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Employment Law Forum

Examples of Employer Policies

Employers establish policies and procedures that provide employees assistance in obtaining a better understanding of the workplace environment and terms and conditions of their employment. Policies and procedures in the private sector are frequently found in employee handbooks that are received during the hiring process and reissued on a periodic basis as amendments and changes occur.

Employee handbooks provide employees an understanding of day-to-day issues impacting their employment. These include employment status, privacy issues including electronic communications, leaves of absence, and related matters. A handbook that is carefully prepared and regularly updated can be a valuable document for employers with respect to employee grievances and litigation. Conversely, a handbook can become a serious liability for an employer if not prepared in a thorough and conscientious manner and maintained on a continuing basis.

Following are examples of policies addressing “at will employment, drug and alcohol, electronic privacy, workplace searches, and workplace violence.” Some of these policies are common to many employers while others such as workplace searches and workplace violence are not as often available. These policies are not legal documents and are intended only to provide assistance and a better understanding of the general contents, terms, and provisions that are found in each. These examples will frequently be found in employee handbooks that include provisions for disciplinary action up to and including termination for violation of a company policy.

Contact Woska Associates for assistance in developing your workplace policies, procedures, and related documents.

Policy – At-Will Employment Agreement

I understand and agree that my employment with (name of employer) is “at-will.” This means that either (name of employer) or I can terminate my employment at any time, for any reason, with or without cause, and with or without prior notice. I have entered into my employment relationship with (name of employer) voluntarily and acknowledge that there is no specified length of employment. This at-

will employment agreement is intended to be the final and complete expression of the agreement between (name of employer) and me as to the nature of our employment relationship. It cannot be changed at any time during my employment except by a written contract signed by me and the (name of executive).

I agree that no statements, promises, disciplinary systems, statements in the employee handbook, awards of recognition, policies, practices, conduct of any officer or employee of the company including, without limitation, the award of bonuses, salary increases, promotions, performance reviews, offer letters, memoranda, or other communications of (name of employer), verbal or written, or any other event or representation will be effective to change the at-will nature of my employment. This at-will statement shall be interpreted consistently with all other statements of at-will policy, which are contained in the employee handbook or other at-will agreements, statements or written policies of (name of employer).

Employee Signature _____

Date _____

Policy – Electronic Communications

(Name of employer) employees have access to computers, fax machines, and other electronic communications equipment. Computer programs available to employees include “e” mail, voicemail, the internet, intranet, electronic bulletin boards, and other communications available now and/or in the future. The use of electronic communications equipment and/or programs is for the purpose of official business of the (name of employer).

The (name of employer) has the right to access, disclose, and monitor all electronic communications. Under no circumstances is the (name of employer) electronic communication’s system to be used to send copies of documents in violation of copyright laws or which access to is restricted by workplace rules, regulations, and procedures, or by Federal or State security laws or regulations.

I have read this Electronic Communications Policy. I have had the opportunity to ask questions concerning this policy. My questions have been answered completely.

I have received a copy of the (name of employer) Electronic Communications Policy.

Employee Signature _____

Date _____

Policy – Drug Free Workplace

The (name of employer) is committed to providing a safe, efficient, productive and drug-free work environment for its employees. The (name of employer) values a safe and healthy work environment, and in that regard prohibits the following: possession, control, use, distribution, transfer, or sale of alcohol, illegal drugs, or narcotics on the employer's premises, or during working hours. Use of these substances whether on or off the job can adversely affect an employee's work performance, efficiency, safety, and health. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes (name of employer) to the risks of property loss or damage, and injury to other persons.

The use of prescription drugs and/or over-the counter medication may adversely affect an employee's job performance. Any employee who is using prescription or over-the counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use before starting or resuming work.

Policy – Workplace Violence

The (name of employer) is committed to providing a safe and healthy work environment for the benefit of its employees and customers and will not tolerate workplace violence, including threats or intimidation, against anyone including employees, customers, and vendors.

Workplace violence is defined as any implied, suggested, or actual physical act or gesture that causes injury to or threatens the safety of an employee, customer, or the workplace including threats or intimidating behavior that are directed with the intent to do emotional harm.

All threats of or actual violence, both direct and indirect, should be immediately reported to a supervisor, any other management employee, or the Human Resources Department.

An act or threat of violence is serious. Anyone determined to be responsible for threats of or actual violence or other conduct that is in violation of this policy will be subject to prompt disciplinary action, up to and including termination of employment.

Policy – Workplace Inspections

The (name of employer) wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other articles brought on the employer's property with the purpose of being used as a weapon, and other improper materials. The (name of employer) prohibits the possession, transfer, sale, or use of such materials on its premises.

Desks, cabinets, lockers, vehicles, and other storage and security devices provided for the convenience of employees remain the sole property of (name of employer). The employer reserves the right to search employer owned or controlled property. A search may occur at any time, with or without prior notice or consent, consistent with business necessity and the concern for providing a safe work environment for the health and welfare of employees and customers of the company. A search may be conducted by any security officer, the Human Resources Manager, or any other designated representative of the employer.

The (name of employer) will provide company-owned locks, keys, locker combinations, and access cards to employees for use with the lockers, desks, vehicles, offices, and other facilities of the employer. Employees are not permitted to use any locks or other security devices not issued by the employer.

Any employee who fails to cooperate, when requested, in any workplace search or who uses any locks or other security devices not issued by (name of employer), may be subject to disciplinary action up to and including termination.