

7 Ready-To-Use Policies Every Law Office Should Have



From the Editors at Law Office Manager



Special Report:

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7 Ready-To-Use Policies Every Law Office Should Have

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Introduction

Special Report: 7 Ready-To-Use Policies Every Law Office Should Have

Your law office needs policies to ensure compliance with legal regulations and ethical standards, to provide guidance for decision-making and actions, and to promote a safe and productive work environment.

Policies can also help to establish clear expectations and responsibilities for employees, and can protect the law office from potential legal liability.

Additionally, policies can provide a framework for dealing with sensitive issues.

This special report by Law Office Manager presents seven essential policies for your law office.

Policy 1

Model Policy: Workplace Violence and Office Security Policy

Why you need this policy:

Acts of violence perpetrated in the workplace have become a major societal problem. In many places, homicide has become the leading cause of workplace fatality! In addition to tragedy, failure to safeguard your workforce from the risks of violence—whether from co-workers, clients, or outside third parties—can expose your law office to significant liability under negligence and other laws.

How this policy helps you:

It has become imperative, and in many states, including California, a legal requirement that employers implement programs to prevent violence at the workplace. The centerpiece of the prevention effort is to adopt a written policy on workplace violence.

How to use this policy:

Make sure you include your workplace violence policy in your human resources manuals and/or codes of conduct and that, like the Model Policy below, it includes a policy statement (often phrased as zero tolerance), a clear definition of workplace violence, where it can occur, and who can author it, and a procedure for employees to report threats, acts, or concerns of violence to the law office for investigation.

Model Policy: Workplace Violence and Office Security Policy

XYZ Law Firm

1. Statement of policy

The management of XYZ Law Firm recognizes that violence is an occupational hazard and that it can result in physical and psychological damage to employees who are its victims.

2. Purpose of policy

The purpose of this Policy is to outline the measures XYZ Law Firm has put in place to prevent workplace violence and furnish a workplace that is secure and safe for all attorneys, staff, and visitors.

3. What policy covers

- a. Definition of workplace violence:** For purposes of this Policy, “workplace violence” is actual, threatened or attempted conduct intended or likely to cause injury to, harass, threaten, intimidate, bully or otherwise harm another person at work. Examples include but aren’t limited to:
- Actual assaults;
 - Pushing, shoving, elbowing, jostling and other acts of physical intimidation;
 - Verbal threats;
 - Written threats, e.g., in notes or emails;
 - Shaking a fist, brandishing a weapon or making other threatening gestures;
 - Throwing something at an employee; and
 - Kicking an object near the employee or something the employee is standing on like a ladder.
- b. Where workplace violence may occur:** Workplace violence includes not just XYZ Law Firm premises but also vehicles and other property and off-site locations, including, but not limited to, off-site meetings or conferences, client locations, social situations related to work or employees’ homes if there are real or implied consequences related to the workplace.
- c. Who may commit acts of workplace violence:** Violent behavior in the workplace is unacceptable from anyone.

That includes those who work for XYZ Law Firm such as attorneys, paralegals, employees, supervisors and members of management, as well as others including clients, visitors and strangers. Everyone at XYZ Law Firm is expected to work together to prevent workplace violence.

- d. Workplace violence program:** The XYZ Law Firm has a workplace violence program that implements this Policy. It includes measures and procedures to protect employees from workplace violence, a means of summoning immediate assistance and a process for employees to report incidents, or raise concerns. These measures are designed to ensure that this Policy and the supporting program are implemented and maintained and that all personnel have the appropriate information and instruction to protect them from violence in the workplace.

4. Duties of different parties

- a. Attorneys:** Attorneys will adhere to this Policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by employees and that employees have the information they need to protect themselves.
- b. Employees:** Every employee must work in compliance with this Policy and the supporting program. All employees are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats to their managers or another XYZ Law Firm official in accordance with the procedures outlined below. **Be assured that you will not be subject to any reprisals for reporting incidents or threats of violence.**
- c. Management:** XYZ Law Firm management shall investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned in accordance with and subject to legal requirements.

5. Reporting workplace violence

- a. How your reporting helps us prevent violence:** The XYZ Law Firm is committed to protecting you from violence and threats of violence in the workplace.

But we need you to help us help you. One of the best ways you can participate in your own protection is to notify us if you've been attacked or threatened with violence. The purpose of this section of the Policy is to explain how to make such reports.

