## Introduction

# Sample Employee Handbook

The Sample Employee Handbook is a resource that dairy farms can tailored for use on their operation. The Sample Employee Handbook is provided for educational purposes only. Farms are responsible for determining whether the Sample Employee Handbook meets compliance requirements of their applicable local, state or federal laws and regulations. National Milk Producers Federation and the National Dairy FARM Program are not responsible for the content of the Sample Employee Handbook. Once downloaded by an organization or an individual, the Sample Employee Handbook become the sole property and responsibility of the organization or individual, and under no circumstances shall we have any liability to you for any loss or damage of any kind as a result of the use of the templates or reliance on any information provided in the templates.

Most of the content of this template was drawn from materials developed by [Michigan State University Extension (MSU Extension)](https://www.canr.msu.edu/dairy/business_management/labor-management). The original content was modified. The MSU Extension template, in its original form, was reviewed by Varnum LLP for information purposes only. Neither the original template nor this document are intended as legal advice. Agricultural employers should seek their own legal counsel if they choose to utilize an employee handbook for their farm operation. By using this template, you understand that there is no attorney-client relationship between you and the attorneys who were involved in developing the factsheet. This template should not be used as a substitute for competent legal advice from a licensed attorney.

Laws vary widely from state to state in some areas of employee relations. Thus, it is very important to make sure that what you have in your employee handbook and what you have employees sign not only truly meets your needs, but also complies with state and federal laws, as well as the laws of any other states in which your company operates.

While this book attempts to help employers as much as possible with this difficult but essential area of workforce management, it cannot serve as a substitute for individual legal advice from a competent and experienced employment law attorney licensed in your state(s) of operation. These sample policies are not meant to be taken “as is” and incorporated directly into an employee handbook. Rather, they are meant to help employers visualize what is meant by certain policies and legal issues and to help them prepare to work more efficiently with their own employment law attorneys.

## Using this Template

This Employee Handbook was designed as a sample document to be used by farms at their discretion. Once you as the user, insert your name and make changes, it becomes your farm document and you are solely responsible for the contents and any legal obligations that you create as a result of adopting this Employee Handbook. You must ensure that your farm is meeting all state and federal employment laws. The Farmers Assuring Responsible Management (FARM) program has developed state and federal legal fact sheets that dairies can consult as a starting point. These are available online: <https://nationaldairyfarm.com/dairy-farm-standards/farm-workforce-development/>

Employers of migrant or seasonal agricultural workers, have additional duties and responsibilities under the Migrant and Seasonal Agricultural Worker Protection Act, which requires specific written disclosures of the terms and conditions of employment to migrant workers at the time of recruitment, and to seasonal workers on demand in the workers' language of familiarity.

1. Save a copy of this document.
2. Perform a “Find and Replace” function in Word, finding [Farm Name], and replacing it with your farm name.
3. The next step is to review the contents of the document starting with the Welcome. All sections are editable and attempt to cover the most used chapters by farm employers. The list is not exhaustive. **All text is intended as an example that should be edited and modified so that it is tailored to your farm.**
4. As you go, items in brackets [\_\_] should be filled in with the appropriate content. For example, [Title] should be filled in with the title of the appropriate person.
5. Italicized sections are notes or instructions to you, the farm owner, which may or may not apply to your situation. To make them easy to find, they are also highlighted in yellow. It is your responsibility as the farm owner/manager to ensure that the content of your Employee Handbook meets all federal and state legal requirements. If you will not follow through on an obligation that you make in this employee handbook, you should not put it into the handbook.
6. This handbook template includes language about "at will" employment. This means a worker can quit for any reason or the employer can let the worker go for any reason as long as it's not discriminatory. State laws vary in regard to “at will” employment. An employee handbook that sets out conditions or promises of employment may affect “at will” employment status. Such a document may be considered a contract, and workers can ask courts to enforce a contract's terms. Therefore, be careful what you place into an employee handbook and what that obligates you to. Some states have restrictions or specific laws around “at will” employment. A licensed attorney can provide more information.
7. The Final Step is to update the Table of Contents. You can do this by clicking the upper left hand corner of the Table of Contents and then selecting “Update Table”. A box will appear. Select “Update Entire Table”, and then “OK”. The table titles and page numbers will be updated to reflect the changes that you made.
8. For information on how to adapt this to your own farm, please seek legal counsel.

## Preparing an Employee Handbook

The following are practical steps farms can take in developing an employee handbook, whether or not they choose to use this template:

1. Decide what your company is all about and what kind of culture your company is trying to have within the workplace. Communicate those goals and culture in your policies.
2. Assemble all previous policies and procedures, whether written or unwritten. You will need to determine what will be continued or changed in the new policies.
3. Talk with employees and managers about their concerns in the area of employee policies.
4. Draft a preliminary document.
5. Have key company personnel review the draft, incorporate any needed changes, and have the final version reviewed by an employment law attorney.
6. Give every employee a copy of the policy handbook and have each employee sign and date a form acknowledging receipt. The acknowledgment of receipt form should have each employee affirm that they have received a copy, have had an opportunity to ask questions about the handbook, and that they agree to comply with the company’s policies. Have a company representative witness the employee’s signature and sign and date the same form.
7. After giving all employees copies, train all supervisory personnel in how to use the handbook.

