

## **DOCUMENT/ISSUE CHECKLIST – THE BASICS**

### **Employment Advertisement & Recruiting Forms and Processes**

### **Employment Application and Related Forms**

### **Employment Interview Questionnaire/Forms**

### **Background Checks and Fair Credit Reporting Act policies and forms**

- Compliance with local/state requirements, as applicable
- Compliance with FCRA procedures

### **New Hire Reporting Obligations**

### **Job Descriptions**

- Exempt/Non-Exempt Status

### **Employee Handbooks:**

- Disclaimer
- Distribution process
- Acknowledgment of receipt forms

### **Forms, policies, and procedures on the following subjects:**

- EEO policy
- Discrimination and/or harassment policies
  - Required Training
- ADA policy
- Nursing Mothers policy
- Family and Medical Leave Act
- State leave mandates (paid and unpaid)
- Other medical/disability leave
- Contagious disease/COVID-19/AIDS policy
- Vacation, holidays, sick, personal days, etc.
- Jury duty leave
- Military duty leave
- Bereavement leave
- Other unpaid leave policies
- Substance abuse/drug testing policy

- Smoking policy
- Standards of conduct/work rules
- Internal complaint/grievance procedure
- Discipline policies and procedures
- Termination of employment, including exit interview procedures
- Reduction in force/layoff procedures and forms
- Severance pay/early retirement
- Polygraph testing
- Nepotism
- English-only rules
- Appearance policies (hair, clothing, etc.)
- Responding to reference checks and requests
- Record retention policy (if any)
- Hours of work and overtime
- Pay policies
- Classifications of employment
- Exempt employee pay policy
- Meal and rest break policy
- Expense reimbursement policy
- Equal pay policy
- Compensation and time tracking policies
- Privacy in the workplace
- Workplace search and monitoring policies
- Workplace violence
- Business travel
- Attendance
- Use of company property
- Electronic communication, internet and social networking
- Confidentiality
- Conflicts of interest
- Solicitation and distribution and plant access rules
- Union free initiatives, if applicable
- Tuition assistance and other misc. voluntary benefits
- Any other significant personnel policies or procedures

### **Performance appraisal forms and process (by department/position)**

### **Forms and procedure used for employee Discipline**

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**Forms and process used for employee Termination/Separation**

- Payout process at termination (i.e., accrued but unused vacation)
- Timing of final check
- Severance agreements
- References
- Outplacement services

**Forms, policies and procedures re: OSHA and Workplace Safety**

**Forms, policies and procedures for Work Related Injury/Illness**

**Contracts with Independent Contractors**

**Employment Agreements & Private Arbitration Agreements**

**Non-competition/Non-solicitation/Confidentiality agreement(s) with employees**

- Validity of terms in light of current law
- Validity of consideration in light of current law

**Personnel Record practices**

**Recent employee attitude/feedback survey(s)**

**COBRA forms and procedures**

**Employee Benefits/Executive Compensation, as applicable**

- 401(k)
- Health/life/disability insurance
- Severance, etc.
- Deferred compensation programs
- ERISA plan document compliance
- Stock Options
- Executive compensation agreements
- ESOPs

**Federal and State Employment Law Posters and Mandatory Notices**

**I-9 Forms (random samples)**

**E-Verify compliance, if applicable**

**Sample Time Card or hours tracked forms & related Payroll Registers**

- Guidelines provided by timekeeping and pay vendors
- Rules entered into timekeeping and pay systems
- Paystub content
- Compliance with minimum wage, overtime, salary threshold, meal periods, etc.
- Prevailing wage compliance

**Current Union contracts and fringe benefit fund obligations, if applicable**

- Geographical and work jurisdictions
- Expiration/Notice Periods for each union contract
- Sample monthly benefit contribution reports
- Subcontracting requirements of union contract
- Subcontractor compliance with union contract/standards
- Subcontract terms as to union/fund obligations
- Subcontractor invoices/records
- Employee roster (e.g., supervisors who were prior bargaining unit members, retirees returning to work, shop employees, etc.)
- Employee job descriptions
- Job records (time cards, hour logs, etc.)
- Travel and expense records
- Withdrawal liability

**Current Staffing Agency contracts, if applicable**

**Current HR vendor contracts**

**Counter Union Organizing plan/initiatives, if applicable**

- Communications from labor organizations
- Comparison of wages/benefits to area competitors
- Supervisor education and training
- Employee education and feedback

**Affirmative Action Plan review and update, if applicable**

- Self-Identification Forms
- Applicant Tracking
- Job Description tag lines
- Unemployment Listing for non-management positions

- Recruitment and Outreach

**EEO-1 Reporting processes, if applicable**

**Equal Pay compliance practices/Compensation plans**

**Local, state and federal Payroll and Non-payroll Tax compliance**