Employee Manuals for Small/Med. NPOs

Zachary Kester, JD, LLM, CFRM Exec. Dir. & Managing Atty.
Charitable Allies, Inc.

© 2015 Zachary S. Kester & Charitable Allies, Inc. All Rights Reserved.

Employee Manuals for Small/Medium Nonprofits

- * Review of Themes
- ❖ What Employee Manuals Are . . . and Aren't
- Organization of Employee Manuals
- Must-have Policies/Procedures
- Good Policies/Procedures
- Cautions, Notes and a Tale
- Questions from Last Time



Themes

- * Whatever you do, do it consistently.
- Provide advance notice when there is a change and have a good business reason for a change.
- Decide how much is enough.



An Employer's Tale

An Employer's Tale

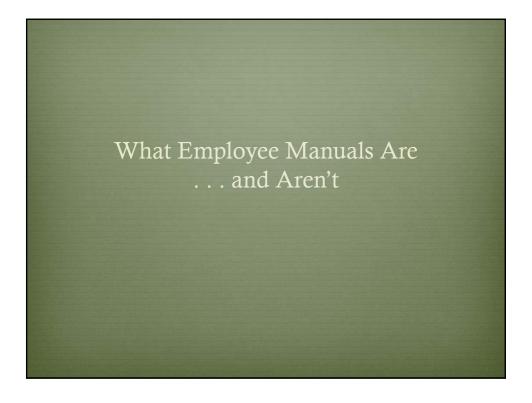
- ❖ Your nonprofit community-based organization, Demos NPO, Inc., is at a crossroads. It has not yet adopted an employee manual, but a certain employee has made that need very obvious.
- ❖ Demos has 6 employees total, a budget of \$500,000, and receives at least one federal and one state grant for the provision of services.
- ❖ The ED is great with people, really advances the mission, and represents Demos with pizzazz. She loves everyone, is very caring and has a big heart. Like most nonprofit HPPs, she is stretched a little thin. She is also quite non-confrontational.

An Employer's Tale, cont'd

- Wallander is a top performing director-level employee. He works lots of hours, is generally productive and does excellent work. He is liked by his peers.
- He is habitually late to everything (work, meetings, events), barely gets work done in time (although it is great quality), is passive-aggressive in the extreme, undermines management regularly, and requires significant personnel management.
- * His aunt is on the Board of directors.

An Employer's Tale, cont'd

- ❖ In the last month:
 - Wallander asked for bereavement leave following the death of a childhood friend;
 - A major constituent came to you with specific, documented concerns about how Wallander's procrastination has affected the constituent and asked you to address;
 - Has pushed time off policies to the limit, knowing large deadlines loom;
 - * Feigned total ignorance as to how behaviors affect others at recent performance review.
- What to do? What policies to adopt?



What Employee Manuals Are . . . and Aren't

- ❖ Ee manuals are:
 - Policies and procedures adopted by an er.
 - Intended to provide the same, consistent information to each ee.
 - * To set expectations of and for both ers and ees.
 - Intended to allow for some flexibility, but not too much.



What Employee Manuals Are . . . and Aren't

- * Ee Manuals are not:
 - * The final say. That generally falls to the ED or perhaps the DOO.
 - Intended to include every possibility.
 - * A defense if unevenly applied.
 - * One-size-fits-all.



Organization of Employee Manuals

Organization of Employee Manuals

ENJOY

TIME OFF

- Introduction to Organization
- * Acknowledgement & Receipt Form
- Diversity & Statement of Nondiscrimination
- Time Off (sick, vacation, jury, etc.)
- Benefits (health & disability ins., etc., generally)
- Compensation (overtime, on call, pay periods, etc.)
- Emt (background checks, progressive disc., etc.)
- Expectations & Professionalism (confid., attire, SM, etc.)
- Workplace Safety (smoke-free, bullying, violence, etc.)

Must-have Policies/Procedures

Must-have Policies/Procedures for Employee Manuals

- "At-will" and "right-to-modify" Statements
- Proof of delivery mechanism
- Intro Period (i.e., 90-days)
- Office hours & break policies
- Overtime/Comp Time
- IT/Social Media/Monitoring
- Professionalism; Visitors
- * Expense Incurrence/Reimb.



Good Policies/Procedures

Good Policies/Procedures for Employee Manuals

- Grievance and Whistleblower Policies
- Defined Holidays, Sick Days, Vacation Days, Leaves
- Direct Deposit
- Timekeeping & Attendance
- * Raise/Bonus Policy
- Confidentiality
- Remote working/Telecommuting
- Personal use of work equipment



Cautions, Notes and a Tale Revisited

Cautions & Notes

Cautions:

- Don't write checks your body can't cash (or, don't overpromise)
- Don't adopt FMLA-type policies unless you intend to be bound by FMLA

Note:

Above-recommended policies for Ee Manuals does not include benefits.

CAUTION

- * Depending on your field, specific polices (background checks, health screens, etc.) may be required.
- Many Ee issues are encountered for the first time, and then a policy is adopted.

An Employer's Tale, cont'd

- ❖ In the last month:
 - * Wallander asked for bereavement leave following the death of a childhood friend;
 - A major constituent came to you with specific, documented concerns about how Wallander's procrastination has affected the constituent and asked you to address;
 - Has pushed time off policies to the limit, knowing large deadlines loom;
 - * Feigned total ignorance as to how behaviors affect others at recent performance review.
- What to do? What policies to adopt?