## Practical Issues with Policies

1. Although employers have the right to change policies at will, it may not be advisable to do so without at least attempting to give advance notice. If a policy change alters an employee’s work relationship so much and so adversely that a reasonable employee would quit under the circumstances, the employer could face a loss in an unemployment claim.
2. Employers should attempt to anticipate potential problems and think of alternatives when considering policy changes. Aside from unemployment claims, employers could also face a loss in employee morale and productivity with ill- advised or ill-timed policy changes.
3. Whatever the policies are, it is usually best to have them in writing and give copies to all employees. The best policies in the world will do no good at all if the employees are unaware of them. Employers sometimes lose unemployment claims if they are unable to show that the claimant had been informed of the policies he or she violated.
4. Above all, employers should try to follow their own policies, especially with respect to disciplinary matters. One of the easiest ways to lose an unemployment claim is to have to admit that the disciplinary process that was announced in the policy was for some non-compelling reason not followed in the claimant’s case. Remember, one thing that must be shown in every discharge case is how the claimant either knew or should have known he could lose his job for the reason given. If the policy talks about two verbal warnings, a written warning, a suspension, and then discharge, and the claimant is fired after only two verbal warnings, the employer will lose the case, unless it can somehow show a compelling reason for why the policy was ignored in the claimant’s case. Proper and reliable enforcement of policies will also help the employer defend itself in discrimination claims and lawsuits.
5. Similarly, employers must be vigilant and careful to enforce the policies even-handedly and consistently. If the claimant was fired for an offense for which others were only warned, and there was no compelling reason for treating the claimant differently, the employer will lose an unemployment claim. Even-handed enforcement of policies will also help employers defend against claims of discrimination and wrongful discharge.

This resource is not a legal document and is intended for educational purposes only. Dairy farmers are individually responsible for determining and complying with all requirements of local, state and federal laws and regulations.

[Farm Name] Employee Handbook

Updated: [XX/XX/XXXX]

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# Introduction

## Welcome

Welcome to employment with [Farm Name]. We are excited to have you join our team. Through this employee handbook we are sharing with you some important aspects of our farm business and how your job contributes to the success of our business. The information and policies listed in this handbook will help you understand what is expected of you in your job and be successful in your employment with us. This Handbook is not a contract of employment, however, but rather is a set of guidelines. The Handbook may not cover every employment-related circumstance that could arise during your employment. If you have a question about a matter not addressed in this handbook, please ask us.

## History

*Use this area to share a little about the history of your farm. This helps employees understand the business better and gives them some context. This also gives you a chance to share information beyond your Mission Statement listed in the next section.*

## Mission Statement

*Insert your Mission Statement.*

**Goals that Support our Mission Statement:**

*1) How do employees fit into your Mission?*

*2) What type of work environment are you striving to provide for your employees and managers?*

*3) How do you view the professional and personal development of your employees?*

*4) How do you seek to engage your employees in the constant improvement of your farm?*

*5) How does your farm fit into the dairy industry?*

## Organizational Structure

*Insert your organizational structure here. This helps the employee understand who they report to, and how they fit into the overall structure of the farm. This also helps them understand who to contact in the case of a complaint, such as harassment.*

## Orientation

We want all of our employees to get off to a great start with [Farm Name]. To help accomplish this, we require a one-hour orientation for all employees. You will be paid for your time during the orientation. During the orientation we will briefly review some of our key policies, our mission and values, and some basic information to help you better understand our farm and how you fit in. There will be time to ask questions during the orientation as well. At the orientation you will receive a copy of this handbook.

*For employers of migrant or seasonal agricultural workers, the Migrant and Seasonal Agricultural Worker Protection Act requires specific written disclosures of the terms and conditions of employment to migrant workers at the time of recruitment, and to seasonal workers on demand.*

# Human Resource Policies

## General Policy Statement

Policies and procedures contained in this document are written here to facilitate communication between [Farm Name] and its employees. Policies and procedures are expected to be followed by all employees. From time to time these policies and procedures may be updated, and employees will be notified that a new version of the Employee Handbook is available for their review.

## Employment-At-Will

*Employment at-will laws vary by state. Farms that wish to include an employment at-will statement should consult with a licensed attorney.*

[Farm Name] exercises the At Will employment status provided to it in state law. “At Will” means that an employee’s employment with [Farm Name] is entered into at his/her own will and they are free to resign at any time. Similarly, [Farm Name] may terminate his/her employment at will and with or without cause. Only the [Title] of [Farm Name] (and then only in a signed writing) has the authority to enter into any agreement on behalf of [Farm Name] providing employment for any specified period of time or pursuant to any particular conditions, or to make any agreement contrary to the at-will policy expressed in this Handbook.

## Equal Opportunity Employment

*You should consider an equal opportunity statement for your farm. Note: Requirements vary by state. An example policy addressing equal employment opportunity is as follows:*

[Farm Name]'s employment practices are based on job qualifications, performance, and conduct without regard to race, color, religion, national origin, age, sex, marital status, height, weight, disability, genetic information, or any other legally protected status. Employees who have questions about this policy or its application are encouraged to speak with the [Title] of [Farm Name].

[Farm Name] provides reasonable accommodation to qualified individuals with disabilities in accordance with law. Any employee with a need for accommodation due to a disability should notify [Title] as soon as possible. The request should be submitted in writing and identify the nature of the disability and the suggested accommodation.

## Personnel Records

*You should consider including information about whether the farm keeps personnel records and how employees may schedule a time to review their personnel record. Requirements vary by state, including access, the cost of copies, the right to contest information, and more. An example personnel record policy is as follows:*

Personnel records are the property of [Farm Name], and access to the information they contain is restricted and confidential. A personnel file shall be kept for each employee and should include the employee’s job application, copy of the letter of employment and position description, performance reviews, disciplinary records, records of salary increases and any other relevant personnel information. It is the responsibility of each employee to promptly notify his/ or her supervisor in writing of any changes in personnel data, including personal mailing addresses, telephone numbers, names of dependents, and individuals to be contacted in the event of an emergency. Some employment records are kept in separate files, such as records relating to medical conditions and leave, records relating to investigations, and records relating to I-9 requirements. All files connected with an employee are considered strictly confidential, and access will be limited only to those who have a job-related need to know the information and who have been authorized to see the file in question.

