HR'S GUIDE TO COMPANY POLICIES

Practical tips and tricks for policy development.

Namely HR for Humans

TABLE OF CONTENTS

INTRODUCTION

Sometimes HR gets a bad rap as the "fun police" or the "principal's office." Truth is, it falls on HR's shoulders to create policies that build a better work environment. Because we know you'd rather be focused on building culture and driving strategy, we wanted to make it as easy as possible for you to draft the policies you need. To that end, we've compiled the full guide to company policies. Follow our expert tips for crafting policies on vacation time, employee relationships, dress code, and more.

Ready? Let's get started.

1

ALCOHOL POLICY

Happy hours don't have to be HR nightmares.

Call it whiskey business—for most HR professionals, alcohol use in the office or at company events is a touchy subject. With a growing number of companies offering perks like on-premises draught beer and wine Wednesdays, the traditional barriers between drinking and work seem to be softening.

When work and alcohol mix, there are serious practical and compliance risks to consider. That said, it's possible to draft a policy that encourages both frivolity and responsibility. Here's how to create and implement a set of rules designed just for your company.

1. Tailor Your Policy

According to the National Survey on Drug Use and Health, 81 percent of U.S. companies have a written drug and alcohol policy. While these policies are clearly commonplace, there is no "one-size-fits-all" approach to drafting one.

For some employers, implementing a simple rule permitting responsible drinking only after 5:00 PM might suffice. In other cases, a more robust drug and alcohol policy is appropriate. Whatever your formal policy ends up being, it must address three things: whether/when alcohol use is permitted, the importance of being "fit for work," and a disclaimer protecting legally prescribed medication.

Your approach should be appropriate to your company's industry and workforce. While it may be fair to allow office workers to drink within certain hours, it's impractical—and in many cases illegal—to extend those same privileges to individuals who drive or operate heavy machinery on the job. For urban offices largely dependent on public transportation, offering access to alcohol on-premises poses less risk than doing so for an automobile-bound workforce.

*The content of this publication is provided for informational purposes only and does not contain or constitute legal advice. Do not rely on this information to take any legal decision without consulting with appropriate legal counsel.

5

2. Address Special Events

According to a Society for Human Resources (SHRM) survey, nearly 60 percent of businesses serve alcohol at their holiday or year-end parties. And when it comes to these high-risk events, there's one near-certainty: the day after is bound to be interesting for HR.

There are a number of tried-and-true strategies that planners can leverage to lessen the risks. Budget permitting, the most effective tactic might be to allow employees to invite a significant other or spouse. Doing so has the potential to curb overindulgence and dissuade participants engaging in unfortunate (or embarrassing) behavior. Alternatively, consider opting for a cash bar or "token" system, where employees can redeem tickets for drinks.

Make sure alcohol isn't at the center of every company celebration. Opt for off-site activities to be inclusive of those who choose not to imbibe in alcohol.

3. Handle Enforcement Carefully

If you suspect an employee is violating the company's alcohol policy, your disciplinary options are more limited than you think. This is especially true if it's unclear whether alcohol is truly to blame for an employee's behavior, or in cases where addiction may be involved. When it comes to disciplinary action related to suspected alcohol use, err on the side of caution and consult with legal counsel.

Never act on an alcohol-related incident without investigating the matter. Interview the individual's manager or any other involved parties. If the issue is an ongoing trend, ask a manager to jot down their observations over the next few weeks. SHRM provides a useful note-taking template you can provide for situations just like these. If the notes lead you to reasonably suspect that an employee is violating your alcohol policy, only then should you turn to disciplinary action.

2

DRESS CODE POLICY

What not to wear.

In industries like finance or medicine, offices dress codes can be pretty clear cut. But in casual work environments, it can be a bit more challenging to pin down what is acceptable to wear around the office.

In an ideal world, it would be nice to leave it to employee discretion. According to a recent survey, 78 percent of respondents said that even without a dress code, they'd still make an effort to dress well and would make a clear distinction between "work clothes" and "non-work clothes." However, it's important to have a policy in place that employees can refer to—especially on the rare occasion that there is a violation that calls for HR intervention. Consider these five tips for implementing a policy that aligns with your company's culture.

