

# EMPLOYEE HANDBOOK CHECKLIST

**Getting started.** This checklist, created by attorney [Frank Sommerville](#) as part of his [employment issues series](#) for Church Law & Tax, provides key tasks for the development and maintenance of your church's employee handbook.

While an attempt has been made to cover all areas as comprehensively as possible, church leaders should work through this checklist in consultation with a qualified legal or human resources (HR) professional. Do not use this checklist without having read "[The Importance of a Legally Sound Employee Handbook](#)." Keep in mind that some items might not apply to your church. Also keep in mind that some topics appear in multiple places, revealing the multiple ways the topic can arise within a church, and further underscoring the importance of addressing such a topic.

Again, consult a qualified HR professional or attorney regarding your church's specific and unique characteristics and needs.

## PROCESSES

- Do you have an employee handbook?
  - If no, initiate the drafting of a handbook.
  - If yes, who is responsible for maintaining the handbook?

**Note.** Does this person's performance evaluation include his/her efforts to maintain the handbook?
- The governing body or committee reviewed and approved the handbook within the last 12 months.
- The handbook has been reviewed within the last 12 months by an attorney or HR professional who specializes in church and employment matters.
- New employee orientation includes going over the handbook.
- Every employee receives access to the handbook.
- The church secures a signed confirmation from every employee indicating they have read and understood the handbook.

## CONTENT/SECTIONS

### General topics

- The handbook states that the church reserves the right to unilaterally change the handbook at any time without notifying employees.
- The handbook disclaims that it is a contract.
- The handbook describes the church's history, culture, values, and mission.
- The handbook includes a greeting from the senior pastor.
- The handbook includes information regarding how employees get their questions answered.
- The handbook includes a statement of faith or beliefs.
- The handbook includes a code of conduct.
- The handbook includes a statement on employment at will.

### Compliance topics

- Equal Employment Opportunity Commission (EEOC) and Title VII
- Americans with Disabilities Act (ADA) and disability accommodation
- Pregnancy Discrimination Act (PDA)
- Nursing mothers
- Harassment

## Compliance topics *(continued)*

- Occupational Safety and Health Act (OSHA)
- Fair Labor Standards Act (FLSA)
- Equal Pay Act
- Immigration compliance
- Genetic Information Nondiscrimination Act (GINA)
- Fair Credit Reporting Act (FCRA) and criminal background reports
- Family and Medical Leave Act (FMLA)
- Worker Adjustment and Retraining Notification Act (WARN)
- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Payday laws
- Employment of minors
- Garnishment
- Unemployment benefits
- Workers' compensation
- Temporary workers
- Remote work
- Outside employment
- Performance reviews
- Intellectual property
- Whistleblower
- Retirement
- Termination
- References
- Employee discipline
- Alternative dispute resolution
- State and local laws

## Behavioral topics

- Code of conduct
- Confidentiality
- Conflict of interest
- Discipline
- Alcohol/drugs
- Access to employee files
- Bullying
- Internet usage
- Email privacy
- Access to employer computer networks
- Credit cards
- Social media
- Media inquiries
- Dress code and appearance
- Child abuse prevention and reporting
- Personal use of church property

## Compensation and benefits topics

- Compensation philosophy
- Employee classifications
  - Part-time
  - Full-time
  - Temporary
  - **Ministerial exception**
  - Exempt from overtime
  - Nonexempt from overtime
- Pay periods
  - Frequency
  - Method of payment
  - Authorized deductions
  - Garnishment orders
- Paid time on the clock
  - Timekeeping and reporting
  - Overtime authorization
  - Workweek definition
  - Office hours/work schedule
  - Meals and lunch breaks
  - Attendance expectations
  - Emergency closings

## Compensation and benefits topics *(continued)*

- Time off
  - Vacation
  - Holiday
  - Sick (paid and unpaid)
  - Maternity/paternity leave
  - Bereavement
  - Jury duty
  - Voting
  - Personal days
  - Family Medical Leave Act
  - Leaves of absence
  - Sabbatical
  - Military leave
- Expense reimbursements
- Fringe benefits
  - Health insurance
  - Childcare expense/discounts
  - School tuition discounts
  - Employee discounts
  - Disability insurance
  - Educational assistance
  - Retirement contributions
  - Flexible spending accounts/cafeteria plans
  - Unemployment benefits
  - Parking and mass transit passes
- Safety topics
  - Security policy
  - Workers' compensation
  - OSHA compliance
  - Workplace violence
  - Weapons and concealed carry
  - Infectious disease policy
  - Operation of motor vehicles
  - Cellphone policy

*This sample is provided by [Frank Sommerville](#), a senior editorial advisor for Church Law & Tax and a shareholder in the law firm of [Weycer, Kaplan, Pulaski & Zuber, P.C.](#) in Houston and Dallas, Texas. Sommerville holds a license as a Certified Public Accountant. He is also Board Certified in Tax Law by the Texas Board of Legal Specialization. He is rated AV (highest possible) by Martindale-Hubbell Legal Directory.*

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