

# HUMAN RESOURCES COMPLIANCE AUDIT

Company: \_\_\_\_\_

Number of Employees: \_\_\_\_\_

State(s) in which company has employees: \_\_\_\_\_

## Recruiting & Interviewing Procedures

### Recruiting

1. Review Job Descriptions for all categories of employees  \_\_\_\_\_
2. Update descriptions over 2 years old  \_\_\_\_\_
3. Review for exemption status  \_\_\_\_\_
4. Review for ADA/FEHA status  \_\_\_\_\_
5. Review language in marketing of job openings and postings  \_\_\_\_\_
6. Review of all recruiting procedures  \_\_\_\_\_
7. Provide sample job descriptions, as necessary  \_\_\_\_\_

### Employment Application Review

8. Compliance with Federal & State Discrimination Laws  \_\_\_\_\_
9. At-Will Statement  \_\_\_\_\_
10. Compliance with Disability Issues (ADA & FEHA)  \_\_\_\_\_
11. Authorization for Background Check, Drug Test, References Check  \_\_\_\_\_
12. Provide employment application, as necessary  \_\_\_\_\_

### Interviewing Process

13. Consistency in interviewing (who interviews)  \_\_\_\_\_
14. Review of Interview Questions  \_\_\_\_\_
15. Selection Process  \_\_\_\_\_
16. Review of how hiring decisions are made  \_\_\_\_\_
17. How/When Background Checks are administered  \_\_\_\_\_
18. How/When Drug Screens administered  \_\_\_\_\_
19. Review skill/aptitude test procedures  \_\_\_\_\_

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## Reference Checks

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- 20. Review questions asked  \_\_\_\_\_
- 21. Ensure compliance with California Labor Code  \_\_\_\_\_

## Hiring Procedures

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### Job Offer

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- 22. Review Job offer Letter  \_\_\_\_\_
- 23. Provide Checklist of things to do prior to employee start date  \_\_\_\_\_
- 24. Provide sample Job Offer Letter, as necessary  \_\_\_\_\_

### New Employee Orientation Checklist

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- 25. Employment Eligibility Verification (I-9)  \_\_\_\_\_
- 26. Review Procedures, Timing & Compliance  \_\_\_\_\_
- 27. Employee's Withholding Allowance Certificate (W-4)  \_\_\_\_\_
- 28. Sexual Harassment Brochure  \_\_\_\_\_
- 29. Paid Family Leave Brochure  \_\_\_\_\_
- 30. State Disability Insurance brochure  \_\_\_\_\_
- 31. Employee Information Form  \_\_\_\_\_
- 32. Change in Personal Data Form  \_\_\_\_\_
- 33. Receipt of Employee Handbook  \_\_\_\_\_
- 34. Provide sample orientation checklist, as necessary  \_\_\_\_\_

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## Procedures for New Employees

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- 35. Ride-a-longs/Visits with existing employees  \_\_\_\_\_
- 36. Office Orientation and tour  \_\_\_\_\_
- 37. Assignment of mentor/buddy  \_\_\_\_\_
- 38. Daily Supervisor Review  \_\_\_\_\_
- 39. Compliance With Applicable Federal & State Laws  \_\_\_\_\_
- 40. "At-Will" statement  \_\_\_\_\_
- 41. Ensure all forms are completed and filed properly  \_\_\_\_\_
- 42. I-9/IRCA Compliance  \_\_\_\_\_
- 43. HIPAA Compliance  \_\_\_\_\_
- 44. ADEA Compliance  \_\_\_\_\_
- 45. Civil Rights Act Compliance  \_\_\_\_\_
- 46. FEHA Compliance  \_\_\_\_\_

## Policies & Procedures

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### Review of Business Non-Harassment Policies & Procedures

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- 47. Grievance Procedure – Review  \_\_\_\_\_
- 48. Harassment Policy – Review  \_\_\_\_\_
- 49. Make policy recommendations for non-harassment  \_\_\_\_\_
- 50. Make recommendations on how to prevent harassment  \_\_\_\_\_
- 51. Non-Retaliation Policy – Review  \_\_\_\_\_
- 52. Review of Employee Training  \_\_\_\_\_

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## Compliance with California Laws

- |   |                       |       |
|---|-----------------------|-------|
| 52. DFEH Requirements   | <input type="radio"/> | _____ |
| 53. Protected Classes in California:                              | <input type="radio"/> | _____ |
| 54. Ancestry  | <input type="radio"/> | _____ |
| 55. Color   | <input type="radio"/> | _____ |
| 56. Physical and Mental Disability (including HIV/AIDS diagnosis) | <input type="radio"/> | _____ |
| 57. Marital Status  | <input type="radio"/> | _____ |
| 58. Age   | <input type="radio"/> | _____ |
| 59. Medical Condition (Cancer and Genetic Characteristics)        | <input type="radio"/> | _____ |
| 60. National Origin   | <input type="radio"/> | _____ |
| 61. Race  | <input type="radio"/> | _____ |
| 62. Religion  | <input type="radio"/> | _____ |
| 63. Sex   | <input type="radio"/> | _____ |
| 64. Sexual Orientation  | <input type="radio"/> | _____ |
| 65. Transgender   | <input type="radio"/> | _____ |
| 66. Employment At-Will  | <input type="radio"/> | _____ |
| 67. California Discrimination Guidelines                          | <input type="radio"/> | _____ |
| 68. Cal-COBRA   | <input type="radio"/> | _____ |
| 69. California Family Rights Act                                  | <input type="radio"/> | _____ |
| 70. Cal-OSHA  | <input type="radio"/> | _____ |
| 71. Domestic Violence Leave                                       | <input type="radio"/> | _____ |
| 72. Pregnancy Disability Leave                                    | <input type="radio"/> | _____ |
| 73. Rehabilitation Leave  | <input type="radio"/> | _____ |