If an employee wishes to view the contents of his or her personnel file, the employee should report during off-duty time or, with permission from his or her immediate supervisor, during work time to the Human Resources office and file a written request with the records clerk, [Name and Title]. The records clerk will verify your identity and show you to a table where you can view the contents of the file. If you would like to get a copy of a company record relating to your employment, you should let the clerk know which document(s) need to be copied.

You may not take or alter any document found within your personnel file. If you disagree with one of the documents, you may ask the Human Resources Manager for permission to add a document containing your comments regarding the document with which you disagree.

Both at and following the time you separate from employment, you may make copies of documents in your personnel file if you wish. Copying of such documents should be arranged with the Human Resources office and will cost [XX] cents per copy, payable in advance. Your personnel file will be maintained in company archives in accordance with all applicable legal requirements.

## Open Door Policy

As with any form of communication, there is always room for improvement. This Employee Handbook is no exception. The policies and procedures listed in this handbook are meant to be consistent with, and in support of our Mission and Values. If at any time you find your work environment in conflict with these written policies and procedures, we encourage you to share your concerns about the areas that are diverging from these policies. These questions, as well as any concerns or suggestions, should be shared with your immediate supervisor. If he/she is not available, please share your concerns or suggestions with the owner. We understand that in order to be the best that we can be, we need your input.

Work-related problems or concerns should be discussed first with your supervisor. If you cannot reach your supervisor or prefer not to discuss the issue with your supervisor, contact [Title]. Written grievances regarding safety or working conditions should be filed with [Title]. You should continue to work while your grievance is being investigated and addressed. Employees will not face retaliation for filing a grievance related to safety or working conditions.

# Business Ethics Policies and Codes of Conduct

## Attitude and Team Cooperation

At [Farm Name], we seek to develop a work environment that supports the professional and personal growth of all our team members. As an employee, you are a part of our team. If a team is to be successful, each of its members must be contributing their best. [Farm Name] is committed to provide a safe and enjoyable working environment to support your success as an employee. We also strive to provide you with opportunities to develop and enhance your skills. As a team member we expect you to contribute your best effort in your work, share your ideas for improvement, and work with your co-workers to ensure that farm goals are accomplished.

## Harassment and Discrimination in the Workplace

*Consider a statement against harassment on your farm. This could include multiple forms of harassment including verbal and physical harassment. An example policy is as follows:*

[Farm Name] prohibits any form of harassment, joking remarks, or other abusive conduct directed at an employee because of an individual's race, color, sex, religion, national origin, citizenship, age, disability, height, weight, veteran status, marital status, genetic information, or other protected category. For example, unwanted physical contact, foul language, sexually oriented propositions, jokes or remarks, obscene gestures or the display of sexually explicit pictures, cartoons or other materials may be considered offensive to another employee and should not occur.

Sexual harassment may take many forms, including, but not limited to, the following:

1. Conduct that has the purpose or effect of unreasonably or substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
2. Employment decisions made by an officer, boss, supervisor or other employee that are based on submission to or rejection of sexual advances or conduct.
3. Submission to a sexual advance or conduct is either an explicit or implicit term or condition of employment.
4. Other discriminatory harassment include any verbal or physical conduct or communication that shows hostility or aversion toward another because of his/her race, disability, religion, national origin, age, or other legally protected status when such conduct or communication has the purpose or effect of:
	1. unreasonably interfering with or adversely affecting another's work performance; or
	2. creating an intimidating, hostile, or offensive work environment.

Examples of such harassment include, but are not limited to: epithets, slurs, negative stereotyping or threatening, intimidating, or hostile acts that relate to race, age, religion, national origin, disability, veteran status, etc., and written material that is posted or displayed at work that shows hostility or aversion toward another because of race, age, religion, national origin, disability, veteran status, etc.

Retaliation in any form against an individual who makes a report or who cooperates in an investigation of alleged harassment under this policy is also prohibited. Any employee who is determined to have retaliated against another will be subject to appropriate disciplinary action, up to and including termination of employment.

If you experience or witness conduct you believe to violate this policy, immediately report the concern to [Title] or [Title]. All reports received will be investigated in a manner as confidential as possible. The Company will take reasonable steps to keep the identity of the victim and individual accused of harassment confidential during the investigation; however, this may not always be possible. All employees are expected to cooperate fully with any such investigation.

The Company will take appropriate remedial action in the event it determines a violation of this policy has occurred. Any employee who is determined to have engaged in harassment, retaliation, or other violation of this policy will be subject to appropriate disciplinary action, up to and including suspension or termination of employment.

## Alcohol and Substance Abuse

[Farm Name] is committed to having a workplace free from drug or alcohol misuse. With this goal in mind and because of the serious drug abuse problem in today’s workplace, we are establishing the following policy for existing and future employees of [Farm Name].

[Farm Name] explicitly prohibits:

* The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on Company or customer premises or while performing an assignment.
* Being impaired or under the influence of legal or illegal drugs or alcohol away from the Company or customer premises, if such impairment or influence adversely affects the employee’s work performance, the safety of the employee or of others, or puts at risk the Company’s reputation.
* Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from the Company or customer premises, if such activity or involvement adversely affects the employee’s work performance, the safety of the employee or of others, or puts at risk the Company’s reputation.
* The presence of any detectable amount of prohibited substances in the employee’s system while at work, while on the premises of the company or its customers, or while on company business. “Prohibited substances” include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

**Employee Assistance**

[Farm Name] will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or other [Farm Name] policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline, up to and including discharge, will be enforced.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose to [Farm Name] underlying medical conditions unless directed to do so.

*Some dairies may wish to add information about drug testing. Employee drug testing laws vary by state, so owners/managers should consult a licensed attorney before implementing drug testing. A drug testing consent form may be used in such instances. Additionally, laws around searches and investigations vary by state. An example policy is:*

[Farm Name] may search or investigate to ascertain whether this policy is being violated. For example, [Farm Name] may search an employee's purse, desk, office, locker, briefcase, lunch box, car, or other personal property on [Farm Name]'s premises, or may ask an employee to empty his or her pockets where there is a reasonable belief that the employee has violated the alcohol or drug rules.