- b. No reprisals:** We recognize that some individuals may hesitate to report acts or threats of violence out of fears of reprisals—especially when the threats are coming from an attorney or person in the firm in a position of authority or one of the clients of the firm. Be assured that no XYZ Law Firm employee will be disciplined, demoted or suffer any other adverse treatment because they reported concerns of violence in the workplace.
- c. Confidentiality:** We will also take steps to maintain confidentiality and won't disclose your identity unless we're required to by law or to investigate and/or correct the concern. *[add if you have a Silent Witness Program]*. The XYZ Law Firm has developed a Silent Witness Program so that you can report violent or suspicious activity or tips and remain anonymous. The information is transmitted to the XYZ Law Firm security for follow up. All information will be kept confidential. The Silent Witness Reporting page is located on the XYZ Law Firm web site at: *[list html]*.
- d. Reporting procedure:** Acts and threats of workplace violence (either explicit or implied), or observations of workplace violence are not to be ignored by any member of XYZ Law Firm personnel. Workplace violence or threats of workplace violence must be promptly reported to the appropriate XYZ officials using the following reporting procedures.
 - **Call security or 911 for imminent danger:** Any person experiencing or witnessing imminent danger, personal injury from violence, violence involving weapons, or actual violence should call Law Firm Security (ext. 1234) or 911 immediately.
 - **Reporting threats and incidents:** Any person who is the subject of workplace violence involving situations without weapons or personal injury, or is a witness to such situations, should report the incident to his or her next-in-line supervisor who is not party to the alleged action filling out the XYZ Law Firm Workplace Violence

Threat and Incident Report form. If an employee is the suspected perpetrator, notify [*list contact*] (*ext. 1234*).

- **Reporting threats and incidents by supervisor:** Any employee who has been threatened or attacked by a supervisor, manager, attorney, or person in authority can report the incident using the XYZ Law Firm Report of Supervisor Abuse form.
- **Reporting threats of domestic violence:** Any employee who has been threatened or involved in domestic violence at work can report the incident using the XYZ Law Firm Domestic Violence Threat form.

6. Response to incidents

Any attorney, manager or other person in authority who receives a report of a suspected violation of this policy shall consult with the XYZ Law Firm Human Resources Office (*ext. 5678*). Any emergency, perceived emergency, or suspected criminal conduct must be immediately reported to XYZ Security. All incidents will be investigated promptly and thoroughly to determine what happened and what steps to take to deal with offenders and ensure the problem does not happen again.

7. Discipline

Acts of workplace violence by XYZ Law Firm personnel at any level, from managing partner to support staffers, will not be tolerated and will be responded to with appropriate disciplinary action, up to and including termination, based on a thorough investigation of the incident and the surrounding circumstances. Such disciplinary action may include immediate termination for acts of physical assault, even if the person committing the act has committed no prior offenses or engaged in previous acts of violence.

Signed: _____

Managing Partner, XYZ Law Firm

Date: _____



Policy 2

Model Policy: Substance Abuse and Fitness for Duty Policy

Workplace substance abuse remains a major challenge for law offices. Although sound in principle, the traditional zero tolerance policy is ill-suited to the legal complexities of the modern world. This is especially true in states that have legalized marijuana. You can still take a clear and firm line on employee drug and alcohol abuse for the purpose of health and safety. But the policy also has to exhibit finesse and sensitivity to legal subtleties.

One of the best ways to create an enforceable policy is to base it not on the legality of substance abuse but the undisputable fact that it renders employees unfit for duty to the detriment of safety.

Substance Abuse and Fitness for Duty Policy XYZ Law Office

1. POLICY STATEMENT

XYZ Law Office recognizes that employees who use or are impaired by drugs or alcohol while performing work endanger not only themselves but their co-workers and others affected by the work. XYZ Law Office' policy with regard to such conduct is one of zero tolerance and employees must be aware that any violations they commit may result in disciplinary action up to and including termination.

However, XYZ Law Office also recognizes that addiction to drugs or alcohol is a serious health problem. The intent of this Policy is to accomplish the health and safety goal in a

manner that is fair, humane and consistent with employees' accommodation rights under discrimination laws. The ultimate goal is not to punish but to help employees identify and get help for their substance abuse issues so that they can return to work healthy, safe, happy and productive.

