. Generally, conduct that is deemed by [agency name] disruptive, unproductive, unethical, or illegal will not be tolerated.

Violation of [agency name] Standard of Conduct will lead to disciplinary action, which based on the circumstances of the individual case, could result in corrective action up to and including termination of employment. Examples of conduct, which could result in corrective action, include, but are not limited to:

Insubordination or lack of cooperation;



Unauthorized use or possession of intoxicants or illegal drugs on our premises, or reporting to work while under the influence of drugs or alcohol;

Sleeping on the job;

Fighting on the job, or the threat of bodily harm to co-workers;

Destruction or damage to property or equipment, or to that of any co-worker or other person;

Unauthorized use or taking of agency or any other person's property;

Unexcused or excessive absence or tardiness, or leaving the job without permission;

Insufficient productivity or unacceptable work performance;

Violation of safety or administrative rules;

Carrying or possessing weapons on any kind on [agency name] property;

Dishonesty;

Falsifying reports or [agency name] records;

Smoking in "No Smoking" areas;

Violation of any of the policies set forth in this Handbook or in any other communication; and

Any other conduct deemed unacceptable by [agency name].

[Agency name] may consider an employee's job performance, prior violation of our work rules, and other relevant circumstances in determining whether to counsel, warn, suspend or discharge an employee. It is up to the employee's supervisor, Human Resources and [agency name] management to determine whether corrective action, up to and including dismissal, is appropriate. If you believe that an adverse personnel action is unfair, you may ask to have it reviewed through the agency grievance procedure.



III.F. Grievance Procedure

Sample Grievance Policy:

From time to time employees may have job-related concerns, complaints, suggestions or problems. It is vital to the success of our organization to keep the channels of communication opened between all employees. It is our hope that employees will bring their concerns or suggestions to our attention. Any employee who has worked for the organization for at least six consecutive months and has completed the introductory period may use our grievance procedure.

Human Resources staff is available to employees to assist in using our grievance policy. While we cannot guarantee that we will always provide the response that employees want to hear, employees can expect fair consideration of any job related concerns, complaints or questions that may arise. Following is our procedure:

We ask that you first discuss the concern or issue with your supervisor in a timely manner. Your supervisor will either resolve the issue or will advise you about how to proceed with the matter within [#] working days. If you feel that the issue has not been dealt with successfully, you may bring it to the attention of the Program Director, in writing, as set forth in Step 2 below. We request that as a courtesy to your supervisor, you advise him or her of your intention to discuss the issue further with the Program Director. If, for whatever reason, you do not believe that an initial discussion with your supervisor is appropriate, you may proceed directly to Step 2.

Step 2

Step 1

If your problem is not resolved after discussion with your supervisor, or if you feel that discussion with your supervisor is inappropriate, you may request, in writing, a meeting with the next level of management. Human Resources staff can help put the issue in writing. You will normally receive a response regarding your problem within [#] working days. Some issues may take longer to be resolved if a number of people need to be consulted.

Step 3

If you are still not satisfied with the response, you may promptly prepare a written summary of your concerns and request, in writing, that the matter be reviewed by the Executive Director. Again, as a courtesy, we request that you advise the department about the actions you plan to take before proceeding with Step 3.

The Executive Director will review the matter (which may include a review of the written summary of your statement, discussion with all individuals concerned, and any further review, if necessary) and will address your concerns in a prompt manner.

The decision of the Executive Director will be final, unless the grievance is related to you being suspended or terminated. If your grievance is related to being suspended or terminated you can proceed to the Step 4. If you fail to proceed to the next step in the grievance procedure within [#] working days of your being informed of a decision in the grievance policy, this will be treated as acceptance of the decision of the Executive Director.

Step 4

If you are not satisfied after following the preceding steps, and your grievance is related to being suspended or terminated, you may, within [#] working days of receiving the response of the Executive Director, prepare a written summary of your concerns and request, in writing, that the matter be reviewed by the Personnel Committee of the Board of Directors. Again, as a courtesy, we request that you first advise the Executive Director about the actions you plan to take before proceeding with Step 4.

The Board of Directors or appropriate committee will review the matter (which may include a review of the written summary of your statement, discussion with all individuals concerned, and a further review if necessary), and will promptly advise you of its decision. The decision of Board of Directors [or appropriate committee] is final on grievances that relate to suspension or terminations.