A refusal to comply with a directive to undergo an alcohol or drug test, or to be searched is grounds for discipline, up to and including immediate discharge. Tampering with a test is also grounds for discipline or termination.

## Smoking

There will be no smoking within 100 feet of any of the hay or straw barns, or wagons. There will be no smoking in the office, the lunch room, the front offices, the parlor, or the shop.

## Personal Phone Calls and Texting

[Farm Name] phones are for business use. The phones may be used occasionally for important personal calls which are local. However, lengthy and regular personal phone calls should not be made. Long distance calls are not allowed on company phones without specific approval by farm management.

Personal cell phones may be used on the farm, but should be reserved for break and lunch times unless there is a personal emergency. Texting on personal cell phones should also be reserved for break and lunch times unless there is a personal emergency. Time on a cell phone, whether it is a call or a text, takes away from time that you have dedicated to the farm and impacts the quantity and quality of your work.

Calling or texting on cell phones while operating equipment or vehicles is prohibited for safety reasons.

## Getting to Work

As an employee you are expected to obtain or arrange for reliable transportation to and from the farm. Reliable transportation ensures that you arrive to the farm on-time for your work shift.

## Company Tools and Equipment

You will be provided with the tools and equipment to do your job on the farm. [Farm Name] will strive to keep these tools and equipment in good working condition so that you can be effective in your job. Your careful use of farm tools and equipment is also expected. If at any time, the condition of the farms’ tools and equipment become a hindrance to the performance of your job, please notify your supervisor immediately.

Use of company tools and equipment for your own personal use is strictly prohibited, without specific approval from the farm manager or owner. In the case that approval is given, it will be for a specific tool and for a specific time. Also, if approval is given, the equipment and tools are expected to be returned in the same working condition as when they were borrowed.

## Company Vehicle Use

Company owned vehicles are to be used for company use only. Exceptions may be made with prior approval by the farm manager or owner and will be for a specific use and time.

Only those with a valid driver’s license of proper classification are allowed to operate any organization vehicles.

Employee responsibilities with issued vehicles are:

1. The vehicle must be kept in good-working, safe-operating condition at all times. Any malfunctions must be reported to the supervisor.
2. The vehicle must be kept clean, inside and out.
3. Only the designated employee is authorized to operate the vehicle.
4. The vehicle is to be used for work purposes only, in a conservative manner, to complete one’s work.
5. The employee will maintain required vehicle logs covering all mileage registered on the vehicle’s odometer and hubometer.
6. Any accident or damage to the vehicle is to be immediately reported to the supervisor and certain written reports may be required for insurance purposes.
7. No unauthorized people will be allowed to ride in organization-owned vehicles.
8. The employee must maintain a good traffic record to continue to operate any organization-owned vehicle.
9. The employee must notify his/her supervisor of any change in their driving record.

Regardless of fault, circumstance, on- or off-duty status, time, or place, any driver who receives a traffic citation from or is arrested by a law enforcement officer, or who is involved in any kind of accident while driving, must inform an appropriate supervisor about the incident immediately or as soon as possible thereafter. Any penalty, fine, imprisonment, fee, or other adverse action imposed by a court in connection with such an incident must be reported immediately to an appropriate supervisor. In both of the above situations, the matter will be reported to the Company’s insurance carrier so that a prompt decision on continued coverage of the employee can be made. The driver involved in an accident or cited by a law enforcement official for violating a motor vehicle law must turn over any documentation relating to such incident as soon as possible to the employer and must cooperate fully with the employer in verifying the information with other parties involved and with law enforcement authorities. While parking tickets will not affect a driver’s insurability, any parking ticket issued on a vehicle that is being used for company business should be reported to an appropriate supervisor at the earliest possible opportunity.

## Handling Visitors and Customers

All visitors and customers are required to report to the farm office prior to touring the farm. We encourage visitation to the farm by the general public and by customers, however for their safety and the safety of our animals, direct supervision of all such visits by a farm employee is required. If you witness any visitor or customer around the farm without direct supervision, please direct them to the farm office and notify your direct supervisor immediately.

*If your farm provides housing for employees, language in this section will need to be modified to recognize the employee housing and your employees’ rights in that housing.*

## Non-Disclosure – Information Security

As an employee of our farm, you may at times have access to confidential information. This could include such things as financial information, business plans, personnel information, records, and other information specific to our farm.

You as an employee are expected to keep this information confidential and should not disclose this information to anyone outside of the farm, except as required by your job. If you have questions as to specific information and its confidentiality, please talk with your direct supervisor prior to sharing it.

## Social Security Number Privacy

In the ordinary course of its business, [Farm Name] obtains social security numbers of employees and other individuals. [Farm Name] will keep all social security numbers confidential to the extent practicable. Access to information or documents that contain social security numbers is restricted to those with a legitimate business reason to obtain and/or use an individual's social security number. Should any document containing a social security number need to be disposed of, such document shall be shredded prior to disposal.

[Farm Name] prohibits the unlawful disclosure of social security numbers, and any employee or other individual found to have unlawfully disclosed another person's social security number or to have violated this policy will be subject to discipline up to and including discharge and/or subject to civil liability and/or criminal penalties.

## Discipline, Dismissal and Conflicts

*Consider carefully what you as a farm may want to have in this section, or if you want to just delete this section. Items you list in this section may impact your “At Will” status unless such status is preserved in the policy. An example policy is as follows:*

[Farm Name] retains the sole right and discretion to determine discipline for unsatisfactory job performance and misconduct. Discipline may include a warning, suspension, loss of benefits, or immediate dismissal. Nothing in this policy changes the at-will nature of employment with [Farm Name].

