



What Should and Should Not Be Included in an Employee Handbook and Why



Employee Handbook: What Should and Should Not Be Included and Why

Purpose of This Document

This guide outlines the essential elements that belong in an employee handbook, along with items that should be avoided or handled separately. Its goal is to help employers create a handbook that is compliant, clear, enforceable, and legally protective.

I. What *Should* Be Included in an Employee Handbook

1. Welcome and Company Information

- Introduction and welcome letter

A Welcome Letter and Introduction are included in a handbook because they set the tone for the employment relationship. They help new employees feel valued, provide a brief overview of the company's culture and expectations, and explain the purpose of the handbook in a friendly and accessible way. This section also helps clarify that the handbook is a guide and not a contract, and it encourages employees to ask questions if they need help understanding any policies. Overall, it creates a positive first impression and frames the rest of the handbook in a clear and supportive manner.

- Description of the company, mission, values, and culture

Including the company's mission, values, and culture in the handbook helps employees understand what the organization stands for and how it expects people to work together. This section provides direction, supports consistent behavior across the company, and helps employees see how their role contributes to the bigger picture. It is important for these statements to be realistic and reflect the company as it truly operates, not an idealized version that sounds good on paper but is not lived out in practice. Honest and accurate statements build trust and reinforce a culture that employees can believe in.

- Equal Employment Opportunity (EEO) statement

An Equal Employment Opportunity (EEO) statement should outline the company's commitment to providing fair and nondiscriminatory employment practices, and it should list the protected categories covered under federal, state, and local law. Including this statement in the handbook is important because it communicates that the organization follows legal requirements, expects all employees to uphold those

standards, and provides a clear reference point if concerns arise. It also shows applicants and employees that the company takes equal opportunity seriously and is committed to maintaining a respectful and inclusive workplace.

- Disclaimer that the handbook is *not* a contract

It is best practice to repeat the “this handbook is not a contract” disclaimer in more than one place because it reinforces an important legal protection for the employer. The welcome letter introduces the idea in a friendly way, but a separate, clearly labeled disclaimer section states it in direct legal terms so there is no confusion. Repeating it helps ensure that employees cannot later claim they thought the handbook created guaranteed rights or a promise of continued employment. The disclaimer should state that the handbook is a guide, not a contract, that policies may change at any time, and that employment is at will unless a written agreement signed by top leadership says otherwise. This protects the company from unintended obligations and strengthens its position in any dispute involving policy interpretation or termination.

2. Employment Policies

- Employment-at-will statement (where applicable)

An employment at will statement explains that either the employee or the employer may end the employment relationship at any time for any lawful reason, with or without notice. Florida is an at will state, so this statement is especially important because it confirms that the company is not guaranteeing continued employment or requiring cause for termination. It also clarifies that no supervisor or manager has the authority to change an employee’s at will status unless a written agreement is signed by a designated executive. Including a clear at will statement in the handbook helps prevent misunderstandings and protects the organization from claims that the handbook created a contract or promise of job security.

- Recruitment, hiring, and onboarding practices

A recruitment, hiring, and onboarding section should describe the company’s commitment to fair and lawful hiring practices without detailing specific procedures that may differ by employer. This section typically explains that all applicants will be considered based on job-related qualifications, that the company complies with equal employment opportunity laws, and that required documentation such as identity and work authorization will be verified during the onboarding process. It may also note that background checks, drug screens, or other pre-employment

requirements will be conducted when applicable and permitted by law. Keeping this section general allows each employer to follow their own internal processes while still reinforcing legal obligations and consistent standards for fair hiring.

- Classification of employees (full-time, part-time, temporary, exempt/non-exempt)

A section on employee classification explains how the company groups employees for purposes of pay, benefits, and legal compliance. It should define common categories such as full-time, part-time, temporary, and seasonal, and it should also clarify the difference between exempt and non-exempt employees under the Fair Labor Standards Act. Providing these definitions helps employees understand their eligibility for benefits, overtime rules, and scheduling expectations. Keeping the language general allows each employer to set its own thresholds, while still ensuring that classifications are applied consistently and in accordance with federal and state wage and hour laws.

- Introductory/probationary period explanation

An introductory or probationary period section explains that new employees may be placed in an initial evaluation period so the employer can assess performance, behavior, and overall fit for the role. This section should make clear that the period does not change the employee's at will status and does not guarantee employment for the full duration of the period. It simply provides a structured timeframe for training and early feedback. The policy can also note that successful completion of the introductory period does not create any contractual rights and that employment may still be ended at any time for any lawful reason. Keeping this language general allows each employer to set their own timeline and expectations while maintaining compliance and flexibility.