1. Identify Core Values

As an HR professional, it's not your job to be a policing figure, but rather to facilitate an environment in which everyone can do their best work. From this standpoint, encourage employees to dress in a way that reflects the company values.

Start by identifying the core values you want your employees to embody, such as professionalism, safety, and comfort. Then tailor the messaging around the dress code to convey these values. This will help everyone feel that they are working together as representatives of the organization to project an image of professionalism—rather than simply following rules for rules' sake.

2. Speak to Employees' Intelligence

Thanks to your impeccable hiring skills, you can trust that most employees have good judgement when it comes to dressing professionally. But even your best employees may have those days where they stand in front of the mirror and ask themselves "Is this work appropriate?" And sometimes they make the wrong call.

You don't want employees to feel like they're being monitored. Make sure your dress code respects their intelligence by being very clear on expectations and the reasoning behind each guideline. While it's helpful to give examples, there's no need to list out every prohibited clothing article—nor should you feel the need to inspect every hemline that comes through the door.

3. Keep Your Policy Fair and Inclusive

Avoid using language in your policy that invokes gender, race, or religious background. No employee should feel singled out or discriminated against.

Your employees should already have a basic understanding of what is and is not acceptable in the workplace. There's no need to call out a specific demographic to make an example. Instead, focus on principles that the entire company can abide by. Rather than talking about acceptable hemline length, for example, set a general standard for employee discretion on revealing clothing.

4. Get Creative with Communication

Communication around dress code is important to ensure the policy has a positive reception. If employees understand where you're coming from, they will be more likely to respect the guidance. Put thought into how you roll out the policy.

The more creative you are here, the better! Use imagery, gifs, or even games to communicate your policy—whatever is best suited to the culture of your organization.

5. Revisit and Revise

Your dress code policy should evolve alongside trends and the organization itself. Perhaps you grow from 10 to 100 employees, or you start to invite clients into your office. Whatever the reason, it's important to stay flexible on the rules.

If you open the dress code up to feedback, you invite employees to put on their "HR hat" and try to see the business through your eyes. Let them have a say and then iterate where appropriate.

3

PET POLICY

Who let the dogs in?

PET POLICY

The office has gone to the dogs. Well, that's what it seems like given the growing number of pet friendly workplaces today.

Attempts to quantify how many US employers allow pets on premises yield varying results. But what the surveys all agree on is that the practice is on the rise. In an effort to stay relevant in a competitive recruiting environment, businesses are turning to new ways to win-over prospective talent. Here are the steps you need to follow when implementing a pet policy.

1. Weigh the Benefits and Risks

When polled, 75 million Americans opined that having pets in the workplace would positively impact their mood and productivity, and even how well they got along with their colleagues. One study found that pets made employees more attentive, friendly, and collaborative. On the flip side, there are clear safety and health risks. Concerns with pet hygiene and the potential for biting often doom pet policies from the start. There are legal risks too—in one lawsuit, an allergic employee alleged that her employer violated the Americans With Disabilities Act (ADA) by not amending their policy.

Consider the nature of the work at your office. By definition, not every workplace is equally pet friendly. Though office environments are generally safe places for pets, spaces with fragile or dangerous equipment are likely not.

2. Get Feedback

Though the data shows that pet policies are increasingly popular with American workers, every office is different. Survey employees to gauge their feelings on the matter and identify allergy risks. If the results are mixed, consider drafting a more conservative policy by allowing pets only once a week or month.

Smaller organizations may opt to keep it short and simple, trusting pet owners to use their best judgement. For everyone else, consider doing the following:

- Designating an area or room where pets are either contained or off-limits
- Requiring employees to provide proof of vaccination
- Creating an "interview" process where pet behavior is observed beforehand
- Barring pets from meetings
- Establishing a place outside for pets to…answer nature's call
- Creating a "three strikes" policy for violations, but a "one strike" rule for bites

3. If Needed, Consider Alternatives

Despite their well-documented benefits, pet policies aren't for everyone. Even if your workplace is warm to the idea, your landlord might not be. Plenty of office lease agreements have strict, zero-tolerance policies when it comes to our four-legged friends. In this event, try organizing regular volunteer days at a local animal shelter or consider hosting happy hours at pet-friendly venues.