2. PURPOSE

The purpose of this substance abuse policy is to ensure that all employees report to work fit for duty as part of its duty to ensure the health and safety of persons at or near the workplace under the *Occupational Safety and Health Act* (OSHA) and other applicable laws.

3. SCOPE

This Policy applies to all individuals that work for XYZ Law Office including but not limited to full-time, part-time, temporary and contract employees, independent contractors, volunteers and employees of third-party contractors or subcontractors that XYZ Law Office engages to perform work at its facilities.

3.1 Union Employees

This Policy applies to both union and non-union employees but is not intended to supersede or circumvent the provisions of any current collective bargaining agreement that XYZ Law Office has negotiated with an employee's union. In the event of a conflict between this Policy and a collective bargaining agreement, the latter shall control.

3.2 Contractor Employees

This Policy applies to individuals employed by contractors and subcontractors that perform work at XYZ Law Office facilities but is not intended to supersede or circumvent the provisions of any current collective bargaining agreements that those contractors or subcontractors have negotiated with their own workers and their unions. In the event of a conflict between this Policy and a contractor employment agreement or collective bargaining agreement covering the worker, the latter shall control.

4. DEFINITIONS

For purposes of this Policy, "**Drugs**" includes:

- Narcotics and illegal drugs;
- Marijuana, whether used or obtained legally or illegally; and
- Legal prescription and over-the-counter medications and drugs that cause or have the potential to cause impairment and render an employee unfit for duty.

"Fit for duty" means a state of physical and mental that allows an individual to perform his or her job duties safely and effectively without impairment due to the use of or after-effects of alcohol, illegal drugs, legal medications or other health conditions.

"On duty" includes reporting for and performing work, including:

- Scheduled work;
- Unscheduled call-in work;
- Work performed at XYZ Law Office facilities;
- Work performed for XYZ Law Office away from XYZ facilities, including but not limited to business travel and driving or traveling to and from work.

"Safety-sensitive job" means positions that have a direct and substantial impact on the health and safety of the employee, other workers, customers, visitors, the public, property and/or the environment, including but not limited to those involving driving, operation of machinery or equipment, handling of toxic substances and others determined by XYZ Law Office.

"Substance abuse" means the use of alcohol, illegal drugs, legal marijuana and medications and other substances that can impair a person's judgment, clarity and functioning and render him/her unfit for duty.

5. EMPLOYEE RESPONSIBILITIES

All employees and workers covered by this Policy are required to:

- Come to work fit for duty;
- Take reasonable care to protect the health and safety of themselves and others at the workplace at all times while on duty as required by OSHA;
- Refrain from using or being impaired by alcohol or drugs while they are on duty;

- Refrain from possessing, purchasing, selling, distributing or engaging in any other conduct involving alcohol or illegal substances or paraphernalia while they are on duty;
- Refrain from misusing or being impaired by prescription or non-prescription drugs while they are on duty;
- Notify their supervisor if they suspect that a co-worker is unfit for duty; and
- Submit for drug and alcohol testing in accordance with the XYZ Law Office Testing Policy.

6. LEGAL MARIJUANA

6.1 No Exemption for Legal Marijuana Use

All employees must understand that marijuana is an impairing drug and that using it at work or coming to work high renders them unfit for duty in violation of this Policy.

Being impaired at work is NEVER legal regardless of the legality of the impairing substance used or how it was obtained!

6.2 Employee Duty to Notify

Employees must notify their supervisor if they are using legally prescribed medical marijuana or other legal prescription and non-prescription drugs that may cause impairment for the treatment of a medical condition. Off-duty and legal use of such drugs does not violate this Policy as long as employees are fit for duty at all times when they are on duty.

7. SUPPORT FOR EMPLOYEES WITH SUBSTANCE ABUSE ISSUES

Although XYZ Law Office reserves the right to discipline, it also recognizes that addiction and substance abuse is a health problem. XYZ Law Office is prepared to help employees get the counselling, treatment, rehabilitation and support they need to overcome those problems. *[Describe your office's Employee Assistance Program or other resources or programs for helping employees with substance abuse issues.]*

8. SELF-REPORTING

XYZ Law Office strongly encourages employees with substance abuse problems to step forward and request help voluntarily. *[Describe your office's procedures for responding to self-report]*

requests for help.] Employees who do self-report will not be subject to discipline as long as they have complied with their obligation to be fit for duty under this Policy.

