

Company Work Rules Safety Talk

WHAT'S AT STAKE?

Rules for workers may be legally required, but various optional workplace rules should be considered as well. Carefully selected workplace rules can protect your business from legal claims and help you maintain an orderly, positive work environment.

Managing the employees in your workplace effectively necessitates that even the smallest of businesses set up work rules. Work rules protect your business and your workers and if correctly implemented and executed, create and maintain a better work environment for all.

WHAT'S THE DANGER?

VIOLATION OF WORKPLACE LAWS

Employers can break laws wittingly or unwittingly. Some examples of workplace law violations include:

1. Using Prohibited Questions on Job Applications
2. Insisting You Can't Discuss Your Salary with Your Co-Workers
3. Failing to Pay You Overtime
4. Promising Jobs to Unpaid Interns
5. Asking or Allowing You to Work Off the Clock
6. Classifying You as an Independent Contractor, but Treating You Like an Employee
7. Disciplining You for Complaining About Work on Social Media
8. Allowing for a Hostile Workplace

HOW TO PROTECT YOURSELF

Optional Work Rules

Apart from the required rules and policies, you basically have free reign to choose additional rules to help you manage your

employees. Once you've taken care of the policies that are required, you can focus on choosing from the many other rules that are optional but that are, in many cases, a good idea to have.

While the rules that govern each employee's conduct must reflect the kind of work your business does and the conditions under which it is performed, there are some basic rules that you'll see over and over again if you ask businesses about their work rules and policies.

Employers can choose to have a simple set of work rules made up of a list of generally accepted and prohibited conduct or they may decide to have very detailed work rules and policies addressing specific behavior. Instead of having a lengthy, involved set of rules, small employers are likely to opt for a simple list of rules and guidelines to make it clear to employees what kind of behavior is expected.

Goal – Keep Rules General

You should keep the rules as general as possible, to give yourself as much flexibility as possible in enforcing them. Your work rules should reflect your individualism as a businessperson and the individuality of your business. You can create a simple one or two-page handout that you give to each person as you hire them, covering such things as:

- Safety rules that must be observed
- Absence and tardiness policy (how to report the number of allowable sick days and personal days off)
- How to record time worked (for example, using a time clock or time sheet)
- Lunch period and break rules
- Overtime policy
- Dress code or personal appearance rules
- Rules covering use or damage to employer's property
- Rules about keeping employer's and customers' sensitive information confidential

BEWARE

Be sure to begin your list of rules with a statement like the following:

“It would be impractical to set forth a list of all activities that are considered to be illegal or contrary to good business practices and good employee-employer relations. This is intended only as a guideline.”

All your rules should be reasonable and clearly related to the safe and efficient operation of the business. In general, it’s not necessary to say that things like stealing, insubordination, or competing with your business are prohibited. Employees are expected to know these things, although you can create a written rule if you wish.

You may decide to explain why you have chosen specific rules for inclusion, and you may even assign a point system to offences (much like a system of demerits).

You may also want to explain the consequences and discipline an employee may expect for breaking the rules or for racking up too many demerits. However, once again we recommend that you build some flexibility into your system by including a general statement that “any employee found engaging in these behaviors will be subject to disciplinary actions including reprimand, warning, layoff, or dismissal.”

Keep in mind that in some cases you may be required to post or distribute a written policy to employees, but in most cases the way that you communicate your work rules is your decision. There are pros and cons for both written and verbal communication methods.

Be certain to include a disclaimer saying that the list of work rules is not intended to be an employment contract.

Work Rules That Protect You from Legal Claims

One of the most persuasive reasons for having a set of solid work rules is that they can protect your business. Many employers have rules that protect them from liability – both legal and financial

– and give them more freedom in managing and disciplining employees. Having certain work rules and policies in place may be the best way to protect your business from problems such as wrongful discharge claims and discrimination claims.

CREATING SPECIFIC RULES/POLICIES

Key Questions

When you're considering the creation of a specific rule or policy, determine if it's right for your business by asking yourself the following questions:

- Will this policy disproportionately impact one employee (or group of employees) over another, even if it is applied evenly to all employees?
- Is this policy really necessary considering the work that my employees do?
- Is this policy unduly restrictive in light of working conditions?
- Is there a sound business justification for this policy?
- In what situations would this policy be used?
- Have there been situations in the past where this policy would have been applicable and useful?
- Am I willing to enforce this policy?
- What documentation will be necessary to administer and enforce this policy?
- Will the time and effort necessary to administer and enforce this policy outweigh the benefit of having it?
- What would the consequences be for someone who broke this rule or disobeyed this policy?
- Do other businesses or colleagues have similar policies? What do they think of them? Are they useful or burdensome?

Work rules can help improve quality of work life by:

- Creating an atmosphere where employees are treated with dignity and respect
- Helping to ensure that employees conduct themselves in a professional and safe manner

- Encouraging open communication between you and your employees
- Ensuring that all employees are treated fairly and that they follow the same rules

However, because the relationship between work rules and quality of work life is an important one, if work rules are unreasonable, inappropriate, or unenforced, the rules can actually damage employee morale.

Make Sure Rules Aren't Perceived Negatively.

There are a number of things that can be done that will go a long way to help make sure that work rules aren't perceived to be unduly restrictive, including:

- Getting input from your employees in creating work rules: if they are involved in the process, employees are more likely to accept and abide by the work rules.
- Again, having rules that have a sound business justification will not only make them seem more appropriate, but it may help you avoid creating rules that have a disparate impact on certain protected groups of employees.

FINAL WORD

Managing employees in the workplace effectively and efficiently call all businesses of all sizes to set up work rules. Thoughtful and insightful work rules protect the material interests of business and worker. If correctly implemented and executed, work rules create and maintain a better work environment for all.