

# CREATING AN OFFICE POLICY MANUAL

## PREFACE

This handbook is a guide for creating your firm's policy manual. Since the size of a firm may dictate its required policies, not all firms will use all the items contained herein. Carefully choose which items are important to your firm, keeping in mind that simply because your firm does not have a policy on a particular item now, does not mean the firm does not need one.

Be aware that not everyone will be happy with the written policies adopted by your firm. Some employees may find them limiting. Small firms may find too many policies create a loss of flexibility, and large firms can become more bureaucratic and forfeit the personal touch with their employees. Policies should be realistic for the type and size of your firm.

Customize this handbook to serve as a desktop reference by inserting section dividers with the appropriate written policies developed and approved by your firm. Keep the manual in loose-leaf form, and update it at regular intervals.

**CONDUCT YOUR OWN RESEARCH REGARDING LOCAL, STATE, AND FEDERAL LAWS REGULATING EMPLOYMENT POLICIES AND PRACTICES. ADAPT YOUR POLICY MANUAL ACCORDINGLY. IF APPROPRIATE, CONSULT WITH OUTSIDE COUNSEL.**

## DOES YOUR FIRM NEED A POLICY MANUAL?

A policy manual is not a luxury that only large firms can afford to produce. In law firms of all sizes, a policy manual is a primary method of furnishing employees with information on their working environment, as well as what the firm expects from them.

The reasons for providing a written policy manual to your employees include:

1. To aid in the orientation of new employees, and give them information about their new employer;
2. To provide employees with a positive attitude towards their employer;
3. To explain work rules and penalties for violations; and
4. To protect the firm through appropriate disclosures.

Employees need to know what their employers expect of them and what they can expect in return. By putting your firm's policies in writing, both the firm and its employees have clear and concise direction when questions arise, avoiding misunderstandings and controversy.

Written policies also protect the firm from unnecessary claims and litigation. While some think "putting it in writing" can lead to the possibility of greater civil liability, putting a policy in writing gives you a greater opportunity to examine and carefully consider the policy, which should result in fewer instances of the policy leading to an unlawful injury. In addition, it will be easier to show a court what your policy is if the policy is in writing, rather than if it is an oral policy.

Providing policies creates a framework where more specific guidance can be developed, when necessary. Without establishing carefully prepared policies that spell out the philosophy and goals of the firm, it is almost impossible to develop procedures and rules that will achieve the desired result.

There may be some areas in which the firm can only spell out general policy, or there may be situations that arise which cannot be anticipated. In these situations, it is important to have general policy statements for guidance as to the proper action to take.

## **WHAT IS A POLICY?**

The term “policy” can be defined as a definite course of action selected from among alternatives, and in light of given conditions, to guide and determine current and future decisions. Policies are general statements of philosophy, principles, and objectives in a given area. Establishing written policies lets the staff know exactly what the firm wishes to accomplish and why. With this in mind, firm policies should not be decided lightly. Everyone affected by the outcome of the policy should be consulted, and discussion should be generated to make the best possible policy in each instance to fit the needs of the firm.

Policies set goals for both the firm and its employees. They provide a method to attain goals and aid in the development of plans to assist goals. They offer a guide to decision making and formulating specific rules. Fair policies produce consistent treatment of all employees and provide management with a frame of reference for making uniform personnel decisions. Policies offer quick and decisive action, and in many instances can bring about needed change.

Good policies meet the following requirements:

- They are up-to-date and current;
- They are clearly understood by everyone;
- They are consistently followed;
- They are established by the proper authority; and
- They are concise (one policy for one topic).

## **GETTING STARTED**

Determine the style you will use (formal or casual; personal or impersonal) in developing your policy manual. The format should be attractive and personalized whenever possible (“our” firm, “your” benefits) to make the employee feel part of the firm. Avoid negative comments and emphasize the positive aspects (explain work rules in a positive manner; emphasize employee benefits). Keep policies simple and brief, written in a language everyone can understand. Do not set a disciplinary tone by simply providing a list of rules, and be careful not to sound patronizing or condescending.

If possible, involve staff. Remember, employees have to carry out the developed policies. Many times staff can provide practical suggestions as to how to improve policies so desired goals are achieved without creating unnecessary problems in the process. If you do not reach out and encourage staff to participate, few employees will be willing to make suggestions on their own.