9. FITNESS FOR DUTY MEDICAL ASSESSMENT

Employees must undergo medical assessments to ensure they are fit for duty before being placed in a safety-sensitive job. Assessments will address substance abuse and be performed:

- Prior to employment when individuals are applying for safety-sensitive jobs;
- Before current employees are transferred from non-safety-sensitive to safety-sensitive jobs; and
- Periodically for as long as the employee remains in a safety-sensitive job.

Medical assessments will be performed by qualified healthcare professionals following appropriate medical practices and results will be kept confidential to the extent required by HIPAA and other applicable personal privacy laws.

10. DISCIPLINARY INVESTIGATIONS

XYZ Law Office may open a disciplinary investigation to check whether an employee is engaged in substance abuse or otherwise in violation of his/her fitness for duty obligations under this Policy in response to:

- Complaints or concerns by co-workers, supervisors, etc.;
- Declining performance;
- Erratic behavior;
- Involvement in safety incidents including near misses;
- Arrests for impaired driving, drug offenses and similar violations; and
- Other indications that the employee has substance abuse issues or is otherwise unfit for duty.

Investigations will be carried out in accordance with XYZ Law Office' Disciplinary Investigation Procedures.

11. DRUGS & ALCOHOL TESTING

Employees may be tested for alcohol and drugs in accordance with XYZ Law Office' testing policies. *[List the conditions for testing under your office's own testing policies. Be sure to address: i. Alcohol and drug testing; ii. Safety-sensitive and non-safety-sensitive employees; and iii. Random and for-cause/post-incident testing.]* Supervisors will escort

employees to the screening site for testing. Refusal to submit to testing will be grounds for immediate termination under this Policy.

12. EMPLOYEE PRIVACY RIGHTS

XYZ Law Office recognizes that test results and related information is protected personal information under privacy laws and will keep it confidential and secure and refrain from using or disclosing it except as permitted or required by law.

13. CONSEQUENCES OF VIOLATIONS

Violation of this Policy is grounds for discipline up to and including termination in accordance with the XYZ Law Office Progressive Discipline Policy. Employees with substance abuse issues on administrative leave may also be referred for counselling or assistance through the XYZ Law Office Employee Assistance Program or outside agencies.

14. ASSISTANCE & REINSTATEMENT

XYZ Law Office reserves the right to place employees with substance abuse issues on administrative leave and enter into Last Chance Agreements offering them the opportunity to return to work if they successfully complete the terms of their treatment and rehabilitation program, pass drug and alcohol tests and meet other conditions of reinstatement.



Policy 3

Model Policy: Nondiscrimination and Anti-Harassment Policy and Complaint Procedure

Why you need this model policy:

Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.

How this model policy helps you:

This model policy establishes guidelines and procedures to help you ensure that all employees can work in an environment free from unlawful harassment, discrimination and retaliation.

How to use this model policy:

Customize this policy as appropriate for your workplace and use it at your law firm.

Nondiscrimination and Anti-Harassment Policy and Complaint Procedure

Objective

[Firm Name] is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, [Firm Name] expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

[Firm Name] has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. [Firm Name] will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with the director of human resources or a member of the personnel practices committee.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of [Firm Name] prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Equal employment opportunity

It is the policy of [Firm Name] to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law. [Firm Name] prohibits any such discrimination or harassment.

Retaliation

[Firm Name] encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of [Firm Name] to promptly and thoroughly investigate such reports. [Firm Name] prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Sexual harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) *quid pro quo* and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or by someone not directly connected to [Firm Name] (e.g., an outside vendor, consultant or client).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

[Firm Name] encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, any member of the personnel practices committee, human resources or any ombudsman. See the complaint procedure described below.

In addition, [Firm Name] encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. [Firm Name] recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, human resources, any member of the personnel practices committee or any ombudsman.

[Firm Name] encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as [Firm Name] believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to [Firm Name]'s executive director or the chief operating officer.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.



Policy 4

Model Policy: Religious Accommodations

Mere tolerance of religious differences in the workplace isn't enough. Federal and state discrimination laws also require employers to take affirmative steps to accommodate the religious beliefs of employees and job applicants to the point of undue hardship. The starting point for compliance is implementing an accommodations policy. Here's a model you can adapt for your own law based on the circumstances and specific state or local regulatory requirements.

