

Best Practices in Human Resources Programs

A Compliance Checklist



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Companies are subject to many regulations regarding job applicants and employee. KPA's Human Resources Management solution provides forced compliance of regulations and a full range of essential human resources functions including hiring, employee management and training, and termination. This checklist itemizes some of the procedures, documents, and training required by businesses.

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Organizational Information and Policy
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have a federal identification number?
			How many employees does the organization have?
			Full-time _____
			Part time _____
			Temporary positions _____

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the company maintain an attorney on retainer or on call for human resources questions?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Employee Handbook
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have an updated personnel policy manual?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has it been reviewed by an attorney?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the manual contain a disclaimer that the manual is not intended to be a contract and that employment is at will?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the manual contain a provision that indicates that any policies or practices may be modified at any time?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization always comply with its written personnel policies and procedures?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the handbook require an employee signature upon each viewing, including updates?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If more than 15 employees, does the organization have an alcohol and drug abuse policy?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Job Descriptions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have current job descriptions for all employees?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do the job descriptions clearly specify in detail:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Responsibilities?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Essential job functions?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reporting relationships?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personnel Records
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization maintain a personnel file for each employee?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the information that identifies employees' physical or mental disability or veteran status kept in a separate file?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization keep a record of changes in employee status, such as promotions or leaves of absence?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are medical records or records containing medical, insurance, or benefits information maintained separately from other personnel records and privacy protected?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are I-9 forms kept in a location separate from other personnel records?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there security procedures in effect to protect employee privacy?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are I-9 forms maintained for three years after the hire date or one year after the date of termination, whichever is later?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization maintain all other personnel records for at least four years?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State and Federal Requirements
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization post or provide to its employees the required employment notices, including the following:

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State Unemployment Compensation Act

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State Minimum Wage rules

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fair Labor Standards Act

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Employee Polygraph Protection Act

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Family Medical Leave Act

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Americans with Disabilities Act

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Equal Employment Opportunity Commission

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	OSHA

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	State Worker's Compensation Act

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization always comply with workplace safety laws?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is anyone under 18 years of age employed?

Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If so, is the organization in compliance with legal requirements regarding the employment of minors?

Yes | No | Don't Know

Application and Hiring

- Are applicants required to complete each and every question on the employment application form and then sign an employment application?
- Does the application form exclude any questions or specifications as to the applicant's race, ethnicity, religion, sex, age, national origin, ancestry, physical/mental disability, or any other categories protected by federal or other state and local law?
- Does the organization use language in job advertisements that is sex, race, and age neutral?
- Does the organization use recruiting methods that do not discriminate or exclude persons because of their race, sex, age, or national origin?
- Does the application inform the applicant that employment with the organization is at will?
- Does the organization require an applicant to consent in writing to a reference, drug, and criminal background check?
- Are all required background checks and tests completed at the appropriate time in the hiring process?
- Is a record kept of all reference and criminal background checks and drug test results?
- Are applicants notified that they will be required to submit proof of eligibility to work in the United States within 3 days following the commencement of employment?
- If an applicant is rejected due to a background, drug or criminal check, are the required procedures followed in informing the applicant of reasons for rejection?

How are employees selected?

- Preliminary screening
- Interview by committee:
- Interview by supervisor:
- Other: _____

Yes | No | Don't Know

- Are the interviewers properly trained to avoid discriminatory pre-employment inquiries?
- Does the organization use an interviewer checklist to ensure a consistent interview process?
- Does the organization dispose of the interviewer checklist in the mandated manner after completion of the interview?
- Are references checked and a record kept?
- Does the organization have a standardized offer procedure?
- Does the procedure make clear that an offer of employment does not create an expectation or a right to employment for any specified length of time?
- Does the procedure make clear the organization's right to change the terms and conditions of employment?

Training

- Is training provided to supervisors regarding employment actions that could generate lawsuits, such as harassment (including sexual harassment), discrimination, wrongful discharge, defamation, assault and battery, false imprisonment, and other unlawful policies?
- Are all employees trained regarding unlawful harassment and discrimination?
- Are employees trained on safety procedures?
- Do employees verify in writing that they have attended training programs?
- Does the company have proof that each new employee has completed the required training program?

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Yes	No	Don't Know		Yes	No	Don't Know	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Performance Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If so, does the procedure provide a by-pass from the supervisory chain if a supervisor is the alleged harasser?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have a standardized evaluation system based on job-related objective criteria?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there anti-retaliation policies in place?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization conduct evaluations annually by a person familiar with the employee's performance and keep a written record?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Leaves of Absence/FMLA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization train supervisors on how to conduct consistent evaluations and give constructive feedback to employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization keep attendance records?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization use an evaluation and promotional system that gives all employees an equal opportunity for advancement or promotion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are leave policies applied consistently to all employees?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are employees required to sign an acknowledgment that they received the performance review?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the organization has more than 50 employees, are employees given notice of entitlement to take up to 12 weeks of unpaid leave under the Family and Medical Leave Act?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have a process for employees to comment or appeal an evaluation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Termination
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have a procedure to give an employee notice of deficiencies and an opportunity to improve, with a reference to applicable section of employee handbook?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization have procedures for termination of employees?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are all employees treated similarly with regard to performance measurements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are exit interviews conducted for terminating employees?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the procedure include written notification to the employee that continued egregious conduct and failure to correct actions could result in discharge, and acknowledgement of such notification by employee?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization retain terminated employees' records for four years?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Complaint procedure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the organization utilize consistent documentation and procedures for terminations?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there a confidential and anonymous procedure for airing and resolving employee complaints and gathering a complete report by the employee on each complaint?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are termination decisions reviewed by higher-level management or a committee prior to implementation?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there a procedure for raising sexual harassment and discrimination claims?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are terminations handled as confidentially as possible?
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are terminations properly documented regarding prior infractions and disciplinary procedures?
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If more than 20 employees, does the organization provide information on COBRA rights?

About KPA

KPA is a dealer services and Internet marketing provider for over 4,000 automotive, truck, and equipment dealerships and service companies. KPA provides consulting services and software for three industry-specific product lines: Environment & Safety, HR Management, and Internet Marketing.