While not an exhaustive or exclusive list, the following are some examples of the types of actions which can result in discipline up to and including termination of employment:

* Unsatisfactory job performance.
* Unauthorized or repeated absences, tardiness, early quitting, or failure to report absences or provide information.
* Unauthorized time away from work area.
* Failure to meet established quality standards.
* Performing personal work during work hours.
* Failure to meet housekeeping responsibilities.
* Violation of any [Farm Name] policy or guideline.
* Unprofessional, abusive, or disruptive language or behavior.
* Violation of policy against harassment.
* Failure to use safety precautions.
* Lack of attention to job responsibilities.
* Failure to follow prescribed job work procedures.
* Failure to notify supervisor of absence before beginning of work hours.
* Failure to follow supervisor's instructions.
* Violating security rules.
* Violation of the alcohol and drug policy.
* Dishonesty in any form.
* Lack of cooperation in any workplace investigation.
* Lack of courtesy or cooperation with co-employees, customers, supervisors, vendors, etc.
* Unauthorized use of materials, vehicles, or equipment, including telephones, computers, voice mail, e-mail, and other electronic systems.
* Posting or removal of notices, signs, or writing in any form on bulletin boards or Company property without approval.
* Falsifying any records, such as vouchers or reports, related to insurance claims, personal absences, illness, time, production, expenses, and so forth.
* Damaging, defacing, or misusing [Farm Name] property or the property of others.
* Insubordination.
* Theft, misappropriation, unauthorized possession or removal of [Farm Name]'s or another's property.
* Workplace violence or weapons policy violations.
* Inattention to job duties.
* Threatening, intimidating, coercing, or interfering with anyone on [Farm Name] property.
* Acts of animal cruelty.

# Health & Safety

You as an employee of [Farm Name] are very valuable to the farm. Your safety and wellbeing are essential to our success. Our work is never so urgent or important that we cannot take time to do it safely.

## Safety Guidelines

You are expected to dress appropriately each day for the work that you will be performing. For example; loose fitting clothes around moving parts can cause a significant health risk to the employee. We want the workplace to be a safe place. Part of the responsibility for a safe work place lies with employees and includes proper dress and following all safety rules and precautions.

***Example Safety Section:*** *The following is an example of a safety section and should be tailored to the individual farm.*

**Safety Goals**

1. Reduce work time lost due to accidents.
2. Integrate safety into all business plans and operations.
3. Improve communication between employees and management with regard to work place safety.

**Employee Responsibilities**

The employees of [Farm Name] recognize that working safely is a condition of employment. Each employee is accountable for his/her own safety and the safety of those who work around him/her. Employees are expected to:

* assist in developing safe work practices and operating procedures.
* perform work tasks in a safe manner.
* wear appropriate personal protective equipment (PPE) when required.
* report injuries or unsafe conditions immediately to your supervisor
* participate in safety training.

**Management Responsibilities**

The management of [Farm Name] will:

* develop safe work practices and operating procedures with employee input.
* assure that employees are trained to perform tasks safely.
* reduce work place hazards.
* provide appropriate PPE (Personal Protective Equipment) for each employee.
* evaluate employees’ performance, reward excellence and provide direction for improvement when necessary.

**Prevention**

* All injury incidents and "close calls" (incident without injury) will be investigated to determine contributing factors. Measures will be taken to improve prevention efforts through employee training and hazard reduction.
* Employees are encouraged to bring suggestions for improved safety in the work place to the attention of their supervisor without fear of reprisal.

# Animal Care

At [Farm Name] we expect our animals to be treated with proper care. All employees are expected to follow proper animal handling procedures as outlined in the animal handling training provided by [Farm Name]. If at any time you, as an employee, encounter situations in which you are unsure as to how you should handle an animal, please contact your immediate supervisor for assistance and guidance.

If you, as an employee, witness suspected animal abuse you are required to immediately report the suspected abuse to the appropriate supervisor.

# Employee Work Policies

## Definitions of Employee Groups

*List the types of employees that your farm employees (i.e. Full time, Part time, etc.).*

## Job Descriptions

Job descriptions for farm positions are kept on file in the farm office. These are available for review upon request to your supervisor.

## Hours of Work

*Insert into this area the work schedule for your farm, as well as the work week used for payroll purposes.*

## Break Policy

*Insert into this area the break policy for your farm as well as any requirements for employees to log their breaks. State laws vary.*

## Overtime

*Insert into this are the overtime policy for the farm. In general, agricultural workers are exempt from overtime provisions of federal wage laws unless they are involved in handling or selling products taken in from other farmers or suppliers. State laws vary.*

## Attendance and Tardiness

All employees are expected to be on-time for their scheduled hours of work and for farm meetings. If you are not able to make your work shift, or attend a scheduled meeting, you must notify your supervisor previous to that event.

[Farm Name] expects all employees to conduct themselves in a professional manner during their employment. This includes practicing good attendance habits. All employees should regard coming to work on time, working their shift as scheduled, and leaving at the scheduled time as essential functions of their jobs, i.e., good attendance habits form an integral part of every employee’s job description.

Among other things, “good attendance habits” mean the following:

* appearing for work no sooner than 5 minutes prior to the start of the shift and no later than the start of the shift;
* being at your work station ready for work by the start of the shift;
* remaining at your work station unless the needs of the job require being elsewhere, except during authorized breaks (including restroom breaks);
* taking only the time normally allowed for breaks;
* remaining at work during your entire shift, unless excused by a supervisor;
* not leaving work until the scheduled end of your shift, unless excused by a supervisor;
* leaving promptly at the end of your shift, unless you have been given advance permission from your supervisor to work past that point; and
* calling in and personally notifying your supervisor or another member of management if you are going to be either absent or tardy, unless a verifiable emergency makes it impossible for you to do so (see “Notice of Absence or Tardiness” below for details).