Sample Statement Against Retaliation Policy:

[Agency name] does not tolerate any form of retaliation against employees availing themselves of our grievance policy. The procedure should not be construed, however, in any way as preventing, limiting, or delaying [agency name] from taking disciplinary action against any individual, up to and including termination of employment, in circumstances where [agency name] deems disciplinary action (appropriate.

III.G. Performance Reviews

Sample Performance Review Rules:

Employees will receive a performance review following the completion of their introductory period. They will also receive an annual performance review by their supervisor as close to each anniversary of their employment as can be arranged. This review will evaluate areas including, but not limited to, their job performance, attendance and punctuality, communication skills, and ability to work with others. The annual performance review does not necessitate a salary adjustment. The supervisor will meet with the employee to discuss the performance review and establish a development plan as necessary. Each performance review will become a part of the employee's personnel file

III.H. Personnel and Medical Files

Sample Personal Files Policy:

The human resource department or the staff responsible for payroll will maintain a personnel file for each employee. Each file will contain the following:

> Job description Salary history Evaluations/performance appraisal documents Employee's home address and phone numbers Person to contact in emergencies W-2 and state withholding forms

Other correspondence regarding personnel matters may also be in the file. Access to personnel files is limited to the executive director and personnel committee. An employee has the right to see his/her personnel file, but it remains the exclusive property of the organization.

Sample Medical Files Policy:

An employee's medical file is separate from his or her personnel files. Medical documents and information can be kept here and are held in strict confidentiality. An employer may come upon this kind of information because medical or health reasons can impact an employee's work performance or if it is submitted for flexible spending account reimbursement. Those who have access to these documents will put the highest safeguards in place.

Sample HIPPA Policy:

HIPAA, the Health Insurance Portability and Accountability Act of 1996 was created to protect the privacy of all covered entities of individually identifiable health information about anyone covered by health plans. [Agency name] complies with this law. Further information is available in Human Resources.



Section IV Compensation

Introduction:

The following policies get significant airtime among employees. Employees want to know when they get paid and when they are entitled to overtime. This section will contain policies on:

> Pay Schedule Pay Rates Overtime Policy

Relavance/Importance:

Salaries are a big part of the agency's operating budget. If overtime is not monitored, that expense can become very high, even doubling projected allocations. Monitoring overtime is a manger's responsibility on a daily basis and begins with clearly communicated and sound policies in the employee handbook. Thus, this section on overtime is especially helpful for communicating to both managers and line staff who earns overtime and how overtime is accrued.

Samples:

Sample language is provided for the following items:

IV.A. Pay Schedule and Rates* IV.B. Overtime

*Note: There are several standard pay periods. Two examples: (1) every two weeks (26 pay periods each year) and (2) twice a month (24 pay periods each year) which is reflected in the sample above.

IV.A. Pay Schedule and Rates

Sample Pay Schedule Policy:

Paychecks are distributed semi-monthly: on the 15th and the last day of the month. When the 15th and/or the last day of the month falls on a day when the office is officially closed, paychecks will be distributed on the last previous day that the office is open. Checks may not be given in advance.

Sample Pay Rate Policy:

Rates of pay for full time and part time employees are stated as an annual salary and are established to include all the tasks and responsibilities of the position. Statement of your pay as an annual salary should not be construed as a contract or promise of continuing employment. Non-exempt regular employees pay may be quoted at an annual rate, but an hourly rate is derived and used to calculate regular and premium overtime payments.

IV.B. Overtime

Sample Overtime Policy:

All overtime must be approved in advance by your supervisor and recorded on time sheets. If you are classified as a nonexempt employee and therefore eligible for overtime, you will receive compensation for approved overtime work at one and one-half times your regular hourly rate of pay for all approved hours worked beyond the 40th hour worked in any given workweek,



Introduction:

This section contains policies governing leaves and benefits. In some organizations, these two things can take up half the space of the manual. In this section you will find language on:

> Time Off Health Insurance

Relevance/Importance:

Not surprisingly, questions concerning time off are some of the most frequently asked questions by employees. Second to inquiries concerning time off are questions about health insurance benefits. It is important to try and answer as many of those in your employee handbook as possible. You do this by clearly stating the benefit, eligibility, when benefits take effect and so on.