Being more accommodating as an employer can also go a long way toward supporting pet owners. Pet insurance is an increasingly common employee benefit in the US, with enrollment growing 12 percent annually since 2014. Pet insurance and bereavement leave are two low-cost ways you can make animals a part of your culture without actually having them in the workplace.

4

WORK FROM HOME POLICY

Telecommuting is here to stay.

In today's workplace, there's no place like home. Since 2005, the prevalence of work from home policies has skyrocketed 115 percent, with an estimated 4 million teleworkers making up the U.S. workforce today.

Working from home is on course to becoming less of a perk and more of the new normal. Even so, there are several practical and compliance considerations your HR team will need to make. Follow the below tips to ensure your policy is more than just a remote success.

1. Set Expectations

Your team will need to set reasonable and clear expectations on who is allowed to work remotely and under what conditions. How many days per week are generally acceptable? Do employees need to work with the company for a certain amount of time before earning the privilege? Do employees need to formally request work from home days? Because all teams operate differently, it may be worth delegating specifics to individual managers.

Be clear that remote workers should be available during regular office hours, whether it's by telephone, email, or virtual meeting. Working from home doesn't mean running errands or painting the garage on the company's time. While it may seem obvious, spelling it out in your policy or employee handbook equips your HR team with a defense if an issue arises.

2. Educate Managers

Ever hear of FOMO? It's more than just a social media phenomenon. "Fear of missing out" is a real feeling among full-time remote workers, who may feel on the outskirts of the company.

These anxieties may come to a head around performance season, as remote employees often feel overlooked for promotions or raises. In fact, researchers from MIT recently found that "passive face time," or simply being seen in the office, could have a disproportionate impact on perceived performance. Educate managers on the issue and keep a close watch on performance and compensation data. If there's a clear trend of telecommuters being scored lower or overlooked for raises, look into the matter with their managers.

3. Emphasize Communication

When employees are permitted to work remotely, the interpersonal dynamics are undeniably different. It can become difficult for managers and HR departments to pick up on the subtle social cues employees give when they're struggling or when something's on their mind. Full-time remote employees should participate in regular check-ins with managers.

If you're hiring a new employee with the expectation that he or she will be working from home, consider evaluating his or her writing skills. Despite the wealth of virtual meeting options, video and audio still take a backseat to emails. Your new hire doesn't have to write like Hemingway, but he or she should be able to produce clear and concise correspondence.

4. Invest in Technology

Leveraging the right technology can bring your remote and onsite staff closer together, stamping out that "FOMO" phenomenon. If you haven't already, push to incorporate video into your workplace meetings. The impact can be dramatic: one survey found that 87 percent of remote employees felt more connected to their company through videoconferencing. If your company holds monthly or quarterly all-hands meetings, be sure to broadcast these as well.

Certain HR platforms make it easier promote a feeling of inclusion, specifically those that include a company social feed. These can be used to easily share business updates from leadership, celebrate birthdays and anniversaries, or just to recognize other employees.

5. Address Compliance

As is the case with most HR issues, compliance has a part to play in a successful work from home policy. For nonexempt or overtime-eligible employees, this is especially true. How can you track off the clock work when employees aren't on location? No part of the FLSA explicitly prohibits hourly or nonexempt workers from doing their job remotely. That being said, there are ways employees can utilize these perks without exposing your company to added liability.

Firstly, reiterate that even something as seemingly minor as checking emails after hours is still considered work. If you haven't already, invest in technology that goes beyond what a paper timesheet can provide. Make it a rule that with all remote work, punching in and out is handled digitally and at the moment, not retroactively. Managers should be mindful of their own habits as well. Messaging nonexempt, remote workers at odd hours only invites later compliance issues.

5

WORKPLACE RELATIONSHIP POLICY

The rules of attraction at work.

Love is in the air—and no office is safe. According to a 2017 survey, over 40 percent of U.S. workers admit to having dated a colleague in the past year. Based on past findings, nearly a third of those flings are likely to end in marriage. Time to update those W-4s.

