

The Environmental Revolution Affects Employment Practices

By

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While there are many good reasons to be environmentally innovative in workplace practices, the following are some examples of possible danger areas.

In an effort to reduce paper, can an employer require all employees to accept direct deposit of their paychecks? Yes, with some exceptions. Maine law defines “wages” to include “compensation paid through a direct deposit system, automated teller machine card or other means of electronic transfer”. However, the employee has to have the option to either make an initial withdrawal of the entire net pay without additional cost to him/her or to choose another means of payment that involves no additional cost to him/her.

Can an employer maintain a paperless personnel file? Maine law says that personnel records can be maintained in any form, including electronic. However, the employer must have in place safeguards to ensure the integrity and confidentiality of the information. Thus, access to the electronic records must be just as limited as access to the paper file. If an employee requests a copy, he/she must either be able to access the computer records or be given a copy. Employers must also be cognizant of requirements for other required records, including pay records for all non-salaried employees, and ensure they are complying with state and federal requirements for such records.

Can an employer maintain and disseminate employee handbooks in electronic form? Generally, yes, as long as employees have access to that format. It is good practice to maintain a record of when the policies were distributed and opened by each employee. For certain policies, however, such as that barring unlawful harassment or any new policy that has a significant impact on employee rights or responsibilities, it is good practice to also hand it out at least once and perhaps each year. This will depend on the nature of the policy and whether state or federal law has specific requirements about dissemination.