



Why a company needs a handbook / prevention and compliance

We at Richard Grogan & Associates work with our clients to develop policies strategies and procedures for preventing employment claims and law suits from arising. We can assist employers in drafting employee handbooks and manuals. We can also assist employers in training their managers and supervisors and the implementation of those policies and procedures. We can advise employers on employee hiring, discipline and termination, response to harassment and discrimination complaints, and, compliance with all laws the affect employers.

The first place to start is a proper handbook.

The days of believing that a handbook can cause more harm than good are long gone. In today's business environment, a handbook serves both as a sword to carve out your legal rights as well as a shield to protect them.

A handbook sets expectations, encourages employees to behave in a certain way, helps ensure the employees are treated consistently and helps with employment claims.

Establishing expectations

Employees will expect their employer to communicate with them in a straight forward, professional and open way about all sorts of things. Simply having a handbook shows to your employees that you understand the employees needs for information. It can go a long way towards making a positive impression on a new employee. It can also go a long way on avoiding problems and litigation in the workplace.

Your handbook should outline for employees how to behave and perform. The handbook should set out what will happen if they fail to meet those requirements. A good handbook will inform employees about how they can succeed in their job. A good handbook will guide employees on how to request time off work, to make complaints, dress in an appropriate fashion, refrain from drug and alcohol use, maintain confidential information, use electronic resources properly and comply with the law as it affects them.

You may well ask as to why you would want to have a situation where you set out how an employee can complain.



If an employee has a grievance it is important that the employee can bring it to your attention. It is equally important that the employee knows that there is a procedure there as to how to do it, in the right way, and what kind of response can be expected from both their supervisor, manager and from you. The last thing you need is a grievance which festers. A grievance aired early on can often be resolved. A good handbook will enable this to be done in a non-confrontational way. A properly tailored handbook on the way to do business will ensure that managers in your company handle issues with consistency.

A handbook should not be seen as “an instruction book” on how to manage or deal with every conceivable problem or issue. Instead it should provide framework for Managers to follow.

Selling your company

You spend a significant amount of money on every employee. Often they do not see this. You will spend money on health and safety statements. You will spend money on training. You will spend time dealing with health and safety and training in the workplace. You may provide a canteen or kitchen facilities. All of these are a cost to you. There will be many other examples in your company. A handbook allows you to take credit for all that you do for your employees. This can include such matters as subsidising matters such as health insurance or even the canteen / kitchen facilities. If you are in the retail industry you may well have employee benefits for purchases at reduced rates. There may even be payroll services that you undertake such as deductions for a credit union or pension payments processed through your payroll. These are all a cost to you. It is worthwhile telling your employees what benefits they receive which may not be in monetary terms.

Helping to win employment claims

A well written handbook is the first step in a successful defence of a legal claim by an employee. Having written grievance and disciplinary policy can be very important in dealing with a claim for harassment or an unfair dismissal claim. Having a well written handbook gives a step by step procedure for any dismissal including the procedures relating to an appeal. You will see other Guides on our website that set out why employers lose Unfair Dismissal claims. It is usually due to lack of procedures. A well written handbook which is complied with by both managers and by owners of businesses minimises claims that can be successfully made.



Many employment claims hinge on consistent treatment of employees. Many also ensure that the employees are on notice about important company's policy, procedures and legal entitlements.

A well written handbook contains the applicable policies which you need to have in place. It will also have a signed acknowledgement form. This may be critical to the defence of a claim.

Conclusion

Of course a handbook needs to set out compliance with the law. This does not mean that every law needs to be specifically addressed and referred to in detail in your handbook. Rather the handbook should not conflict with the law. The handbook should contain clear statements that you intend to comply with all applicable laws.

Some will say that you can get a handbook from another company and use it. A handbook should be tailored to your organisation. It should reflect how you conduct business. Copying another employer's handbook or one that you find online might do a lot more harm than good.

Handbooks which are copied in an unprofessional way, handbooks which are out of date, handbooks which contain another employers name, handbooks which contain inapplicable policies, what do they say about your organisation? Is that the type of message that you want to put out.

For a minimal investment you can publish a well written and professional looking handbook.

Desktop publishing allows that it be done at a reasonable cost. We would give a word of warning. Publishing handbooks online may save printing costs. However you need to be able to prove that an employee received the handbook and understood that he or she was required to abide by the handbook. To have such proof you need a signed acknowledgement form for a printed handbook. If you want to publish your handbook online you need an electronic acknowledgement receipt for an online handbook. Having an up to date, well written, legally complied handbook is for your benefit as well as for your employees.



Why would you use Richard Grogan & Associates?

Some may tell you that this firm has name for representing employees. Yes we do. That may be one of the very reasons why you would use this firm. We know what we are looking for. We know the mistakes that are made. We know what to look for. We understand the pressures of business. We understand how the pressures of business can mean that employers, such as you, make mistakes in dealing with employment law issues. We are therefore able to give you step by step procedure's to make sure that the chances of being successfully sued by an employee are kept to a minimum. It is sometimes said that IF YOU WANT A GOOD GAME KEEPER GET A GOOD POACHER.

It costs you nothing to come and take to us. If we can do something for you we will let you know. If we can't we will tell you so. If you like what we say then we are happy to do business with you. If you don't then you owe us nothing and you can go elsewhere.

Whether you use this firm it is our advice that you always use the services of an Employment Solicitor who is regulated by the Law Society of Ireland. It is your guarantee of a professional and regulated service. Yes you will find some companies who claim to be "Employment Law Advocats" or "Employment Law Litigation Advocats" or "Employment Law Consultants" but these people are not Solicitors. You have no guarantee that they have been legally trained. You have no guarantee and to their knowledge of the law. What you are absolutely guaranteed is that they are not regulated or not subject to continuing professional development (i.e. Training) and that there is no oversight of them by any regulatory authority.

WE HOPE YOU FOUND THIS GUIDE USEFULL.