



FedEE HR Policy Checklist

Companies often build up a range of HR policies over time, adding extra clauses and chapters as conditions change. The old printed HR handbook is now a thing of the past, but the trouble with a digital version is that, in such a form, it is easy to lose any idea of its true bulk.

It is also important to distinguish between policies and procedures. A procedure is a very precise guide to specific actions. Although they may apply in some areas covered by a policy - such as maternity leave - they are entirely different kinds of documents and should be kept apart.

FedEE has helped many of its members to take control of their policy statements. This is principally necessary because the underlying legal position is constantly changing - not only new laws and legal instruments, but also court decisions setting new legal precedents. In some companies too, collective agreements, works council resolutions and a whole range of governmental procedures can have a huge impact on the contents of HR policies. Often the reworking of policies is the last job to be done and, if badly structured, parts of the old policy can remain unchanged in part of the text that was not checked.

Everyone knows of the employee who widens an existing dispute by referring to a section of the HR policy that supports their position. This is doubly embarrassing if the policy refers to a legal right that no longer exists, or the wording of the relevant clauses are ambiguous. It is equally a problem if an individual's contract of employment is seriously at variance with the written policies that apply in their part of the business.

Here is a brief checklist taken from a much longer list that FedEE has developed over the years.

- * Keep policies as short as practicable. They must encourage consistency, avoid contradictions and be easy to navigate. Most importantly of all they must be easy to update.
- * Make sure it is clear whom the policy applies to. If it is only for casual staff that should be clear. Equally, if it does not apply to any specific group (e.g.: those in R&D) make that clear too.
- * Keep policies clearly in line with business objectives. This is one of the many problems of using templates - written for generalised circumstances rather than the specific nature of the company.
- * Do not write HR policies that are contrary to the terms and conditions set out in individual employment contracts.
- * Do not write policies too precisely. They are indicative of the company's position - but there must be wiggle room.



- * Keep to the point. If a policy is about one issue - absence for instance - do not let it stray into other forms of employee time off from work.
- * Avoid sloppy, over ambiguous wording. This could allow the policy to be too widely open to interpretation.
- * Do not let one policy depend on another. This is often the case when historically two companies have merged. Over time this link will change in nature and eventually it will become highly problematic.
- * Do not let a policy lead the company into a cul-de-sac. This could be stating categorically that, for instance, a person's criminal record is not a determinant of their employment. This policy could easily be challenged if the crimes were for certain acts that the company was obliged to take into account in certain jurisdictions, or felt morally it could not accept.
- * Make sure that it is lawful to write the policy in a certain language. In some countries - such as France - all employee-related documents must be written in French.
- * Keep a record every time the policy is changed - with the date, clause and a brief indication of what was changed.
- * Finally, ensure that the policy is kept up to date with changes in statutes and Supreme Court Judgements. In common law jurisdictions they must also be in line with the decisions of lower courts.

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