Under some circumstances, absence or tardiness on your part may be excused, but only if you give proper notice of such a problem before the start of your shift. [Farm Name] needs advance notice of attendance problems so that other arrangements can be made to cover your absence, if necessary. “Proper notice” means that you call [Farm Name] at a designated number for such calls prior to the start of your shift and personally notify your supervisor or another member of management about the problem, unless a verifiable emergency makes it impossible for you to do so. It is not sufficient to call in and leave a message with a coworker or someone else who is not in a supervisory position. Office staff have been instructed to route all such calls to supervisory personnel. All supervisors and managers have been advised to make themselves available to take calls such as these, so there should be no reason to worry that you will not be able to reach an appropriate person to advise of your attendance problem. Similarly, the [Farm Name’s] telephone system has been set up to allow your calls to go through promptly and to not route you to an answering machine. If you fail to give proper notice of attendance problems in advance as explained in this policy, you may be subject to disciplinary action, up to and possibly including discharge.

## Outside Employment

As an employee of [Farm Name], you are expected to meet your employment obligations to [Farm Name] regardless of any other employment you may have.

## Working in Poor Weather

Farming often requires that we work in adverse weather conditions. Employees should dress appropriately for the weather.

## Holidays

*Insert into this area the holiday schedule and policy for the farm. Example:*

Time and a half will be paid for working on five of our major holidays (New Year’s Day, Easter, Fourth of July, Thanksgiving, and Christmas).

## Paid Time Off

*Insert into this area the paid time off policy for the farm. State laws vary. Carefully consider the content of this section, as it can determine compensation owed an employee after termination. Example:*

Vacation is earned based on an employee's hours worked. Employees earn .04 hours of vacation for each hour worked. When calculating vacation time for an employee, an employee must work 1400 hours before earning his/her first 60-hour paid vacation. That works out to .04 vacation hours for every hour worked. (60 hours vacation divided by 1400 hours worked.) If you work a lot of hours you will earn a vacation faster. If you work fewer hours you will earn a vacation slower. You must have at least 60 hours earned before taking your first vacation. You can accumulate vacation time up to 180 hours. Any hours over 180 hours will be lost. You may string your vacation weeks together but you cannot split up your 60 hours into separate days of vacation.

We at [Farm Name] want the employee to get away from the farm for a minimum of five days, have a break, and enjoy his/her vacation and to come back refreshed and ready to work.

An employee must request his or her vacation before the schedule is made up on the 20th of the month previous. It also works much better if members of the field team are able to schedule their vacations outside the busiest seasons. (April 15 to June 15) All vacations are to be listed on the calendar next to the bulletin board, and are subject to the approval of [Farm Name] based on its assessment of business needs.

Upon termination of employment for any reason, an employee [*choose: is OR is not*] eligible for payout of accrued, unused vacation.

This section can be used to cover all of the areas that you may wish to allow employees to use Paid Time Off. This could include Illness, Jury Duty, Bereavement, Religious Holidays, Voting, School Functions, etc. These days could also be included in Vacation Days (Section 6.8) and change the title of that section to Paid Time Off.

## Unpaid Leave of Absence

*Will the farm provide an opportunity for Unpaid leave? If so, under what conditions and for how long?*

*Employers with 50 or more employees for each working day during each of 20 or more calendar* *workweeks in the current or preceding calendar year must comply with the Federal Family and Medical Leave Act (FMLA). Additional information can be found at: http://www.dol.gov/whd/fmla/*

*An example FMLA policy is as follows:*

Family and Medical Leave Act (FMLA)

We provide leave to eligible employees as required under the Family and Medical Leave Act. We have posted the FMLA General Notice on our notice posting boards. The FMLA and its regulations are long and detailed. This policy sets forth the key components of how FMLA leave will work under our policy. Both you and we retain all of our rights and obligations set forth in the FMLA and its regulations whether or not such rights and obligations are set forth in this policy. If you have any questions about FMLA leave or our respective rights and obligations regarding FMLA leave, please contact [Title].

1. Eligibility

You are eligible for FMLA leave under this policy if you have worked for us for at least 52 weeks (which do not have to be consecutive weeks), have worked a minimum of 1250 hours over the previous 12 months, and work at a facility that employs at least 50 employees, or at least 50 employees are employed by us within 75 miles of that facility.

1. Length of Leave and Reason for the Leave

We will provide eligible employees up to 12 weeks of FMLA leave during any [choose: rolling 12-month period looking backwards OR 12 month calendar year] for any or a combination of the following reasons:

* 1. Birth of a son or daughter, and in order to care for such newborn son or daughter.
	2. Placement of a son or daughter with you for adoption or foster care.
	3. To care for your spouse, son, daughter, or parent, if such spouse, son, daughter, or parent has a serious health condition;
	4. A serious health condition that makes you unable to perform the functions of your position.
	5. A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency operation.

Leave taken for one or more of these five reasons, when combined together, may not exceed 12 weeks during the applicable 12-month period.

We will provide eligible employees up to 26 weeks of leave during a "single 12-month period" to care for a covered family member (spouse, son, daughter, parent, or next of kin) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces and that may render the service member medically unfit to perform his or her duties, and for which the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status; or is on the temporary disability retired list.

The "single 12-month period" to care for a covered service member who was injured or became ill in the line of duty begins on the first date of such leave and ends 12 months later. Leave to care for an injured or ill covered service member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in the applicable "single 12-month period."

1. Intermittent and Reduced Schedule Leave

FMLA leave may be taken all at once or may be taken in parts, including what is referred to as "intermittent" leave or "reduced schedule" leave. Intermittent leave is leave taken on multiple occasions due to a single qualifying reason. Reduced schedule leave is a leave that reduces your regular workday or regular workweek for a period of time. If you need intermittent or reduced schedule leave that is foreseeable due to planned medical treatment, we may temporarily transfer you to another position that better accommodates the recurring leave or reduced schedule. The Company [choose: does/does not] permit intermittent or reduced schedule leave due to birth, adoption, or foster care placement.

