

Insights, News & Events

HANDBOOK APOCALYPSE!

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Jeff Weintraub and Jay Kiesewetter's article "Handbook Apocalypse!" was featured in the September issue of *HR Professionals Magazine*.

Once, not so long ago, handbooks were employers' friends—we counted on them to help us convey important messages to our employees, protect employees with anti-discrimination/harassment policies, and send out positive public relations....

Then one day, we were working late in the office. We heard a creak from the conference room, then a low groaning sound. We grabbed our Cardinals baseball bat and our office fireplace poker, and we crept to the conference room. Strangely, the light there had gone out. The groaning sound again.... We slowly entered the conference room. A scream! We spun around, and there ... in the corner.... arms outstretched ... empty staring eyes ... they're coming:
Handbook Zombies!

We must face the new reality: handbooks might no longer be employers' friends—they've become traps for the unwary employer. That's right—handbooks are zombies.

In the article, Jeff and Jay provide employers with four guidelines to avoid death by handbook:

1. Context rules! So, include within the statement of the rule some context clues. For example, a rule barring rudeness will fall, but if the rule includes a reference to customers or if the context of the rule demonstrates that the reference is to customers, then the rule is more likely to survive; thus: "Customers are our key to success, and

Related People



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therefore they should be treated well at all times. Disrespect or rudeness will not be tolerated.”

2. Keep your policy narrow. The Board distrusts broad workplace rules.
3. Explain why a particular rule is important, such as by explaining why it is important to the company to keep its pricing confidential, to avoid falling into the hands of competitors who could use it to undercut company prices.
4. Add a disclaimer, that any and all protected concerted activity is exempt from the conduct and other rules.

There are numerous other considerations you should take into account when dealing with handbook provisions, such as the issues relating to the use of cell phones in the plant, access to the company email system by employees who want to solicit for a union, etc—too many issues to cover here today. But we hope the foregoing is helpful and that we have given you some hope that your handbook will not eat you!

To read the full article, please visit [*HR Professional Magazine*](#).