RELIGIOUS ACCOMMODATIONS POLICY

1. POLICY STATEMENT

Individual freedom of religion is a core value of XYZ Law Office. To that end, XYZ is committed to providing a work environment in which persons of all faiths and religions are treated with dignity and respect and nobody is forced to choose between their religious beliefs and their employment duties. XYZ's policy is to make good faith efforts to make religious accommodations for employees and job applicants whose sincerely held religious beliefs and creed conflict with their employment obligations under XYZ policies, procedures or practices to the extent such accommodations are reasonable and do not impose undue hardship.

2. PURPOSE

The purpose of this Policy is to establish clear, fair and consistent rules and procedures for requesting, determining and implementing reasonable religious accommodations.

3. DEFINITIONS

For purposes of this Policy:

- A. Creed** encompasses both religious and non-religious beliefs and practices that have a nexus or connection to an organization, community or shared system of belief, govern one's conduct and are sincerely held and integrally linked to personal identity, self-definition and fulfillment.
- B. Religion** encompasses not just traditional and organized religions but broader religious beliefs and practices, including those that are new, uncommon or not associated with a formal church or sect, including but not limited to indigenous spirituality, provided that such beliefs are sincerely held and integrally linked to personal identity, self-definition and fulfillment.
- C. Religious** means based on religion and/or creed.
- D. Religious accommodations** mean reasonable allowances from or revisions to employment rules, procedures or schedules and/or alterations of the work environment that enable an employee or job applicant to practice or otherwise observe a sincerely held religious practice or belief without causing XYZ undue hardship. Such accommodations may include, without limitation:
 - Time for prayer during a work day;
 - Leaves or absences for religious observances;
 - Allowances to dress codes and personal appearance policies, e.g., exemptions from hairstyle or beard policies to accommodate beards;
 - The display of religious symbols;
 - Accommodation of religion- or creed-based dietary restrictions or fasting.
- E. Undue hardship** means significant difficulty or expense based on XYZ resources and circumstances affecting the cost, feasibility or difficulty of providing a specific accommodation. Examples of accommodations inflicting undue hardship include, without limitation, those that would be unduly expensive, substantially disruptive in a way that exceeds mere business inconvenience, require fundamental changes to business operations, and/or threaten any person's workplace health and safety.

4. RESPONSIBILITIES OF DIFFERENT PARTIES

All XYZ Law Practice employers, supervisors and employees have shared responsibilities in implementing this Policy:

A. Employer: As the employer, XYZ is responsible for:

- Ensuring that all job applicants and employees are afforded equal opportunity and treated with professionalism, dignity and respect in the workplace regardless of their religion;
- Ensuring that all workplace policies and procedures are non-discriminatory;
- Furnishing the resources necessary to implement this Policy;
- Ensuring that employees and job applicants are advised of their accommodation rights;
- Ensuring that requests for religious accommodations are addressed in a timely, fair, sensitive and, if possible, confidential manner based on the individual needs and circumstances involved;
- Ensuring that reasonable accommodations are provided to the point of undue hardship;
- Reviewing and revising this Policy as necessary to ensure its effectiveness.

B. Supervisors: Supervisors are responsible for:

- Fostering an inclusive work environment by personally treating all employees and job applicants with professionalism, respect and dignity regardless of religion;
- Ensuring that the employees they supervise treat all employees and job applicants with professionalism, respect and dignity regardless of religion;
- Taking reasonably necessary steps to help XYZ eliminate the barriers that prevent individuals from enjoying equal opportunity;
- Dealing with requests for religious accommodations in a timely, fair, sensitive and, if possible, confidential manner based on the individual needs and circumstances involved;
- Cooperating with individuals during the religious accommodations process, including but not limited, to ensuring that such individuals are notified of the information needed by XYZ to evaluate their accommodation requests;
- Helping XYZ implement reasonable accommodations provided;

- Helping XYZ Law Practice review and revise this Policy as necessary to ensure its effectiveness.

C. Employees & Job Applicants: Employees and job applicants requesting accommodations are responsible for:

- Following the religious accommodations procedures set forth in Section 5 below;
- Cooperating in all phases of the accommodations process;
- Accepting offers of accommodations that are reasonable and meet their needs even if the offered accommodations are not their first choice.

5. ACCOMMODATIONS PROCEDURES

A. Requesting Accommodations: Employees and job applicants should request religious accommodations in writing by completing the Religious Accommodations Request Form. Employees should give the completed Request Form to their supervisor. Job applicants should give the completed request form to the HR Department.