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State(s) in which company has employees: \_\_\_\_\_

- 74. School Visitation  \_\_\_\_\_
- 75. Child Labor Laws  \_\_\_\_\_
- 76. Employee Polygraph Protection Act  \_\_\_\_\_
- 77. Fair Credit Reporting Act  \_\_\_\_\_
- 78. Garnishments  \_\_\_\_\_
- 79. Harassment  \_\_\_\_\_
- 80. Military Duty Leave  \_\_\_\_\_
- 81. Military Spouse Leave  \_\_\_\_\_
- 82. State & Federal Poster Requirements:  \_\_\_\_\_
- 83.     Ensure up-to-date status  \_\_\_\_\_
- 84.     Ensure conspicuously displayed  \_\_\_\_\_
- 85. Unemployment Insurance Coverage  \_\_\_\_\_
- 86. Age Discrimination  \_\_\_\_\_
- 87. Agriculture Labor Relations Act  \_\_\_\_\_
- 88. Applicant Identification Records  \_\_\_\_\_
- 89. COBRA  \_\_\_\_\_
- 90. California Family Rights Act (“CFRA”)  \_\_\_\_\_
- 91. California Layoff Law  \_\_\_\_\_
- 92. Cal-OSHA  \_\_\_\_\_
- 93. Car Pooling  \_\_\_\_\_
- 94. Change of Status Notification Requirement  \_\_\_\_\_
- 95. COBRA Extension Rights  \_\_\_\_\_
- 96. Confidentiality of Medical Information Act  \_\_\_\_\_
- 97. Disability Insurance Coverage  \_\_\_\_\_

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State(s) in which company has employees: \_\_\_\_\_

- 98. Discrimination  \_\_\_\_\_
- 99. Domestic Violence (employee restraining orders)  \_\_\_\_\_
- 100. Dress Code Requirements  \_\_\_\_\_
- 101. Drug Free Workplace  \_\_\_\_\_
- 102. Drug Rehabilitation Leave  \_\_\_\_\_
- 103. Drug/Alcohol Rehabilitation  \_\_\_\_\_
- 104. Employee Invention Rights  \_\_\_\_\_
- 105. Employee Registry (New Hire Reporting)  \_\_\_\_\_
- 106. Employer Information Reports  \_\_\_\_\_
- 107. Equal Pay Act  \_\_\_\_\_
- 108. Ergonomics  \_\_\_\_\_
- 109. Fair Employment & Housing Act (FEHA)  \_\_\_\_\_
- 110. Retaliation  \_\_\_\_\_
- 111. Hazardous Substances Information & Training Act  \_\_\_\_\_
- 112. Health Insurance Premium Payments  \_\_\_\_\_
- 113. Industrial Welfare Commission Orders  \_\_\_\_\_
- 114. Injury & Illness Prevention Plan  \_\_\_\_\_
- 115. Insurance Conversion Privileges  \_\_\_\_\_
- 116. Jury Duty  \_\_\_\_\_
- 117. Literacy Education for Employees Act  \_\_\_\_\_
- 118. No Smoking Policy  \_\_\_\_\_
- 119. Paid Family Leave Insurance (PFL)  \_\_\_\_\_
- 120. Pregnancy Disability Act  \_\_\_\_\_
- 121. School Visitation  \_\_\_\_\_

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- 122. School Visits for Suspended Child  \_\_\_\_\_
- 123. Sick Leave Usage - for care of family- (KinCare)  \_\_\_\_\_
- 124. State WARN Act of 2002  \_\_\_\_\_
- 125. Sue Your Boss Law  \_\_\_\_\_
- 126. Time Off To Vote  \_\_\_\_\_
- 127. Trade Secrets Act  \_\_\_\_\_
- 128. Victims of Domestic Violence or Sexual Assault  \_\_\_\_\_
- 129. Volunteer Civil Service Leave (Emergency Rescue Personnel,  
Reserve Peace Officers)  \_\_\_\_\_
- 130. Volunteer Firefighter Training  \_\_\_\_\_
- 131. Wage & Hour Provisions  \_\_\_\_\_
- 132. Whistleblower Protection Act  \_\_\_\_\_
- 133. Witness Duty Leave  \_\_\_\_\_
- 134. Workers' Comp Insurance Coverage  \_\_\_\_\_