Time off issues include holiday, sick, vacation and other time off and leaves as needed such as military leave and jury duty.

Sample:

Sample language is provided for the following items listed below:

V.A. Time Off* V.B. Health Insurance

*Note: Included are five "Time-off" samples, which provide language on sick days, vacation time, holidays, special leaves and jury duty respectively.

Sample Sick Leave Policy:

[# of days per month] shall be credited to employees for sick leave. Sick leave can only be taken when one is sick. It is earned at the rate [use appropriate calculations] and cannot be taken in advance of having earned it. Unused sick leave shall be accumulated and there is no limit to the balance of sick leave. Accrued sick leave shall not be paid upon termination of employment.

Sample Vacation Leave Policy:

Employees are credited with [# of days per month] for each calendar month of service for a maximum of [# of days] per calendar year. This leave can only be taken at the discretion and consent of employee's supervisor. There must be proper coverage of all job assignments and consent must be secured in advance before such leave is granted. Only [# of days] of vacation time may be carried over from one calendar year to the next. Employees should submit requests for vacation time with their supervisor at least two weeks before the vacation. Employees are strongly urged to use their vacation time and supervisors should help make this possible.

Sample Observed Holidays Policy:

The office will be closed on the following annual holidays:

New Year's Day Martin Luther King Jr. Day Presidents' Day Memorial Day Independence Day Labor Day Thanksgiving Friday after Thanksgiving Christmas

Sample Special Leave Policy:

Special leaves will be given for unusual circumstances (for example, bereavement leave, military leave, and jury duty) and/or as required by law. You must notify your supervisor and the HR department immediately upon notification or need for a special leave arises. Each request will be reviewed and a determination will be made on a case by case basis.

Sample Jury Duty Policy:

If called for jury duty an employee must present a copy of the jury summons to his/her supervisor and Human Resources. All requests for postponements may be arranged through Human Resources. If you are eligible to serve, you are paid your regular salary for up to 10 days of jury service each year. All benefits continue during your jury service. At the end of your jury service you are required to give a copy of the receipt for the days served to Human Resources. [Agency name] reserves the right to deduct any jury pay you receive for jury service from your salary at the end of jury service.

Sample Health Insurance and Coverage Policy:

Coverage is effective on [this is based on the agency insurance contract] for eligible full and part-time regular employees to participate in our Group Life Insurance, Medical, and Dental benefit plans. Please read your Summary of Benefits to determine which is applicable. It is the responsibility of new employees to complete and submit the insurance benefits application forms before the eligibility date. Please refer to the separate benefits booklets you received from human resources staff for a complete description of these benefits.

All benefits cease upon [this is based on the contract with the agency's benefits provider]. However, you may have insurance continuation or conversion rights. For information concerning COBRA rights contact human resources staff.

[Agency name] reserves the right to amend or terminate any of its benefits program or to require or increase employee premium contributions toward any benefits, with or without advance notice, at its discretion.



The above sample is based on one particular benefits plan and is meant to provide you with an example as to structure. To determine the correct language for your agency handbook, you should check with your insurance provider and request sample language specific to your policy.

Section VI: Standards of Conduct

Introduction:

This section governs behavior in the workplace. These statements serve to protect the employee and the organization. It is our belief that all agencies should stress safe behavior on the job. In this section you will find policies that address such items as:

> Employee and Client Relationships Confidentiality Concerns Use of Drugs in the Workplace

Relevance/Importance:

This section is important because it takes the proactive stance in protecting employees and the agency, whether that is from the harmful effects of smoking or alcohol or the liability of disclosing client information.

Many states have laws requiring employers to prepare and put into practice workplace injury prevention programs. Other considerations include occupational health and safety laws and regulations and the federal Drug-Free Workplace Act of 1988. The latter applies to, among others, all agencies that receive federal monies.

Sample:

Sample language for the following policies is provided for the items listed below:

VI.A. Employee and Client RelationshipsVI.B. Confidentiality*VI.C. Drug-free Workplace*

*Note: The following samples on confidentiality and drug-free workplace policies are a good place to begin for your agency handbook. Be sure to check with local and state laws that may impose stricter requirements.