B. Deadline for Requests Involving Absences: Requests for accommodations involving time off from work for religious holidays and observances must be made as early as possible, and no later than 10 business days in advance of the requested day(s) off.

C. Supporting Documentation: Where requested, employees and job applicants will provide information to support their requests, including without limitation, documentation verifying their need for accommodation.

D. Response: XYZ will respond to all requests for religious accommodations in a timely, fair, sensitive and, if possible, confidential manner.

E. Criteria for Evaluation: Requests for religious accommodations will be evaluated case by case based on the individual's needs and circumstances involved, including but not limited to, with regard to financial costs, feasibility of implementation, impact on business, operations, job duties, health and safety, duration and availability of reasonable alternatives. Personal feelings and perceptions of XYZ officials with regard to the religious belief or practice are totally irrelevant and will in no way factor into the evaluation of religious accommodation requests. Nor will any of the following factors be used as criteria in the evaluation:

- The accommodation's impact on the morale of other employees;
- Unreasonable customer or third party preferences, e.g., an employee's preference that his co-workers be Christian;
- The fact that an otherwise reasonable accommodation is banned by a contract;
- The perception that the religious belief or practice is unreasonable.

F. Notification of Response: XYZ will notify all employees and job applicants who request religious accommodations of the response to their requests. If the request accommodation is denied, the individual will be notified of the reasons and, if feasible, offered alternative accommodations.

G. Appeals: Employees and job applicants who are not satisfied with the response to their religious accommodation requests may file an appeal with the XYZ HR Department. However, individuals are also expected to accept alternative accommodations that are reasonable and meet their needs, even if such alternatives are not their first preference.

6. PRIVACY & CONFIDENTIALITY

XYZ will keep all records of religious accommodations requests in a secure location, separate from employee or job applicant personnel files and kept confidential to the extent required by applicable laws.

7. NO RETALIATION

No employee or job applicant will receive adverse treatment regarding their employment or job application in reprisal or retaliation for requesting or receiving religious accommodations. XYZ Law Practice officials and personnel who engage in retaliatory actions in violation of this Policy will be subject to discipline up to and including termination.



Policy 5

Model Policy: Catastrophic Leave Program

Why you need this policy:

At first glance, a leave-sharing program appears to be a win-win-win solution for employer, donating employee, and receiving employee.

But despite all of the positives, employers need to be careful when implementing a program like this to avoid some potential administrative, managerial, and tax problems.

How this policy helps you:

Rules regarding an employee's right to various types of leave differ from state to state, but most of the rules require that a leave-sharing program be in writing.

How to use this program:

Check with your state law to learn what type of leave may be donated, and adapt this Model Policy to suit the specifics of your state and your organization.

Model Policy: Catastrophic Leave Program

Effective [date], [name of firm] will establish and maintain a Catastrophic Leave Bank to assist employees during times of serious illness or injury when all available leave has been exhausted. Employees who become members may apply for leave time to offset a period of unpaid leave due to their own serious illness or injury, or that of a family member that they must provide care for.

To be eligible to join the bank, the employee must:

- Have completed a minimum of one year of benefit eligible service;
- Accumulated a minimum of 80 hours of sick and/or vacation leave; and
- Donate a minimum of eight hours of leave time to the bank by signing a leave donation authorization. The leave donation does not require the supervisor's signature.

Enrollment in the bank is optional. All employees who earn leave benefits tracked by HR will be given the opportunity to participate. A maximum of 24 hours total may be donated by each participant. Once an employee makes a donation, they are a member of the bank. Annual re-enrollment is not required; however, additional amounts, up to the 24-hour maximum, may be made during the annual open enrollment.

Catastrophic leave requests will be reviewed in a timely manner by the Catastrophic Leave Request Committee. Leave time could be approved for up to six months, not to exceed the medically required time off or the maximum number of hours available in the leave bank. Family and Medical Leave Act (FMLA) guidelines regarding serious health condition will be used for determinations (excludes maternity leave without medical complications and adoption leave where no health issues are involved).

The requesting employee will be required to submit a request form and medical verification that the leave of absence is medically required. Elective or cosmetic surgery will generally not be eligible. The employee is not eligible for leave if they have been disciplined for leave abuse within the past year.

All information regarding requests and the outcome of requests will remain confidential to protect the privacy of the employee.