- Background checks, I-9 verification, and eligibility to work

A section on background checks, I-9 verification, and eligibility to work should explain that the company will follow all federal and state requirements when hiring employees. This includes completing the Form I-9 to verify identity and work authorization, and in Florida, using the E-Verify system as required by state law for all new hires. The policy should also state that the company may conduct background checks that are job-related and permitted by law, such as criminal history checks, reference checks, or verification of education or credentials. It is important to note that any background screening will comply with the Fair Credit Reporting Act and other applicable laws, and applicants will be notified when authorization is required. A drug testing policy, if the employer uses one, should appear immediately after this

section as a separate policy. Drug testing practices vary by employer and must follow specific legal requirements, so it is cleaner and more compliant to keep that topic as its own stand-alone section.

- **Pre-Hire Drug Testing (If Applicable)**

A drug testing policy should explain that the company may require drug or alcohol testing when permitted by law and when it is appropriate for the safety of the workplace. This may include pre-employment testing, reasonable suspicion testing, post-accident testing, and, if the employer chooses to participate, random testing in accordance with Florida's Drug-Free Workplace Program. The policy should state that all testing will be conducted in compliance with applicable laws, that results will be handled confidentially, and that employees must comply with testing requirements as a condition of employment. Because each employer may have different testing practices, the handbook should keep the language general while allowing the company to detail specific procedures in a separate drug and alcohol policy if needed.

3. Standards of Conduct

- **Professional behavior expectations**

A professional behavior section should outline the expectation that employees conduct themselves in a respectful, responsible, and cooperative manner while at work or representing the company. This includes treating coworkers, customers, and vendors with courtesy, demonstrating good judgment, following workplace rules, and maintaining a positive and productive environment. The purpose of this section is to set a baseline standard for everyday conduct so employees understand what the company considers appropriate behavior. Keeping the language simple and general allows each employer to reinforce a professional atmosphere without listing every possible scenario.

- **Anti-discrimination and anti-harassment policy, including reporting procedures**

An anti-discrimination and anti-harassment section should state that the company is committed to providing a workplace free from unlawful discrimination, harassment, and retaliation, and that it complies with all applicable federal, state, and local laws. This section should make clear that discrimination or harassment based on any protected characteristic is strictly prohibited and applies to all employees, applicants, customers, vendors, and anyone else in the workplace. It should also describe how employees can report concerns, offering multiple reporting options such as a

supervisor, Human Resources, or any member of management, so employees are never required to report issues to the person involved. The policy should explain that complaints will be addressed promptly, investigations will be handled as confidentially as possible, and retaliation for reporting or participating in an investigation is prohibited. Including this section reinforces legal compliance, sets expectations for behavior, and gives employees a clear path to raise concerns.

- Workplace violence prevention

A workplace violence prevention section should explain that the company is committed to maintaining a safe environment and does not tolerate any form of violence, threats, intimidation, or aggressive behavior. This includes verbal or physical threats, harassment, stalking, fighting, or any conduct that creates fear or disruption in the workplace. The policy should also make clear that employees are expected to report any concerns immediately to a supervisor, Human Resources, or another member of management, even if they are unsure whether the behavior qualifies as workplace violence. The company should state that all reports will be taken seriously and addressed promptly, and that retaliation for reporting concerns is prohibited. Including this section helps employees understand what behaviors are unacceptable and reinforces the company's responsibility to provide a safe work environment.

- Drug and alcohol policy (including testing if applicable)

A drug and alcohol policy should explain that the company is committed to maintaining a safe, productive, and drug-free workplace. Employees are expected to report to work free from the influence of drugs or alcohol and must not use, possess, distribute, or be impaired by these substances while working or on company property, except in the case of approved and lawful prescription medications used as directed. The policy should also state that the company may conduct drug or alcohol testing when permitted by law, including pre-employment testing, post-accident testing, and reasonable suspicion testing when there is objective evidence that an employee may be impaired. Reasonable suspicion may be based on factors such as observed behavior, appearance, smell, or performance issues. The policy should note that all testing will follow applicable legal requirements, results will be handled confidentially, and employees are required to cooperate with the testing process as a condition of employment. Including this section promotes safety, reduces risk, and ensures employees understand the company's expectations.

This document is a **preview of the Employee Handbook Essentials Toolkit** and represents only a portion of the comprehensive guidance included in the full resource.

The complete toolkit is designed to support employers in developing handbooks that reduce risk, promote consistency, and avoid common compliance pitfalls.

To access the full version and all accompanying content, please purchase the complete toolkit.