Sample Employee/Client Relationship Policy

Employees are expected to serve the needs of clients and constituents in the most professional manner possible. Having clear boundaries protects the rights and privacy of clients and sets necessary parameters for employees. The organization has established the following guidelines governing employee and client relationships:

Using, selling, sharing, or bartering alcohol and/or drugs with clients is prohibited.

Lending, borrowing, advancing, or holding money or checks for clients is prohibited.

Buying or selling goods or services (or bartering for the same) with clients is prohibited.

Giving or accepting gifts from clients is prohibited.

Sexual, romantic, or other social relationships beyond the professional/client context is prohibited.

Inviting clients to the employee's home is prohibited.



VI.B. Confidentiality

Sample Confidential Information Policy:

Due to the nature of our services, information about our clients must be kept in strictest confidence. Such information includes, but is not limited to, medical conditions and treatments, finances, living arrangements, employment, sexual orientation, and relations with family members. It is the employee's obligation to keep such information confidential, even after the employee's employment with [agency name] has ended. Employees may not release any information about current or former clients without prior approval of their supervisor. Requests for medical/health information must be handled in accordance with the following section.

Sample HIV-related Information Policy:

From time to time, employees may receive or request HIV-related information (or records which contain such information) about current or former clients. HIV-related information includes any information, whether written or oral, that:

> Reveals whether an individual has been tested for HIV, as well as any test results;

Reveals that an individual has been diagnosed as having HIV infection or any related illness, including AIDS;

Identifies, or reasonably could identify, an individual as having HIV infection or any related illness; or

Identifies, or reasonably could identify, the "contacts" (sexual partners or needle sharing partners) of an individual who has been diagnosed with HIV infection or any related illness.

Under New York State law, unauthorized disclosure of such information may lead to civil or criminal penalties. Therefore, any request from any party for HIVrelated information (or for records which contain such information) about a client must be referred to a



Program Director or the Executive Director, who will handle the request. If there are any questions about whether or not the request falls within this category, or any other questions about this policy, employees should ask a supervisor or a Program Director.

Improper disclosure of HIV-related informationabout clients may lead to disciplinary action, up to and including, termination of employment.

VI.C. Drugs in the Workplace

Sample Drug and Alcohol Free Work place Policy:

It is the policy of [agency name] to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The use of controlled substance or alcoholic beverages is inconsistent with the behavior expected of employees, subjects all employees, clients, and visitors to our facilities to unacceptable safety risks, and undermines [agency name's] ability to operate effectively and efficiently. In this connection, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance or alcoholic beverages in the workplace or while engaged in [agency name] business off work premises is strictly prohibited. Such conduct is also prohibited during non-working time to the extent possible that in the opinion of the organization, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of [agency name]. The organization will periodically, to the extent possible, provide educational programs for employees about the harmful effects of drug and alcohol abuse and related issues.

Employees convicted of controlled substance-related violations in the workplace, including pleas of nolo contendere (i.e., no contest), must inform [agency name] within five days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination of employment. At its discretion, [agency name] may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.



Signature Page

Introduction:

A signature page is a simple attestation that an employee has received a copy of the agency's employee handbook.

Relevance/Importance:

A signature page reiterates the non-contractual nature of the handbook and employment disclaimers. It also allows the agency to keep track of who has received a copy of the handbook and reiterates confidentiality concerns. Additionally, and perhaps most importantly, it holds each employee accountable for the contents. Signature pages should be retained by the Human Resource Department.

Sample:

The following is a sample based on an AIDS housing provider employee handbook. Individual agencies will stress different items based on the target populations and services specific to their industries.

VII.A. Signature Page

Sample Acknowledgement Form:

I, ______, acknowledge that I have received a copy of [agency name] Employee Handbook on _______ and acknowledge my obligation to read and understand its contents. I understand that [agency name] may modify, revise, supplement, amend or eliminate any of the provisions of this handbook at any time with or without notice. I also understand and agree that this version of [agency name] Employee Handbook supersedes all prior versions that have been issued by [agency name], and that it will be effective on [appropriate date].