1. Request for Leave

An FMLA request must be made in writing 30 days in advance if the leave is foreseeable. If the leave is not foreseeable, the request must be made as soon as practicable. All such requests must be made to your supervisor/manager and to the Human Resource Department. When leave is needed for planned medical treatment, you must attempt to schedule treatment so as not to unduly disrupt your work day and our operations. Failure to provide appropriate notice to us may result in a delay in granting you FMLA leave and the treatment of absences as attendance occurrences.

1. Response to Request for Leave

When you request FMLA leave, we will provide you with an Eligibility and Rights and Responsibilities Notice (WH 381) which will indicate whether or not you are eligible for FMLA leave. This notice will indicate what your responsibilities will be if certified for FMLA leave and what your rights are with respect to the leave. We will also attach to the Eligibility Notice the appropriate Certification Form: WH 380-E (Employee Serious Health Condition); WH 380-F (Family Member Serious Health Condition); WH 384 (Qualified Exigency Certification); or WH 385 (Service Member Serious Injury/Illness Certification). It is your responsibility to have the appropriate persons fully complete the certification form and to return the completed certification form to us no later than fifteen (15) calendar days after we provided the form to you.

If you plan to take intermittent leave or work on a reduced schedule, the certification form must also include the dates and duration of the intermittent or reduced schedule leave, and a statement regarding why such leave is necessary. We will not accept any certification form that is returned but not fully completed. You will be provided written guidance regarding which part(s) of the certification form is incomplete and be given seven (7) calendar days to cure any deficiencies. Until the appropriate certification form is timely completed and submitted, your FMLA leave will not be approved.

Normally, within five (5) business days after a certification form is timely completed and returned, we will give you written notice stating whether your FMLA leave is approved. If you request a leave of absence for FMLA qualifying purposes but do not expressly request that the leave be counted as FMLA leave, we will nonetheless designate such leave as FMLA leave. We will use the FMLA Designation Notice ( WH 382) to notify you if you are approved for FMLA leave.

If we have reason to doubt the validity of a medical certification form, we may (at our own expense) obtain a second opinion. Re-certification may be required in accordance with applicable law. Upon return from FMLA leave due to your own serious health condition, we will require you to provide a fitness for duty certification.

1. Pay and Benefits While on Leave

FMLA leave is unpaid, unless you are eligible for other applicable paid leave, in which case you may elect or [Farm Name] may require you to use such paid leave as a part of your FMLA leave. If you receive Company-provided health benefits, you will receive the same health care benefits during FMLA leave that you would have received had you not been on leave. You remain responsible to pay your portion of the monthly premiums for such benefits. It is your responsibility to contact [Title] to make arrangements suitable to us for making such payments.

1. Return from Leave

Upon return from FMLA leave, you will generally be restored to the position you held when your FMLA leave commenced or to an equivalent position, with equivalent employment benefits, pay and other terms and conditions of employment. Taking FMLA leave will not result in the loss of any employment benefit accrued prior to the date upon which leave commenced. However, you will not be entitled to any right, benefit or return to your position of employment to which you would not have been entitled had you not taken the leave. If you plan to return from FMLA leave prior to the originally scheduled date of return, you will be expected to give us two (2) business days' notice of your intent to return. If you are unable to return to your position prior to the time when you exhaust your available FMLA leave time, we cannot guarantee that you will be returned to your former or an equivalent position or to any other position for which you are qualified.

1. Coordination with Attendance / Other Leave Policies

If you are absent from work for an unforeseeable reason that may also qualify for FMLA leave, you may request that such absence be treated as FMLA leave, provided that the request is made as soon as practicable. If FMLA leave is not requested or is not granted, we will treat the unplanned absence under our attendance policy. For any unscheduled FMLA absences, you must continue to comply with our policy regarding calling in your absences and are subject to discipline if you fail to comply with our call in policy. An absence which qualifies as any other form of leave or time off in addition to FMLA (i.e. an FMLA qualifying absence that is also worker's compensation leave or is taken as vacation) will run concurrently under both or all applicable policies. Such time will be designated as FMLA leave and counted toward your FMLA allotment.

Fraudulent Use of FMLA Leave

We will not unlawfully interfere with, restrain, deny the exercise of any right, discharge or discriminate against any employee covered by the FMLA. However, fraudulent use of FMLA leave will result in your discharge from employment.

## Parental Leave

*This again is optional unless the farm is bound by the FMLA (see above Unpaid leave section) or state law. Optional Wording if the farm is not bound by FMLA or state law but still wishes to provide Parental Leave:*

Parental leave with pay of up to [Number] weeks is available for the birth/adoption of a child. Parental leave is used for the birth of a child and the adoption of a child. For adoption, the child must be under age 6. Parental leave is not available for foster care. Parental leave can be applied before or after the birth. For adoption, Parental Leave can be used only after an adoption date has been set. [Other provisions/restrictions]

# Employee Pay Information

## Recording Your Hours and Reporting Pay Concerns

All regular full time (non-salaried) and part time employees are required to use a time clock. Employees are required to punch in at the beginning of their shift, punch out for lunch, punch back in when returning to work from lunch, and punch out at the end of the day.

[Farm Name] complies with the minimum wage, overtime pay, and other requirements of federal and state wage and hour laws. [Farm Name] prohibits any violations of such laws, including the failure to pay nonexempt employees for overtime and the making of improper deductions from the salaries of exempt employees. If you believe that this policy has been violated, you should report it immediately to [Title] or [Title]. [Farm Name] will promptly investigate your complaint, and correct any error or violation confirmed to have occurred.

[Farm Name] prohibits retaliation against a person who has made a report under this policy in good faith, or who has cooperated in [Farm Name]'s investigation of a report under this policy. Any employee who engages in in retaliation will be subject to disciplinary action, up to and including termination.