An unwritten policy or prior decision made by the firm can assist in developing a written policy. Start with a list of current firm policies, even if they are not written down and are simply “understood” policies of the firm. Divide the list into three major categories: employment policies, personnel policies, and office policies. Expand the list with input from all personnel. If possible, form a committee with at least one “interested” partner, associate, supervisor, and staff person.

Assign the task of writing the first draft to one person. Establish a definite time schedule. An index of all topics covered should be included for easy reference. The layout, numbering system, cover, type style, etc. should be determined and used consistently.

## **AVOID PROBLEM AREAS**

Avoid the following language when developing policies for your firm:

1. Probationary period: When referring to new employees, use the term “orientation period” or “initial employment period” to avoid an implication that the employee has a right to the job following the successful completion of this period. The phrase “up to” should also be used to limit the length of this period so as to make it clear the employee is not necessarily entitled to employment during this period.

Example:

The first 60 days of employment with the firm shall be referred to as “the orientation period.” This period is to provide both you and the firm the opportunity to determine whether you and your new job are suited to each other. During the orientation period, both you and the firm are free to terminate the employment relationship at any time without prior notice. The orientation period may be extended beyond 60 days at your request or at the discretion of the firm.

Example:

The initial employment period for new employees is 90 days from the first day worked. During this period, you may resign or be released on two weeks’ notice without cause. If the firm is given cause, you may be released without notice. The initial employment period may be extended for any reason.

2. Annual salary: Unless you intend otherwise, state that employees are not employed on an annual or contract basis.

Example:

Nothing contained in this manual or any other document provided to employees is, or is intended to be, a contract or a guarantee of employment. Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended to and do not create an employment contract or guarantee of employment for any period of time.

3. Permanent employment: Use the term “regular employment” to alleviate any misunderstanding of lifetime or permanent employment on the part of any employee.

Example:

An employee who has satisfactorily completed the initial employment period shall become a regular employee of the firm and shall be entitled to all benefits afforded to regular employees as stated more particularly hereinafter.

4. Employment at will: This is one of most controversial policies to be included in a firm policy manual. Language of this nature emphasizes that the employer as well as the employee may terminate the employment relationship at any time, and may send a negative message to employees. You may wish to include some form of disclaimer, however, to minimize the possibility of a wrongful discharge action.

Example:

During the initial employment period, all employees are employed “at will,” and, as such, are free to resign at any time without reason. The firm, likewise, retains the right to

terminate an employee during the initial employment period without reason. Following the initial employment period, the employee may be discharged only for just cause. The firm retains the exclusive right to determine whether facts exist to constitute just cause for discharge.

Example:

All firm employees are employed “at will,” which means that both the employee and the firm are free to terminate the employment relationship at their discretion. No supervisor or other firm representative has the authority to alter this relationship, and you should never interpret any such person’s remarks as a guarantee of continued employment.

5. Sick leave: Occasional illness is not the only reason why employees might need time off. If your firm offers paid time off, consider calling it “personal” time. Granting time off for important personal reasons encourages advance notice of absenteeism. [Note: consult with outside counsel or review current laws. Paid sick leave may be required.]

Other items to avoid include:

- Promises and policies which cannot or will not be enforced uniformly and consistently;
- Statements that could be interpreted to mean employees will be discharged only for “cause,” or only for specific or definite reasons;
- Specific details of insurance or profit sharing plans (be general); and
- Any reference to mandatory retirement at a specific age.

## **TOPICS TO BE COVERED**

### **INTRODUCTION**

Begin with an introduction briefly describing the use and purpose of the policy manual. Identify the person directly in charge of the firm’s policies.

Example:

This policy manual has been prepared to familiarize both attorneys and staff with the policies adopted by this firm. It should be consulted when any questions arise as to the responsibilities of the firm to its employees, or if an employee needs clarification of what the employee’s responsibilities are to the firm and its clients.

Although an exception to policy may be made, these written policies have been established to reduce the possibility of any unfairness among employees.

From time to time, conditions and circumstances may require the firm to change, modify, amend, or delete the policies in this manual. When changes are made, you will be notified of the new or revised policy.

