**Consider Updating Your Employee Handbook**

**By Ronnie Miles**

With the new year approaching, many states have added a number of new labor regulations that employers must be aware of and are required to tell to their employees. Some of these include minimum wages changes, work-scheduling rules, marijuana in the workplace, anti-harassment policies, leave policies and many others.

Employee handbooks can be your best protection in the event of having to execute any disciplinary action against one of your employees. Preparing, maintaining and updating a handbook requires time and commitment. A well-written handbook can be an effective document to ensure your business is compliant with local, state and federal regulations. An outdated handbook can be a liability.

Golf course owners and operators employ a very diverse workforce. Your employee handbook should address policies that reach across all departments and workforce categories. In years past, the most common elements of the handbook included such topics as mission, vision of the business, attendance requirements, payroll information, benefits, performance evaluation system, disciplinary, safety and termination policies. Today not only changes in laws and regulation, but social changes require handbooks to more clearly inform the behavioral expectation of the employee while also informing a new employee how the organization is working to protect them.

The #MeToo movement has caused employers to more clearly communicate what is exceptional behavior and how the organization will address complaints when they are filed.

Sexual harassment and hostile work environment complaints have become the number one labor relations issue facing business owners and operators. The handbook is your first defense in protecting your company from costly lawsuits, but employee training is your best method to ensure your employees understand your commitment to your policy. Being in the service industry, employers must also be aware of their requirement to protect employees from harassment from customers. This need not be included in employee handbooks, but is recommended to address in your staff training programs.

The Occupational Safety and Health Administration (OSHA) recently changed their reporting requirements for businesses. Employees must know their role in accident reporting. Workmen Compensation Act claims remain one of the most abused in the workplace. Workers' compensation programs are state-mandated. Employers must post notices informing employees of their rights if they are injured on the job, and supply a workers' compensation claim form within 24 hours of an injury. Employees handbooks should identify how and when to report accidents.

Marijuana has been legalized either for medicinal or recreational use in 33 states. Your employee handbook should clearly identify your policy not only for its use on your property, but steps you may take should they be found to be under the influence of drugs or alcohol. All states have issued specific guidance on the rights of employees and employers to address marijuana use in the workplace. This information can be obtained from your state Department of Labor offices.

According to a recent blog post by Caroline Hogan from Foley and Lardner LLP, “ an effective employee handbook should be drafted so that it is organized, easy to read and user-friendly. Use plain language. Disclaimers are critical and should include that the handbook is not a contract of employment and does not modify the at-will nature of employment, and that the policies within the handbook may be revised, modified or revoked at any time, with or without notice. The handbook should set forth the expectations for employee attendance, conduct and discipline; however, make sure that the company retains discretion and flexibility when making decisions.”

For many, revising your handbook with the latest updates may be all that is required. For some, especially those who require a total rewrite, your state Department of Labor office has tools that can help guide you through this process. Should you need NGCOA assistance, you can contact Ronnie Miles, rmiles@ngcoa.org, for additional information.