

# Texas Business Today

Joe Esparza  
Commissioner Representing Employers

May 2024

Welcome to the May issue of *Texas Business Today*!

As we approach the end of another successful school year, I am fortunate to continue meeting with business leaders, local workforce development boards, and employers in the Lower Rio Grande Valley, Gulf Coast, East Texas, North Texas, and West Texas. Along the way, I've heard one message echoed across the state – we have a bright and driven workforce emerging from our high schools and colleges.

Employers have the unique opportunity to engage these young Texans with internships, apprenticeships, and other work-based learning programs to guide them to career success and self-sufficiency. It has been rewarding to visit two-year colleges to present grants that will provide enhanced training opportunities for students and employees.

I encourage Texas employers to partner with local schools and colleges to upskill and reskill workers to fill their growing workforce needs.

Let's keep Texas the best place in the nation to live, work, and do business!



A stylized, handwritten signature in black ink, consisting of a large 'J' and 'E' followed by a long horizontal line.

**Joe Esparza**  
**Commissioner Representing Employers**  
**Texas Workforce Commission**

## **Texas Business Minute**



[Click here to watch the video](#)

---

## **Texas Conference for Employers**

*Join us in Nacogdoches on Friday, May 17, 2024*

*or Lubbock on Friday, May 31, 2024*



**[Register Today!](#)**

---



## **Disgruntled employees - How to handle an employee's refusal to sign workplace policies or warnings?**

**By: Jikku John**

Legal Counsel to Commissioner Joe Esparza

A common occurrence, routinely seen amongst employers, is an employee's refusal to sign workplace policies or warnings. Although employers cannot force an employee to sign its required documentation, this article provides tips and strategies that employers can utilize when an employee refuses to sign workplace policies or warnings.

### **Mandatory Staff Meetings**

One way to combat an employee's refusal to sign a company policy would be through mandatory staff meetings. Prior to the meeting, employers should publish the agenda for the meeting, which specifies that an item for discussion will be the distribution and analysis of the new workplace policy. Similarly, a proper attendance log should be maintained such that the employer preserves/retains proof of who was in attendance.

When it comes time to discuss the work policy, the manager in charge should distribute the policy to everyone in attendance. The policy should be discussed thoroughly, such that its contents are sufficiently explored.

Upon providing sufficient time for employees to review and answer any questions concerning the policy, the employer should distribute copies of the policy acknowledgement form and have its employees sign and acknowledge the document. An individual in a managerial or supervisory position should thereafter collect the acknowledgement form and keep it in the employee's file for documentation purposes.



After the meeting, the employer should publish the minutes of the meeting. Special emphasis should be taken to show that the policy was discussed, individuals in attendance received a copy, and finally, that employees were asked to return a signed acknowledgement of receipt. A sample acknowledgment form can be found

here. See

[https://efte.twc.texas.gov/acknowledgment\\_of\\_receipt\\_of\\_employee\\_handbook.html](https://efte.twc.texas.gov/acknowledgment_of_receipt_of_employee_handbook.html).

### **Computer Acknowledgment Screens**

Another method to tackle an employee's refusal to sign the employer's policy is through publishing the new workplace policy on the employer's computer login page. The employer should work with their IT department to make sure that the option to click the prompt detailing acknowledgment only appears after the employee scrolls to the end of the new policy.

### **What about warnings?**

An employee's refusal to sign a warning admitting fault can lead to a thorny, and oftentimes, an awkward situation for the employer. One of the most tried and true methods to combat such a situation is by providing two spaces for the acknowledgement of a warning—one which states "I agree with the reason for the warning" and another "I disagree with the reason for the warning." When the employer provides the warning, afford the employee the option to choose and sign either of the two choices. If the employee does so, then they will be unable to make a credible claim that they never saw the warning.

Finally, if the employer provides a work-related warning, they should make sure that a company witness is present for the meeting in which the warning is provided. Having a qualified witness will not only suppress any attempted allegation of non-receipt, but the witness's firsthand testimony at a later unemployment hearing could quash a claimant's possible claim of alleged signature forgery. The employer should make sure that they give the employee a copy of the warning prior to, or immediately after, the termination of the meeting.

### **Conclusion**

For questions about this issue, or any other employment-related matters, employers can call our employer hotline at: 1-800-832-9394, or email us at:

[employerinfo@twc.texas.gov](mailto:employerinfo@twc.texas.gov).

---

# TEXAS EMPLOYER HOTLINE

## 1-800-832-9394

Hiring Issues · Medical Leave-Related Laws · Personnel Policies and Handbooks · Independent Contractors and Unemployment Tax Issues · The Unemployment Claims and Appeals Process · Texas and Federal Wage and Hour Laws



**Employer Hotline Hours: M-F, 8am-5pm**

*Information provided by employment law attorneys in the Office of the Commissioner Representing Employers at the Texas Workforce Commission*

### **Texas Business Today is provided to employers free of charge**

Texas Business Today is a monthly update devoted to a variety of topics of interest to Texas employers. The views and analyses presented herein do not necessarily represent the policies or the endorsement of the Texas Workforce Commission. Articles containing legal analyses or opinions are intended only as a discussion and overview of the topics presented. Such articles are not intended to be comprehensive legal analyses of every aspect of the topics discussed. Due to the general nature of the discussions provided, this information may not apply in each and every fact situation and should not be acted upon without specific legal advice based on the facts in a particular case.

### **Connect with the Office of the Commissioner Representing Employers**

Email: [employerinfo@twc.texas.gov](mailto:employerinfo@twc.texas.gov)  
Mail: Commissioner Representing Employers  
101 E. 15th St., Rm 630  
Austin, TX 78778