Questions regarding the interpretation of any of these policies should be referred to the Administrative Manager.

### **INFORMATION ABOUT THE FIRM**

Provide information regarding the firm’s structure. Many new employees are uncertain of what type of business their employer is engaged in, or how the firm’s business is administered. Keep current lists of partners, committees, and departments (and their members) to ensure information and interoffice memoranda are directed to the correct recipients. Providing details about the firm will give all employees a feeling of belonging and encourage their loyalty.

Items you may wish to include are:

1. Date and history of founding of firm.
2. Status of the firm.
3. List of current partners.
4. List of current committees including:
  - Duties of committee
  - Members of committee
5. List of current departments and department members.
6. General responsibilities of administrative personnel.
7. Floor plan of offices, conference rooms, and departments.
8. Job descriptions of personnel, which might include:
  - Administrative Assistant
  - Legal Secretary
  - Legal Assistant or Paralegal
  - Receptionist
  - File Clerk
  - Word Processor
  - Accounting Clerk
9. List of current employees.
  - This list might include each employee's telephone extension, the name of each attorney's assistant, the name of each assistant's supervisor, and, if applicable, the floor where their desk or office is located.
10. Home address and telephone number for all personnel.

You might wish to include a statement that this information is for use by firm personnel only and is not to be released.

#### YOU AND THE FIRM

Provide information relating directly to employment policies and the employee's responsibilities to the firm and its clients. The policy manual should always contain a statement to the employees informing them of the confidential nature of their work in the firm.

Example:

All work performed in this firm is of a confidential nature and should not be discussed with friends or family, nor in the presence of clients or other visitors, especially in common areas of the office such as the reception area, lounge, restroom, or elevators.

No materials are to leave the office without the express permission of the attorney in charge. Any materials leaving the office must be packaged and sealed properly to ensure confidentiality.

An affirmative action plan (equal opportunity policy), if adopted by the firm, should be stated in the policy manual. It is also a good idea to include a policy on sexual harassment. Be sure to state the procedures available for reporting and processing complaints of this nature.

**REVIEW CURRENT LOCAL, STATE AND FEDERAL LAWS TO ENSURE THAT AFFIRMATIVE ACTION, EQUAL OPPORTUNITY, OR HARASSMENT POLICIES MEET CURRENT LEGAL REQUIREMENTS.**

Example:

It is the policy of this firm that all employees should be able to enjoy a work environment free from all forms of discrimination, including sexual harassment.

None of our employees, whether male or female, should be subjected to unsolicited or unwelcomed sexual overtures or conduct, either verbal or physical.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior which is not desirable, which is personally offensive, which impairs morale, and which therefore interferes with our work productivity. Such conduct is specifically prohibited in this firm. This includes repeated offensive sexual flirtations, advances or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading verbal comments about an individual or their appearance; the display of sexually suggestive objects or pictures; or any offensive or abusive physical contact.

In addition, no one should imply or threaten that an applicant or employee's "cooperation" of a sexual nature (or refusal thereof) will have any consequence on the said person's employment, assignment, compensation, advancement, career development, or any other condition of employment.

Any violation of this policy should be reported immediately to the Administrative Manager.

Other items to include in employment policies are:

1. Dress code: Establish a standard for neat and professional appearance for all employees. [Note: An employee's right to dress in a particular manner, including a refusal to adhere to particular aspects of a dress code, may be protected by the First Amendment to the US Constitution. See [EEOC v. Abercrombie & Fitch Stores, Inc.](#), 575 U.S. \_\_ (2015).
2. Emergencies: Describe emergency procedures, including a list of employees with CPR or first aid training, the nearest hospital, emergency telephone numbers, etc.
3. Employment of relatives: Does your firm have a policy regarding hiring immediate relatives? You might also consider developing a policy regarding present employees who marry.
4. Housekeeping: Advise employees on the responsibility for their immediate work area and common areas used by employees.
5. Orientation or initial employment period: Specifically define the orientation or initial employment period for new employees, and explain all restrictions, such as entitlement to employee benefits.
6. Outside employment: If your firm discourages employees from working at other jobs outside the firm, so advise your employees.
7. Personal problems: Encourage employees to seek assistance with severe personal problems, whether they involve problems at the office or at home.
8. Personal telephone calls: During business hours, both incoming and outgoing personal telephone calls should be confined to those that are absolutely necessary, and be kept to a minimum. You might also wish to include information regarding restrictions on long-distance personal telephone calls.
9. Use of mobile devices: Employees should not use mobile devices while driving a motor vehicle. This includes making or receiving calls, sending or receiving texts, or using

other features of the mobile device, even if Bluetooth technology is available in the employee's vehicle. Caution is advised when using mobile devices in a public place to avoid disclosure of confidential client information or giving an impression that confidential client information is being discussed.