So when the love bug bites, how does your HR department respond? Some teams are turning to controversial legal agreements, AKA "love contracts" to ward off compliance risks. Consider these tips for your own organization.

1. Understand Compliance Risks

No, "love contract" isn't the next hit reality show on TV. These covenants, formally called consensual relationship agreements, are signed by courting employees to confirm their relationship on record to HR. Their purpose is to mitigate risk by affirming that a romance is consensual—in theory, staving off harassment claims. That's a justifiable end, given that the Equal Employment Opportunity Commission (EEOC) took employers to task with 12,860 charges of sexual harassment last year.

Love contracts are also used set ground rules for conduct and public displays of affection. In special cases, the agreements may include an attestation that neither party will pursue or accept a role that involves managing or reporting to the other. These provisions aren't just intended to curb the risk of favoritism, but to also prevent retribution in case the relationship turns sour.

2. Beware the Pitfalls

Are love contracts actually worth it? Legally speaking, the agreements are exceedingly difficult to defend in court. That's mostly because sexual harassment plaintiffs can claim that they were coerced into signing one—a legitimate argument for those subject to at-will employment.

In practice, managing love contracts at a growing or large company is untenable. Between running open enrollment, processing payroll, and navigating state and local compliance, the additional responsibility of tracking office romances is hardly enticing. Not to mention, over a third of workplace romances are secret, so it's often unlikely that individuals would willingly sit before HR and sign a legal document affirming their romance.

3. Supplement Your Policy

Luckily for employers, there are ways to approach workplace relationships that aren't nearly as problematic. Implementing a strong anti-harassment program and drafting a "fraternization" or romance policy can go a long way in curbing compliance risks.

Include a section in your employee handbook that addresses office relationships directly. Your policy should make it clear that the on-premises behavior should be professional and respectful of other employees. In other words, no public displays of affection in the office or on company time. Last but not least, make it clear that romantic relationships between managers and their direct reports are forbidden.

6

COMPANY HOLIDAYS

How generous is your calendar?

Full-time employees in the U.S. are eligible for an average of eight paid holidays per year. How do your holiday offerings compare? If you haven't settled on next year's company holidays, below are some helpful tips to get you started.

1. Identify Relevant Local Holidays

Unless you work at a deli counter, chances are that your business isn't marking National Bologna Day with much fanfare. So how do you determine what holidays are actually worth putting on the company calendar? It largely depends on where you are. In Nevada, state employees, teachers, and most businesses take the day off for "Nevada Day," which marks the state's admission into the union. In Massachusetts, employers often give their workers a paid holiday on Patriots' Day, or the anniversary of the Battles of Lexington and Concord.

2. Be Aware of Industry-Specific Dates

The holidays that private businesses ultimately select often mirror what state governments choose for their employees. As a starting point for your company's policy, visit your state's official website and pull a list of public holidays. You can pare down the list from there. Your company's industry should also influence your list of holidays. If you work in finance, it likely makes business sense to close doors on stock market or bank holidays. Note that if your company works with union employees, it may be contractually obligated to offer certain holidays.

3. Understand Regulations

While offering company holidays has become an employee expectation, are businesses legally required to do so? There are no federal laws mandating that employers shutter operations on any given day. At the state level, the rules concerning holidays are decidedly more complex. Most state governments regulate which businesses can operate on Sundays or holidays. Visit your state government or department of labor website to review your jurisdiction's rules.

Even in the absence of a hard federal mandate, there are compliance considerations that employers have to make for more sensitive holidays. Under federal law, if an individual requests an accommodation (like telecommuting) because of a religious holiday, you must oblige them unless doing so would cause "more than a minimal burden on the operations" of the business.

7

WORKPLACE BULLYING

Ensure your office is a safe space.

There is a lot of buzz around bullying these days—particularly in education and online—but the truth is bullying is much more prevalent across the professional world than you may have thought. 75 percent of employees have either been a victim or witness of workplace bullying.

It can be tricky for HR to find the best way to intervene and bring about a comfortable resolution to workplace bullying. For starters, it's important to create a culture that encourages employees to come forward with any concerns. Here are three ways to build a policy that prevents bullying in the workplace.

