



LAW NOTES

from the Law Firm of
Kay & Andersen, S.C.

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What Every Employer Should Know..... *ABOUT EMPLOYEE HANDBOOKS*

When used properly, employee handbooks can be an excellent tool for clarifying the employer's expectations for its employees. A well-drafted employee handbook written in simple, layperson terms can establish uniform policies on a company-wide basis and discourage claims of discrimination or favoritism. If an employer does not exercise care in drafting an employee handbook, however, an employee may attempt to claim unearned benefits or to avoid justified discipline or termination based on provisions in the handbook.

In some situations, an employee handbook can alter the usual at-will relationship that employers and employees have in Wisconsin. Although the mere issuance of an employee handbook for guidance and orientation of employees is insufficient to alter an at-will employment relationship, that relationship is altered when an employee handbook "contains express provisions from which it reasonably could be inferred that the parties intended to bind each other to a different relationship." Olson v. 3M Company, 188 Wis. 2d 25, 523 N.W.2d 578 (Ct. App. 1994). To ensure that the employer's goals are accomplished through the issuance of an employee handbook, every employer is strongly encouraged to consult with legal counsel in drafting and regularly reviewing employee handbooks.

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