The client must be informed when a call is received or placed by cell phone, advising the client that confidentiality may be compromised. The client should be told to call from a secure landline if discussing confidential matters. Likewise, the lawyer or staff person should arrange to call the client on a secure landline before continuing to discuss confidential information.

Finally, employees should avoid reading or sending email or accessing firm resources using a mobile device over public Wi-Fi networks.

10. Personal use of office facilities: Give employees specific guidelines for use of office facilities.
  - a. Email account: Give specific guidelines for use of the office email account. Employees and attorneys should be strongly discouraged from receiving or transmitting personal email, especially jokes and messages that generate "chain" emails. Aside from the embarrassment this could bring to the firm, it can result in the spread of email viruses.
  - b. Internet use: Give specific guidelines for use of the office computer to access the Internet. Discourage employees and attorneys from accessing the Internet for personal use. Accessing the Internet for personal use from the office may generate increased spam, and can result in the spread of computer viruses, and spyware or ransomware being installed on office networks or computer systems.
  - c. Social media: Give specific guidelines for use of social media on behalf of the firm (Facebook, Google+, Twitter and other social media sites.) Social Media Governance maintains an online database with examples of social media policies here: <http://socialmediagovernance.com/policies/>.
11. Professional conduct in the office: Advise employees what the firm expects when dealing with clients—using good judgment, diplomacy, and courtesy—and maintaining the highest standards of personal and professional ethics.
12. Security: Explain security procedures and provide information regarding security during non-business hours.
13. Training: Allowing time for training of new employees is always a good idea. Develop a schedule—it gives both the firm and the employee a definite timetable as to what to expect the first few days of employment. Better yet, develop an in-house training program and set out the schedule in these policies.

## OFFICE POLICIES

In this section, provide rules and regulations regarding office policies. Be specific if your policies are specific. If the firm maintains a schedule of assigned lunch and rest periods and expects employees to adhere to it, tell them so. If time sheets are used, advise employees when to turn them in, and to whom. Advise what information the time sheets should contain.

REVIEW YOUR OBLIGATIONS UNDER THE AMERICANS WITH DISABILITIES ACT AND OTHER LOCAL, STATE, AND FEDERAL LAWS, WHICH MAY REQUIRE YOU TO MODIFY THESE POLICIES TO ACCOMMODATE AFFECTED EMPLOYEES. IF NECESSARY, CONSULT WITH OUTSIDE COUNSEL.

1. Absence and punctuality: Indicate the person to whom tardiness and absenteeism should be reported. Encourage advance notice. Advise employees if the firm keeps a record of tardiness.
  - a. Personal appointments: Require advance notice and scheduling at a time most convenient for work flow.
  - b. Absence due to weather conditions: In adverse weather, some firms encourage attendance by allowing all employees who report to work before 10 a.m. to receive a full day's pay.
2. Adjustment of workload; obtaining assistance: Indicate the person to whom the employee should report when the employee has time available to assist others or when the employee needs assistance.

Example:

It is your responsibility to advise the Office Administrator of your availability to assist others in order to provide an equitable workload balance. If additional assistance is required, all requests should be directed to the Office Administrator.

3. Holidays: Include a list of permanent firm holidays and describe any floating holidays.
4. Office hours: You might want to include switchboard and receptionist hours if they are different from the average employee.
  - a. Lunch periods: Advise employees if they are to notify someone when they leave for and return from lunch.
  - b. Rest Periods: If specific rest times have been established for employees, advise them; otherwise, be general.

Example:

One morning and one afternoon rest period of 15 minutes each are permitted. Notify your immediate supervisor when you are taking a rest period, as rest periods should not be taken at a time when it would be disruptive to work flow.