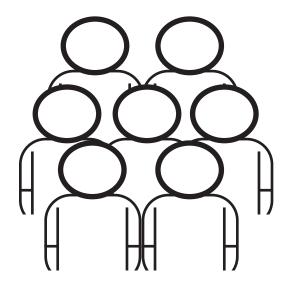
I understand and agree that this handbook, any oral or written policies, statements, and directives of management personnel or any company practices and procedures shall neither create an employment contract or part of an employment contract between me and [agency name], nor change the at-will employment relationship between me and the agency. I agree that my employment and compensation are for no fixed term and may be terminated by [agency name] at any time with or without cause or notice. Likewise, I may resign at any time.

I also understand that in the course of my work for [agency name], I may tearn certain facts about individuals being served by [agency name] that are of a highly personal and confidential nature. Examples of such information are HIV-related information, other medical conditions and treatments, finances, living arrangements, employment, sexual orientation, relations with family members, and the like. I understand that all such information must be treated as completely confidential. I agree not to disclose any information of a personal and confidential nature, except in accordance with the rules set forth in this Handbook.

(Employee's Signature)

Witnessed

Date



Part Two:

Technical Assistance Publication Request/Order Form

Technical Assistance Publications

As the leader in AIDS housing, Bailey House, Inc., has a responsibility to share the best practices we've developed in our 20 years of experience. In addition to conducting trainings and providing direct services, our Technical Assistance Program Evaluation (TAPE) Services publishes resources to assist HIV/AIDS service organizations develop programs and improve services for people with HIV/AIDS.

TAPE produces the following publications:

- Developing Employee Handbooks: An Instructional Tool-Kit
- Fighting Mold: A Guide for Staff of HIV/AIDS Supportive Housing
- The Operations Manager's Workbook
- The New York City HIV/AIDS Housing Resource Book: A Directory of HIV/AIDS Supportive Housing Programs (2nd Ed.)
- The New York State HIV/AIDS Housing Resource Book: A Directory for Upstate New York Including Long Island
- Getting the Help Your Organization Needs: A Guide to Technical Assistance for NY AIDS Service Provider
- Creating Consumer Advisory Boards
- Supportive Treatment Adherence in HIV/AIDS Supportive Housing: A Guide for Staff
- A Guide to Developing Supportive Housing Programs: 2nd Edition
- House Rules That Work: A Guide to Help HIV/AIDS Supportive Housing Provdiers Develop Sound and Effective House Rules
- Supporting Treatment Adherence in HIV/AIDS Supportive Housing: A Guide for Staff

For more information on these publications, please visit www.baileyhouse.org.

Ordering a Publication

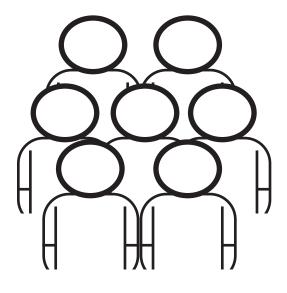
Please use this form to order publications. Make as many copies as needed and mail along with your check or money order to:

Bailey House, Inc. Attn: TAPE Publications 275 Seventh Ave., 12th Floor New York, NY 10001 * please make checks or money orders payable to: Bailey House, Inc.

Name:	 	
Title:	 	
Organization:	 	
Address:	 	
City:	 	
Telephone:	 	
Email Address:		

(optional)

Item #	Title	Price	Qty	Amount
BH 01	New York City HIV/AIDS Housing Resource Book: 2nd Edition (Limit 1)	\$5.00		
BH 02	A Guide to Developing Supportive Housing Programs: 2nd Edition	\$35.00		
BH 03	The Operation Managers Workbook	\$20.00		
BH 04	House Rules That Work A Guide To Help HIV/AIDS Supportive Housing Providers Develop Sound and Effective House Rules	Free-Limit 1		
BH 05	New York State HIV/AIDS Housing Resource Book: A Directory for Upstate New York Including Long Island	\$10.00		
BH 06	Fighting Mold: A Guide for Staff of HIV/AIDS Supportive Housing	Free-Limit 1		
BH 07	Creating Successful Consumer Advisory Boards	\$5.00		
BH 08	Developing Employee Handbooks: An Instructional Tool-Kit	Free in NYC Limit 1 \$10.00 elsewhere		
BH 09	Getting the Help your Organization Needs: A Guide to Technical Assistance	Free-Limit 1		
BH10	Supporting Treatment Adherence in HIV/AIDS Supportive Housing: A Guide for Staff	Free-Limit 1		