1. Encourage Employees to Report Issues

Workplace bullying should not be tolerated, and employees must know they can trust HR with these issues. 40 percent of employees who are targets of workplace bullying never report it. If employees know that talking to HR will help bring about a healthier work environment, they will be more likely to come to you directly—rather than putting in notice when they've reached their limit.

Make sure employees know that their issues remain confidential until you agree on a plan of action, and in the meantime, be sure to offer professional support for coping with the situation. Always thank the employee for bringing this to your attention. You never want someone to walk out of your office regretting their decision to come forward.

2. Train Managers

According to the Workplace Bullying Institute, 72 percent of workplace bullies are actually managers. This means that HR must be attuned to bad managerial practices and offer resources for successful employee management. To make matters worse, the power dynamic in manager to employee bullying scenarios often keeps employees from reporting issues. Encourage employees to come to you with any problems they have, regardless of rank, status, or pay grade.

Oftentimes, bad management stems from a lack of training. Managers who pick favorites, don't communicate feedback effectively, or view their reports as lesser are not equipped to build strong teams or contribute to a thriving work environment. The best way to solve managerial bullying issues is by stopping them before they get started. Introduce managers to core values during onboarding and lead ongoing development programs like employee coaching.

3. Act and Follow Up

Once you have all of the facts, you can propose a strategy for resolution. Depending on the severity of the bullying and the target employee's level of comfort, a solution could take a variety of forms. In some cases, both parties might benefit from a simple mediated conversation with HR. In more severe instances, the offender may need to be placed on a performance improvement plan until he or she is able to make a positive change.

As always, be sure to document all information along the way. The situation is inherently sensitive, so whatever plan of action you decide to take, ensure the targeted employee is comfortable and fully on board. After the plan is implemented, follow up with both the employees and managers to see if there has been a change.

8

UNLIMITED VACATION POLICY

PTO that works for everyone.

Though just 1-2 percent of companies offer unlimited paid time off (PTO), it has quickly become one of the most popular benefits in the modern workplace. However, employees dazzled by its promise might not know the more employer-centric origin of unlimited PTO plans. In states where accrued vacation days are required to be paid out, unlimited PTO creates a gray area in terms of defining how many days have indeed been "accrued."

With the right practice in place, unlimited vacation can remove stress around accruing time off, using up days before the end of the year, or trying to fit personal time into a rigid "X days a year" framework.

1. Understand Your Motives

While unlimited PTO can benefit an employer in several ways, it's most effective when the employee's best interest is put front-and-center. Encouraging a healthier work-life balance will benefit both parties by increasing employee morale and productivity. Plus, trusting employees with the responsibility to build their own time-off schedule nurtures a culture of trust and mutual respect.

2. Inspire Employee Work Ethic

Though some employers fear that employees will take advantage of an unlimited PTO policy, it is more often the case that employees use about the same amount of time (or even less) than they would if they had a set number of vacation days.

Employees work hardest when their company cares for them. When managers establish concrete goals and develop an open line of feedback with their reports, employee accomplishments can be measured outside of office facetime. When employees meet these clear expectations, it drives a culture where employees feel like they deserve and can enjoy their time off.

3. Eliminate Ambiguity

While unlimited PTO policies are flexible, they can still come with boundaries. Employees frequently fall into a trap of taking less vacation than they deserve because they don't know where to draw the line between acceptable and excessive. An open dialogue about expectations can create more transparency and lead to a policy that works in theory and in practice.

Consider adding in guidelines, like setting a cap on consecutive days permitted out of office. Several companies also offer incentives to take time off, such as mandated vacation, travel stipends, or a monthly vacation raffle.

*The content of this publication is provided for informational purposes only and does not contain or constitute legal advice. Do not rely on this information to take any legal decision without consulting with appropriate legal counsel.

29

9

SECURITY POLICY

Make time to prioritize security.

If safety is the best policy, IT security follows closely behind. Out of all the policies in your handbook, few are as consequential. While security policies don't get much fanfare when they work well, botching them can have dire consequences. Look no further than the latest high-profile data breach in the headlines for an example of what can go wrong.

If you're tackling the job of drafting an IT security policy, here are some tips to consider.