5. Overtime authorization: Make sure employees know they must obtain permission for overtime work prior to actually working overtime.
6. Personal use of office equipment and supplies: Let employees know if they are not to use the photocopy machine, postage meter, messenger services, etc. for personal use.
7. Promotion and posting of available positions: Let employees know how they can apply for other positions within the firm.

Example:

Whenever possible, qualified employees are promoted to available higher-level positions. All internal job vacancies are posted to enable all employees an opportunity for career growth and development. Staff members interested in these positions should apply to the Office Administrator. All inquiries will be treated as confidential.

8. Solicitation/no distribution rule: A policy may be established to restrict or prohibit solicitation during work hours or in working areas. It is also a good idea to include a statement that persons who are not employed by the firm shall not distribute literature or solicit employees or visitors at any time.

Example:

Employees are encouraged to take an active part in civic affairs and deserving charitable activities. However, in order to avoid interference with work and to protect you from



unnecessary nuisance, soliciting of any kind is prohibited when the person soliciting or the person being solicited from is on working time. Similarly, employees are prohibited from distributing literature of any sort during work time. Solicitations for gifts (for resigning employees, wedding, births, etc.) are authorized under proper approval from your supervisor. Persons who are not employed by the firm shall not distribute literature or solicit employees or visitors on firm property at any time for any purpose.

9. Time attendance/work records: Attach a sample of any form used, and provide instructions for completing it.
10. Vacation scheduling: Indicate the proper person in charge of scheduling vacations. Notify employees if they are to check with their immediate supervisor prior to scheduling vacations.

## PERSONNEL POLICIES

Use this section to define the firm's responsibilities and obligations to its employees.

## REVIEW LOCAL, STATE, AND FEDERAL LAWS, WHICH MAY REQUIRE YOU TO MODIFY THE EXAMPLES GIVEN BELOW.

Describe available benefits:

1. Application: Establish a policy to return all applications received at a time when the firm is not hiring. Applications should not be held in a file unless a definite position is available. DO NOT accept pictures of applicants, which might be included with applications.
2. Benefits: Benefits should be described in general terms only.
  - a. Bonuses:
    - Annual: Do not promise an annual bonus; rather, state that the firm normally pays a bonus to each employee. It is a good idea to clarify that payment will be based upon consideration of the financial condition of the firm.
    - Longevity: In recognition of loyalty and service, some firms establish a longevity bonus which is paid on the employee's anniversary date.
    - Merit: Define the conditions under which merit bonuses are given.
  - b. Placement: To encourage referrals, thereby saving employment agency fees, some firms pay a placement fee when the firm hires staff referred by current employees.
  - c. Education: Encourage employees to continue their education in the legal field by developing a policy to pay either all or a portion of their tuition. Some firms pay one-half of the tuition at the beginning of the term and pay the remainder when the term is completed and the employee has received a grade of "C" or better.
  - d. Fringe benefits: These include counseling, parking, transportation expenses (bus or train fare), credit union membership, athletic club membership, etc.
  - e. Insurance: Provide the name of the insurance carrier and the general type of insurance afforded. Insurance benefits should NOT be described in detail, but provided in a separate benefits booklet.
  - f. Membership in professional organizations: Employees should be encouraged to participate in professional organizations. Membership allows them to keep abreast of new developments, and provides them with contacts in the legal field. A policy should be developed to pay all or a portion of their dues and expenses, and allow time off to attend functions of the organization.
  - g. Profit sharing plan: If applicable, describe any profit sharing plan in a separate booklet.

- h. Social functions: Let employees know whether the firm sponsors an annual summer picnic or holiday party.
  - i. Compensation (salary): Advances, overtime, leaves of absence (i.e., bereavement, jury duty, medical/dental/parental, military leave, personal leave), pay days, and vacation should be defined and explained.
3. Employee classifications: Define full-time employees, regular part-time employees, and temporary employees.
  4. Performance evaluations: Let employees know their job performance will be evaluated and how often.

Example:

Each employee's performance is reviewed annually by (supervising attorney, office manager, personnel director, etc.), and salary is modified to ensure compensation commensurate with responsibilities and performance. Salary increases are given on a merit basis.