## **Compliance with Federal Laws**

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- 135. Age Discrimination in Employment Act (ADEA)  \_\_\_\_\_
- 136. Americans With Disabilities Act (ADA)  \_\_\_\_\_
- 137. Civil Rights Act - Title VII  \_\_\_\_\_
- 138. COBRA  \_\_\_\_\_
- 139. Fair Credit Reporting Act (FCRA)  \_\_\_\_\_
- 140. Drug Testing  \_\_\_\_\_
- 141. Employee Information Reports  \_\_\_\_\_
- 142. Equal Employment Opportunity (EEO)  \_\_\_\_\_

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- 143. Equal Pay Act (Interstate/foreign commerce)  \_\_\_\_\_
- 144. Family & Medical Leave Act (FMLA)  \_\_\_\_\_
- 145. Health Insurance Portability and Accountability Act (HIPAA)  \_\_\_\_\_
- 146. Immigration and Reform Control Act (IRCA)  \_\_\_\_\_
- 147. Mental Health Parity Act  \_\_\_\_\_
- 148. National Labor Relations Act (NLRA)  \_\_\_\_\_
- 149. PRORWA  \_\_\_\_\_
- 150. Plant Closure Law  \_\_\_\_\_
- 151. Pregnancy Discrimination Act of 1978  \_\_\_\_\_
- 152. Summary Plan Descriptions (SPD)  \_\_\_\_\_
- 153. Trade Secrets Act  \_\_\_\_\_
- 154. Veterans Re-employment Law  \_\_\_\_\_
- 155. WARN Act  \_\_\_\_\_

## Wage & Hour Issues

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- 156. Review Exempt vs. Non-Exempt Status for all employees  \_\_\_\_\_
- 157. Rest & Meal Break Requirements  \_\_\_\_\_
- 158. Ensure overtime pay is properly and legally administered:  \_\_\_\_\_
- 159.     Definition of Work Day  \_\_\_\_\_
- 160.     Definition of Work Week  \_\_\_\_\_
- 161.     Time-And-A-Half  \_\_\_\_\_
- 162.     Double Time  \_\_\_\_\_
- 163. Sick Leave/Holiday/Vacation  \_\_\_\_\_
- 164. Vacation Pay Procedures  \_\_\_\_\_

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- 165. Independent Contractor vs. Employee Status - review and recommend  \_\_\_\_\_
- 166. IRS 20 factor test  \_\_\_\_\_
- 167. Minimum Wage Review  \_\_\_\_\_
- 168. Reporting Time Pay  \_\_\_\_\_
- 169. Frequency of employee pay periods  \_\_\_\_\_
- 170. Review uniform/equipment deductions  \_\_\_\_\_
- 171. Review Cash Shortages/Breakage deductions  \_\_\_\_\_
- 172. Child Labor Laws  \_\_\_\_\_
- 173. Final Paychecks  \_\_\_\_\_

## Employee Records

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- 174. Ensure employee files contain only job-related information:  \_\_\_\_\_
- 175. Job Offer Letter  \_\_\_\_\_
- 176. Performance Reviews/Appraisals  \_\_\_\_\_
- 177. Job Status Letters  \_\_\_\_\_
- 178. Related payroll information  \_\_\_\_\_
- 179. Receipt of Employee Handbook  \_\_\_\_\_
- 180. Receipt of 'at-will' statement  \_\_\_\_\_
- 182. I-9 review (recommend separate location)  \_\_\_\_\_
- 183. Records Retention Requirements – Review  \_\_\_\_\_
- 184. HIPPA Compliance  \_\_\_\_\_

## Employee Relations

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- 185. Review Performance Appraisals:  \_\_\_\_\_
- 186. Performance Appraisal Audit Checklist  \_\_\_\_\_

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- 187. Review of disciplinary and discharge process:  \_\_\_\_\_
- 188. Recommend changes/improvements to disciplinary process  \_\_\_\_\_
- 189. Review or help write warning/termination letters  \_\_\_\_\_
- 190. Review Progressive Discipline Procedures  \_\_\_\_\_
- 191. Review of employee communication/how policies are communicated  \_\_\_\_\_
- 192. Answer/Discuss employer-employee relations training  \_\_\_\_\_
- 193. Answer any questions on CA & Federal compliance issues  \_\_\_\_\_

## Safety & Loss Control

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- 194. Strategies for reduction of workers' compensation claims  \_\_\_\_\_
- 195. Review Illness & Injury Prevention Plan (IIPP)  \_\_\_\_\_
- 196. Review Evacuation Procedures  \_\_\_\_\_
- 197. Ensure appropriate state & federal posters/proper posting procedures  \_\_\_\_\_
- 198. Ergonomics policy & procedure review  \_\_\_\_\_

## Employee Benefits

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- 199. Medical/Dental – review and recommend procedures  \_\_\_\_\_
- 200. Section 125 - present and evaluate  \_\_\_\_\_
- 201. Retirement Plan - present and evaluate  \_\_\_\_\_
- 202. Premium Only Plan - present and evaluate  \_\_\_\_\_