Employees will have several opportunities to join the bank:

- A special initial enrollment will be held from [date] to [date] to allow employees who wish to donate unused leave from [current year] (including leave they won't be able to carry over), as well as to allow 20__ [upcoming year] hours to also be available.

- Employees who do not currently meet the minimum one year requirement will be offered an opportunity to join at their one year anniversary.
- Anyone who is eligible but has not joined previously will have an opportunity to enroll during the Open Enrollment for all benefits next November.



Policy 6

Model Policy: Recognition and Social Functions

Why you need this policy:

From time to time your law firm may wish to recognize staff members' milestones, achievements, and/or special occasions.

How this policy helps you:

This policy will ensure that guidelines are established and that all staff members receive appropriate and equal recognition.

How to use this policy:

Modify this model policy as necessary for your law firm. This material is for informational purposes only and not for the purpose of providing legal advice. You should always contact your attorney to determine if this information, and your interpretation of it, is appropriate to your particular situation.

Model Policy: Recognition and Social Functions

Purpose

[Firm name] periodically holds social events for the entire staff during which some employees may be recognized for changes in their status or for special achievements.

Eligibility

Employees who complete one to four years of employment will be recognized at the monthly staff meeting held nearest their

date-of-hire anniversary. Employees who complete five, 10, 15, or 20 years of service will be recognized similarly and will also receive a gift, selected by the office manager.

Employees who complete at least one year of service, and who consent, may be given a birthday gift or a social event as determined and selected by the employee's immediate supervisor and the office manager.

Employees who complete at least one year of service and who voluntarily resign under favorable conditions may be given a farewell gift or a social event as determined and selected by the employee's immediate supervisor and the office manager.

Procedures

Employee promotions may ordinarily be celebrated by a group luncheon. The luncheon will be arranged at the discretion of the office manager. Costs not to exceed \$100 may be charged to the firm's discretionary budget, provided there are sufficient funds in this budget. Employee birthdays will be recognized by a gift, arranged and delivered by the office manager.



Policy 7

Model Policy: Employee Resignation

Why you need this model policy:

Establishing a formal policy for employee resignation will help ensure that staff transitions go smoothly; the firm treats employees fairly and consistently; and legal requirements are followed.

How this model policy helps you:

Use this model policy as a guide to establish a formal, written policy for employee resignation.

How to use this model policy:

Adapt this model policy as required for your law firm. This material is for informational purposes only and not for the purpose of providing legal advice. You should always contact your attorney to determine if this information, and your interpretation of it, is appropriate to your particular situation.

Model Policy: Employee Resignation

Objective

Although [Law Firm] hopes that employment with the firm will be a mutually rewarding experience, it is understood that varying circumstances do cause staff to voluntarily resign employment. Should this time come, employees are asked to follow the guidelines below regarding notice and exit procedures.

Procedures

Notice of resignation. Employees are encouraged to provide two weeks' notice to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the firm may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

Form of resignation notice. All resignations must be confirmed in writing.

Pay in lieu of notice. Firm management reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the employee, given that it may be due to a variety of reasons not known to the individual or other employees.

Resignation for failure to report to work. Employees who fail to report to work for three consecutive days without properly communicating to their supervisor or manager the reasons for their absence will be viewed as voluntarily resigning their employment as of the third day.

Rescission of resignation. Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been confirmed by the firm. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so.

Eligibility for rehire. Employees who resign in good standing under this policy and whose documented performance is above average according to the firm's performance standards will be eligible for reemployment for a period of up to six months from the last date of employment, with benefits tied to seniority reinstated in full. Former employees will be considered for open positions along with all other candidates. Former employees who apply for reemployment after six months will be treated as new employees for purposes of seniority-related benefits.

Reporting of employee departures. All departing employees, regardless of the circumstances surrounding their departure, will be reported to all staff when deemed necessary by management. Those with a need to know (e.g., supervisors, payroll, front desk, IT, and security) will be advised of the last day of actual work for the company.

Exit meeting. Resigning employees will be scheduled for an exit meeting to ensure that all tools and equipment are returned and to provide an opportunity to discuss any questions or concerns related to employment with [Law Firm]. Employees who fail to return any company property, including keys, credit cards, tools, cellular phones, laptops, and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of [Law Firm].

Forwarding address and final pay. Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Final pay will be mailed to this address by the next payday unless state law or other procedures dictate otherwise. Accrued but unused vacation will be paid out consistent with firm vacation policy and state law requirements.