5. Personal information: Each employee should keep all personal data current. Indicate to whom this information should be given.
6. Personnel records: Advise employees where personnel records are kept and who is responsible for them. If state law requires, advise them they may inspect their personnel file.
7. Termination of employment: List all procedures and required documentation in detail.
  - a. Letters of recommendation: A statement that letters of recommendation for former employees are not a matter of right should be included in termination policies.
  - b. Notice: Advise employees they are to provide reasonable notice in writing.
  - c. Receipt of vacation pay: Terminated employees are entitled to all accrued vacation paid and paid sick leave earned as of the date of termination. Let them know when they will receive payment.
  - d. Severance pay: Let employees know whether severance pay is paid by the firm.

Example:

An employee discharged for cause or terminating voluntarily shall be given no severance pay. Any employee discharged for other than cause may be given severance pay at the discretion of the firm.

8. Worker's compensation: Provide the name of the insurance carrier and to whom injuries should be reported and where claim forms can be obtained.
9. Grievance procedures: It is extremely important the all employees are given an outlet to vent any complaints they may have concerning their treatment on the job. It is equally important that they be encouraged to use the established complaint procedure and know that no retaliation or other adverse consequences will result from their making such a complaint. If employees bring their complaints to management first, before going to government agencies or initiating litigation, management will have an opportunity to remedy any unfair or illegal treatment without a major outlay of money, time, and frustration.

Let employees know to whom a complaint should be taken (preferably the employee's immediate supervisor unless the supervisor is part of the problem). The procedure should allow for an appeal to ascending levels of authority, depending upon the size of the firm.

## RECEIPT AND ACKNOWLEDGMENT

Every employee should be required to acknowledge the fact that the employee has read the policy manual, understands its contents, and agrees to abide thereby. Provide a copy of the policy manual to each employee. Encourage employees to keep their copy of the manual handy, and refer to it regarding all questions concerning office policy.

Since wrongful discharge disputes are becoming more frequent, it is also suggested that an “at will employment” disclaimer be included in the acknowledgment to be signed by the employee.

### Example:

I hereby acknowledge that I have received and carefully read a copy of the firm’s office policy manual. I also acknowledge that I fully understand the contents of said policy manual and agree to abide by its terms and policies. If I have any questions, I will confer with the Administrative Manager.

I understand that nothing in this policy manual creates an express or implied contract of employment. I further understand that I am employed at will, that both the firm and I are free to terminate the employment relationship at our discretion, and that no firm employee has authority to alter this relationship.

Dated this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
[Employee Signature]

## COMPREHENSIVE CHECKLIST OF TOPICS

The topics covered by your firm’s policy manual will depend greatly on the size of your firm. The following is a comprehensive list of topics that you may wish to include.

Absence	(Alcohol/Drugs)
Accidents	Civil Rights
Acknowledgment	Collections
Adoption	Committees
Advances	Communicable Diseases
Advertising	Community Relations
Applications	Compensation
Associates	Confidential Information
Attendance	Conflicts of Interest
Benefits	Contributions
Birth	Counseling
Blood Donation	Court Service
Bonuses	Demotion
Bulletin Board	Dental Appointments
Business Expenses	Departments
Business Trips	Discipline
Car Pools	Discounts to Employees
Charity Drives	Discrimination
Check Cashing	Dismissal
Chemical Dependency	Dress and Grooming

Educational Assistance  
Emergencies  
Employee Attitudes  
Employee Classifications  
Employee Referrals  
Employee Services  
Employee Training  
Employment Agencies  
Employment of Relatives  
Employment Policy  
Equal Opportunity  
Exit Interview  
Firing/Dismissal  
First Aid  
Flowers  
Fringe Benefits  
Funerals  
Garnishees  
Gifts  
Grievance Resolution  
History of the Firm  
Holidays  
Hours of Work  
Housekeeping  
Index  
Initial Employment Period  
Insurance  
Introduction  
Job Descriptions  
Job Training  
Jury Duty  
Layoff  
Leave of Absence  
Life Insurance  
Loans to Employees  
Lounge/Lunch Room  
Lunch Periods  
Management Development  
Management Practices  
Management Rights  
Maternity Benefit  
Medical Appointments  
Medical Insurance  
Memberships  
Memoranda  
Military Service  
Newsletters  
Office Hours  
Office Layout  
Office Privacy  
Orientation