## Pay Day

*Pay day laws vary by state; farms must check state laws. An example pay day policy is included below:*

[Farm Name] pays employees on a two week pay period. The end of the pay period is every other *Wednesday* morning. Time sheets are collected on that *Wednesday* morning and processed. Paychecks will be delivered to the farm on *Friday* morning.

*Special rules apply for hand-harvesters and Migrant and Seasonal Workers. Also consult with your attorney reviewing your farm employee handbook.*

## Cash Advances

Cash advances are generally not provided.

## Incentives

Incentives may from time to time be developed by the farm in order to encourage the fulfillment of farm goals. As of this Employee Handbook version, the following incentive(s) are available:

*[List Here]*

# Employee Job Performance

## Performance Review

 [Farm Name] conducts a performance review with each employee every year. This is an opportunity for the supervisor to complement those areas where employee performance was exceptional, and to address performance areas that need improvement. The Performance Review is also an opportunity for you, the employee, to share suggestions, ask questions, and be constructively critical of management, procedures, facilities and equipment. This is a business that is based on employee success. If there is input that you can provide that will lead toward more success in your job and for the farm, we want to hear from you.

## Bonuses

*The Employee Handbook can list out the bonuses that the farm offers. Consult with the attorney reviewing your handbook as bonuses may be*

*The following is an example of a description of bonuses offered:*

Year End Bonus

Year-end bonuses will be tied to the profitability of the farm. In a good year bonuses will be paid out on the basis of a percentage of the employee’s annual gross wage. In a bad year, bonuses will not be paid. Bonuses will be paid prior to Christmas to all employees on the payroll at that time.

Quality Bonus

Milk Quality Bonuses will be paid to regular employees that work with our milking herd. The milk quality bonus will be divided equally among the dairy employees as follows:

Shift Differentials

If an employee works the night shift [x time to x time] then he/she is eligible for an extra X per hour worked during that shift.

## Raises and Promotions

Raises and promotions shall be determined by the supervisory managers at [Farm Name]. Raises and promotions will also be contingent upon a satisfactory performance review.

## Training and Career Development

*Consider whether you wish to include a statement in support of training/education and/or a financial budget for such activities. An example policy is as follows:*

[Farm Name] believes in the continuing development of all of our team members, employees and management as well. We believe that professional and personal growth are both important. In order to encourage continuing education, we provide each team member with $500 annually to use for professional or personal development. This could be training around a specific skill that may help you with your job or it may be training that you wish to attend that relates to a favorite hobby. We ask that you present you request to your supervisor for pre-approval, and then we ask that you share back with us how the training helped you.

In addition to this employee directed improvement, [Farm Name] may from time to time ask that you attend a specific training. In these cases of farm directed professional improvement, we will cover the cost of your attending the event, and also pay you an eight hour day’s pay for each day spent at the training.

# Employee Benefits

## Health Benefits

[Farm Name] provides health insurance benefits as described below.

*Insert the specifics of your health care plan if applicable. Name of Insurance Company and Coverage Name/ Single, or Family Coverage? Employee Co-pay of premiums? If the employee waives the coverage do they get a bonus in their check every month?*

*This section may be impacted by the Federal Affordable Care Act, and is dependent upon the number of employees that you have in your farming operation.*

## Workers Compensation Insurance

*Insert the specifics of your workers compensation insurance and the procedures for reporting an applicable injury or illness.*

## Retirement Benefits

*Insert the specifics of any retirement benefits. Do employees have access to a 401(k)? What are the terms of eligibility – are they eligible on day 1? After 3 months? Does the employer provide matching contributions? Are the employer contributions immediately vested, or is there a vesting schedule?*

## Termination Benefits

*Include a description of the pay policy upon termination.*

If you voluntarily leave employment with [Farm Name] you will be paid all wages due to you on the regularly scheduled payday.

If you are discharged from employment with [Farm Name] you will be paid all wages due to you as soon as the amount can with due diligence be determined.

*If applicable, the farm may also wish to include information about its severance pay policy:*

If it is determined that it is in the best interest of [Farm Name] to terminate an employee’s employment with the farm, [Farm Name] will provide [XXX] weeks’ severance pay at termination. The employee will be required to sign a separation agreement including a release of claims and other standard provisions as a condition of payment.

## Housing Benefits

*Farms need to follow all applicable state and federal labor housing laws if providing this benefit. Unless housing is a condition of employment (and cannot be exchanged for additional pay), is furnished on your business premises, and is furnished for your convenience, it is subject to income tax. Employers also need to follow all applicable Federal and State wage laws.*

*For Migrant and Seasonal Agricultural Workers special rules apply under the Migrant and Seasonal Worker Protection Act (MSPA). These rules affect Safety and Health of Housing; Disclosure; Wages, Supplies and Working Arrangements; Transportation Safety; and Recordkeeping, Reporting, Notices and Posters. For more information on your employer obligations under MSPA please visit:* [*www.dol.gov/compliance/guide/mspa.htm*](http://www.dol.gov/compliance/guide/mspa.htm)*.*

# Conclusion

[Farm Name] welcomes you to our farm. We hope that you will find your employment with us to be fulfilling, rewarding and challenging. We hope to develop a work environment that encourages teamwork, while also allowing for the open sharing of ideas and constructive criticism with the goal of increased prosperity for you and the farm. If you have any questions please feel free to ask.

Thank You and Welcome to our Team!

*Handbook Acknowledgment*

*To be maintained as a separate document.*

I have received the [Farm Name] employee handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it. I also understand that I am employed on an at-will basis, meaning that either I or [Farm Name] remain free to choose to end our work relationship at any time for any reason. Nothing in the Handbook in any way creates a contract or implied contract of employment between [Farm Name] and me. Further, I understand that only the [Title] of [Farm Name] has any authority to enter into any agreement contrary to the provisions in the Handbook, and that any such agreement must be in writing and signed by [Title].

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Signature