

# Workplace Policies and Employee Handbooks

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**A**n employee handbook is a crucial tool for both employer and employee clarifying organizational policies, ensuring consistency, and communicating expectations. Implementing an employee handbook can help defend the company in the event of litigation. The employee handbook is also beneficial for employees, providing them education about the company, communicating expectations and reinforcement of the company's values.

Although there is no legal requirement to have an employee handbook, it is strongly recommended. While the policies and procedures the company elects to memorialize in its handbook are largely at the company's discretion, there are several federal and state "must-have" policies. These policies are as follows:

## Required Federal Policies

- Equal Employment and Anti-Discrimination
- Sexual Harassment
- Family Medical Leave Act (FMLA)
- Military Service Leave
- Jury Duty Leave
- Lactation Accommodation
- Workplace Violence (new as of 2024)

## Required State Policies<sup>1</sup>

- FMLA (state-specific)
- Meal and Rest Breaks
- Health and Safety
- Outside Employment

- Paid Time Off
- Paid Sick Leave
- Pregnancy Leave
- Military Service Leave (state-specific)
- Jury Duty Leave (state-specific)
- Voting Leave
- Witness Duty Leave
- School Activity Leave

Additionally, there are numerous recommended policies that companies should consider adding to their employee handbooks; these additional policies are typically dependent on the nature and organization of the company, and may include the following:

## Recommended Policies

- Social Media
- At-Will Employment
- Temporary Relocation
- Employee Benefits
- Timekeeping for Non-Exempt Employees
- Overtime
- Salary Pay for Exempt Employees
- Payroll Deductions
- Payment of Wages
- Business Expense Reimbursement
- Holidays
- Workers' Compensation
- Bereavement Leave

Ultimately, the decision on whether to implement an employee handbook is at the discretion of the company. However, an employee handbook could help the company in the event of litigation and keep its employees informed of its policies and procedures. ■



**Jason Eldred** represents businesses and business owners in a wide array of civil litigation matters. He has experience representing clients spanning multiple fields, including construction companies, real estate companies, and medical professionals. Prior to joining Wilke Fleury, Jason worked at a general practice firm handling both litigation and transactional matters. Jason's practice primarily consists of business litigation, employment law advising and litigation, and bankruptcy.

<sup>1</sup>Take note that certain counties within California have different policies concerning paid sick leave. Make sure to consult your attorney to ensure your business is compliant with county requirements as well.

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