Outside Employment  
Overtime  
Parental Leave  
Parking  
Part-time Employees  
Partners  
Pay Days  
Payroll Deductions  
Performance Evaluations  
Personal Hygiene  
Personal Information  
Personal Mail  
Personal Property  
Personal Telephone Calls  
Personal Time Off  
Personnel Records  
Political Activity  
Professional Conduct  
Profit Sharing  
Promotion  
Publications  
Raises  
Recruiting  
References  
Resignation  
Responsibility  
Rest Periods  
Retirement Benefits  
Safety  
Salary Advances  
Salary Continuation  
Savings Plan  
Security  
Seniority  
Separation  
Service Recognition  
Severance  
Sexual Harassment  
Sickness and Disability  
Smoking  
Social Functions  
Social Media  
Solicitations  
Suggestions  
Supervisor  
Tardiness  
Telephone  
Temporary Employees  
Termination  
Theft  
Time Reports

Training  
Transfers  
Travel  
Unemployment Compensation  
Use of Facilities  
Vacations

Voting Time Off  
Wage and Salary Administration  
Weather  
Work Load Adjustment  
Worker's Compensation  
Working Conditions

## **APPROVAL AND COMMUNICATION**

Once the manual has been drafted, it should be distributed to all partners and administrative personnel for review and comments. Remember—their feedback and support are important. Without it, the manual will not accurately reflect your firm's policies. Hold a meeting and explain the “how and why” behind each policy. This will offer an opportunity for constructive discussion. Be sure to inform them that it is vital they fully comprehend and agree to support the policies that have been adopted.

It may be necessary to draft several revisions. Do not be discouraged. It will only make things easier in the end to have everyone agree and be satisfied with the result before it is distributed to employees.

## **INTRODUCING THE POLICY MANUAL**

When the final version has been approved, a meeting should be arranged with associates and staff to discuss existing policies, highlight new policies, and explain how the policies will be implemented. Employees should be advised that all policies will be enforced and applied uniformly and without exception. This meeting should be conducted by someone in authority who fully understands the policies and can accurately clarify any problem areas.

Everyone should be encouraged to read the manual completely and carefully as soon after the meeting as possible, and a date should be established when the receipt and acknowledgment statement must be signed and returned. Employees should be instructed to use the policy manual as a reference guide when any questions arise, and, if something is not covered in the policy manual, it should be brought to the attention of the person responsible for policy manual updates for possible inclusion.

It is extremely important that the introduction of the policy manual be accomplished in a positive light. Let employees know these policies are being adopted to create a fair workplace without misunderstandings and controversy. Emphasize that many of the policies have been long established by the firm, the manual is simply putting them in writing for everyone's benefit.

## **KEEPING YOUR POLICY MANUAL CURRENT**

All memoranda dealing with office subjects should be kept and reviewed periodically for inclusion in the office policy manual. Keep in mind any major changes in the office structure will most likely require changes in the policy manual, i.e., adding branch offices, mergers, relocation, etc.

**LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS MAY ALSO NECESSITATE AN ADDITION OR CHANGE IN YOUR POLICY MANUAL AND SHOULD NOT BE OVERLOOKED. A TOTAL AUDIT OF THE POLICY MANUAL SHOULD BE CONDUCTED EVERY ONE TO TWO YEARS.**

An outdated policy manual can be an enormous problem. Do not let this happen to your firm. Make it a habit to review the policy manual whenever a policy or personnel question arises to determine if the question is adequately addressed (or it may not be addressed at all). You may also find that a current policy is not working and a new policy should be implemented.

## **CONCLUSION**

Sound policies make a difference. They can help build a unified work force and a harmonious work environment, and they pay off in decreased turnover, greater job satisfaction, and increased productivity.

## **IMPORTANT NOTICES**

This material is provided for informational purposes only and does not establish, report, or create the standard of care for attorneys in Oregon, nor does it represent a complete analysis of the topics presented. Readers should conduct their own appropriate legal research. The information presented does not represent legal advice. This information may not be republished, sold, or used in any other form without the written consent of the Oregon State Bar Professional Liability Fund, except that permission is granted for Oregon lawyers to use and modify these materials for use in their own practices.

© 2015 OSB Professional Liability Fund