1. Take the Initiative

When is the right time to get started on your IT policy? Yesterday—regardless of how many employees you have. Even small businesses can be responsible for information belonging to hundreds, if not thousands, of clients. Don't wait until hitting an arbitrary headcount number to get serious about security.

Understandably, resources are short at smaller companies or fast-paced startups. If you're strapped for time, jump into building an incident response plan first. This outlines the company's response to a range of incidents—everything from a misplaced laptop to full-scale hacker assault.

2. Include the Fundamentals

So you've decided to draft an IT security policy. There are number of key things you'll need to include for it to be successful.

First, establish an access control policy. Access control is the process of determining who gets access to sensitive information. For example, your marketing team likely doesn't need day-to-day access to the same information as finance or billing. A sample access control policy might look something like this:

"**Company** *will provide all employees and other users with the information they need in order to carry out their responsibilities in as effective and efficient a manner as possible. Access to private information will be limited to authorized persons whose job responsibilities require it, as determined by an appropriate approval process, and to those authorized to have access by local, state, or federal law.*"

In addition, be sure to address acceptable use in your policy. This term simply refers to what employees are permitted to do at work or on a laptop, device, or any other company resource. That means setting ground rules on what type of programs employees are permitted to download, what kind of websites they access, and even whether they're able to use removable media like flash drives or USBs. For most companies, a simple bulleted list might be enough here.

Last but not least, make sure your policy follows local and state requirements. Oftentimes these rules are industry-specific. For example, New York businesses within the financial services industry need to meet robust, state-mandated cybersecurity requirements. While every jurisdiction has its own rules, here's a rule of thumb: the more sensitive information your company manages, the more likely it is that you're in an industry with legal minimum requirements.

Even though we just scratched the surface, that's still a lot to take in. Give yourself a head start by using some of the free policy resources available online. One reputable source is the SANS Institute, which features an exhaustive list of templates here.

*The content of this publication is provided for informational purposes only and does not contain or constitute legal advice. Do not rely on this information to take any legal decision without consulting with appropriate legal counsel.

32

3. Empower Others

You won't get anywhere acting like a one-person enforcement agency. You'll need executives and managers to serve as your policy champions and to "practice what they preach." Focus the bulk of your energy training people leaders, and then empower them to serve as your eyes, ears, and even voice on the ground. For small HR or IT teams, doing so is more a necessity than a tip.

For new hires, the best training sessions are collaborative and not just rehearsed messages from the top-down. Run your security workshops in-person, and serve the role as moderator rather than hard nosed instructor. If security is a shared company value, workshop participants need to feel like they actually have a direct say on the matter.

4. Keep It Clean

Don't forget that an effective security policy goes beyond just what's displayed on a screen or stored in a hard drive. Be sure to include a "clean desk" rule in your policy, which is exactly what it sounds like. In the interest of protecting company and client information, employees should keep any loose folders or papers locked away in their desk.

To encourage that behavior, you can do your part by having a paper shredder onsite for employees to use. If your company handles a lot of paperwork on a daily basis, there are services that will provide you with secured bins that later get hauled away for shredding.

Why wait for spring to start cleaning? If employees are already buried alive in clutter, hold an office party for them to spruce up and bring order to their inner hoarder. It's also a great way to spread awareness of your clean desk policy.

CONCLUSION

While nailing down the fine print of your company's policies might not be the most exciting to-do, there's no doubt that doing so is a critical task for HR. With clearly established policies, you won't have to play the bad guy or make a judgement call when a tricky situation arises. Establishing core policies can spare you from compliance headaches and make uncomfortable conversations that much easier.

The success of your policies comes down to transparency and communication. Make sure to provide all applicants and employees with a copy of your company policies, presumably as part of the employee handbook. That way, you set the tone up front and decrease the risk of future violations. And remember, policies should be as flexible as they are rigid. As your company evolves, work with your team to make improvements that better suit your company culture.

Already running like a well-oiled machine? It's still a good idea to invest time in establishing these policies. Particularly for growing companies, it can become challenging to stay on top of employee behavior, and situations will inevitably arise that you haven't yet had to address. Think of it this way, if you don't have to spend your summer telling employees they can't wear flip-flops to client meetings, you can focus your efforts on more exciting initiatives.