Part Three

Appendix One: Expanded List of Potential Topics for Employee Handbooks

Appendix Two: On-line Resources and Websites

APPENDIX ONE

Expanded List of Potential Handbook Topics

Introduction

Letter from the Chief Executive Officer Functions of this manual Mission History Core values What we expect of you

Employment policies

Employment-at-will Equal employment opportunity Anti-harassment Employment categories Exempt or non-exempt classifications Job descriptions Job postings policy Job posting procedure Recruitment policy Hiring new staff Photo ID cards New employee orientation Introductory period Personnel action form Hours of work Time-off requests Flextime Attendance and punctuality Recording work time Time and effort policy Time allocation Hand scanners Personnel records TB screening Confidentiality

Time off with Pay Holidays Vacation/personal time Sick time Jury duty Summer hours Bereavement Weather related absence Severe weather policy Discretionary time off

Leave of Absence

Family and medical leave Military leave Personal leaves Leaves of absence Short-term absences

Pay

Pay procedures Overtime/compensatory time Pay rates Pay periods Direct deposits Pay advances Severance policy

Performance and Progress

Code of employer-employee relations Employee supervision Performance review Promotion and transfers Progressive disciplinary procedure Support/coaching for managers

Internal Communications

Calling in Voice mail E-mail Inter-office mail Staff meetings Mandatory staff trainings All-staff meetings Staff special events Reserving training and conference rooms

External Communications Public relations/media inquiries Logo and letterhead Confidentiality Telephone greetings E-mail formats/programs Representing agency at external functions Staff conduct

Work Environment

Employee/client relationship Harassment and prohibited discrimination Workplace violence Drugs, narcotics, and alcohol Smoke-free workplace Smoke-break policy Office décor Safety and health Security Use of agency equipment Privacy Confidentiality Recording devices in the workplace Conflict of interest Copy clearance Employment of relatives Children in the workplace Visitors' policy and procedures Solicitation and distribution Appearance and dress Participation in professional groups Telecommuting Resolving work related problems Employee assistance service Employee travel and business expenses Purchase approval Corporate credit cards Reporting and reimbursements Office parties/celebrations Gift policy Business casual policy Personal phone calls Internet usage Cellular phones in the workplace Outside activities Personal relationships

General Office Procedures Keypad entrance Mail out-going Mail incoming Special packages Messenger service Office cleaning Office maintenance requests Petty cash Office supplies IT requests Computers, copiers, and faxes Conference rooms Telephones Business cards

Purchases

Goods and services Consultant services Purchase order policy Purchase order procedure Petty cash disbursement

Employee Benefits

Disclosure of benefits Medical and dental benefits Medical and dental benefits after termination Life insurance and AD&D Workers' compensation Disability benefits HIPPA COBRA Domestic partner statement and policy Retirement plans Flexible spending accounts Transit checks Employee discounts Holidays Employee assistance service

Terminating Employment

Termination of employment Resignation Retirement Involuntary termination Exit interview ID, keys and incidentals

APPENDIX TWO

On-line Resources

The following on-line resources will assist in the development of your employee handbook: Please note these are provided solely as a resource and are not endorsed by Bailey House.

How to Write an Effective Manual (Online literature):

http://www.onlinewbc.gov/Docs/manage/hrpolicy1.html

http://www.probonopartnership.org

http://www.sbaonline.sba.gov/gopher/Business-Development/Success-Series/Vol10/handbook.txt

Nonprofit Risk Management (Website):

http://www.nonprofitrisk.org

Free Nonprofit Management Wisdom (Websites):

http://www.milanomix.org/

http://www.managementhelp.org/

Human Resources Information (Websites):

http://www.workforce.com

http.//www.shrm.org

Consultants and Technical Assistance (Website):

http://www.TAClearinghouse.org

Chamber of Commerce for Local Laws (Website):

http://www.chamberofcommerce.org

Compensation, Benefits and Staff Retention Information (Website):

http.//www.worldatwork.org

State Nonprofit Associations (Website):

http.//www.ncna.org

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Created by:

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