



Personnel Handbook: Initial Questionnaire*

Questions	Answers
<p>1. In which states does your business or organization have employees?</p> <p>Note: Employers must comply with federal employment laws, as well as state and local laws where they have employees.</p>	
<p>2. What is the employer's payroll week, and when and how often are employees paid?</p>	
<p>3. Does the employer have salaried employees and/or hourly employees? Does the employer have employees who are "exempt" under the FLSA and/or "non-exempt" employees?</p>	
<p>4. What employee benefits does the organization offer employees? E.g., disability, health, dental, pension, 401(k), 403(b), life insurance, etc. Are some benefits available to only certain classes of employees?</p> <p>Note: Details about employee benefit plans are usually provided through separate enrollment forms and summary plan descriptions.</p>	
<p>5. Does the employer have a bonus policy and if so, when/how are bonuses paid?</p>	

Questions	Answers
<p>6. What is the vacation policy? Specifically:</p> <ul style="list-style-type: none"> --How many vacation days per year, and how do vacation days accrue? --Do accrual rates increase based on length of service? --Can vacation time be carried over from year to year, or is it a “use it or lose it” policy? --Are employees entitled to payment for accrued but unused vacation time upon termination? --Does the employer offer paid vacation only to full-time employees? --If the employer offers paid vacation to part-time employees, how is vacation time calculated for them? 	
<p>7. Does the employer offer paid holidays and if so which holidays?</p> <ul style="list-style-type: none"> --Are only full-time employees entitled to paid holidays, or do part-time employees receive paid holidays also? --Does the employer require documentation for employees who are absent to due to illness on the day before or after a holiday? 	
<p>8. Does the employer offer personal days? If so,</p> <ul style="list-style-type: none"> --How many personal days per year, and how do personal days accrue? --Can personal days be carried over from year to year, or is it a “use it or lose it” policy? --Are employees entitled to payment for accrued but unused personal days upon termination? --Does the employer offer personal days 	

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<p>only to full-time employees?</p> <p>--If the employer offers personal days to part-time employees, how many?</p>	
<p>9. What does the employer pay employees while they are on jury duty?</p> <p>In New York, employers with more than 10 employees must pay \$40/day for the first 3 days of jury duty; but employers can choose to pay more.</p>	
<p>10. Does the employer provide employees with bereavement leave? If so, how much and under what circumstances?</p>	
<p>11. What is the employer's paid sick leave policy?</p> <p>--How many sick days per year, and how do sick days accrue?</p> <p>--Can sick days be carried over from year to year, or is it a "use it or lose it" policy?</p> <p>--Are employees entitled to payment for accrued but unused sick days upon termination?</p> <p>--Does the employer offer sick days only to full-time employees?</p> <p>--If the employer offers paid sick time to part-time employees, how does it accrue?</p>	
<p>12. Employers with 50 or more employees must comply with the Family and Medical Leave Act of 1993. There are also laws requiring employers to grant unpaid leave for military service. Do you provide for any personal leave beyond the statutory minimums?</p>	
<p>13. How often do employees receive performance reviews? Do new employees</p>	

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receive additional performance periods during their first year of employment?	
14. The Personnel Handbook should include the employer's Equal Employment Opportunity policies prohibiting workplace discrimination, harassment and retaliation. What is the employer's complaint procedure?	
15. What types of general office policies does the employer require of employees? Some examples include: standards of customer service; prohibitions on excess tardiness or absences, sleeping on company time or property, stealing company property, or falsifying employment applications or company records; dress policies; noise policies; smoking policies, conflicts of interest policies, anti-nepotism policies, non-fraternization policies, etc.	
16. What are the employer's usual business hours?	
17. What is the policy regarding use phones, computers and email? Does the employer prohibit personal use or permit minimal personal use? Phones, computers and email should not be considered private or used for discriminatory or harassing purposes by employees.	
18. What is the employer's computer/email security policy?	
19. What is the employer's confidentiality	

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policy?	
<p>20. Does the organization have a drug and alcohol policy?</p> <p>Note: Federal government contractors are subject to the Federal Drug Free Workplace Act.</p>	
<p>21. What is the employer's policy regarding travel and expense reimbursement?</p>	
<p>22. Is there a policy regarding speaking to the press about matters related to the employer?</p>	
<p>23. Does the employer have a records retention policy?</p>	
<p>24. Does the employer have a social media policy, and if so, what are its requirements?</p>	
<p>25. Are any employee's subject to non-solicitation or non-compete requirements?</p>	
<p>26. All employee handbooks should contain a provision regarding "at will" employment status and a statement that all policies are subject to change at the discretion of the employer.</p>	

* The questions listed in this form and any references to the federal, state or local law are meant to provide a general overview to assist in the preparation of a new or revised personnel handbook for New York employers. This form does not contain an exhaustive list of topics that may be covered in a personnel handbook, and it does not contain a complete explanation of the laws that affect the workplace or personnel handbooks.