

HR Process Audit

Company _____ **Phone** _____

Address _____

Contact Person _____ **Total Number of Employees** _____

Other Locations Within 75 miles? _____ **Number of Employees** _____

Federal Contractor? _____ **Amount of Government Contracts? \$** _____

Union Facility? _____ **If yes, which union(s)** _____

What does the company do? (Is it a contractor or does it hire migrant labor?) _____

Yes No (Check One or Mark “N/A”—Not Applicable)

Bulletin Boards—Are the following posters appropriately displayed?

- ___ ___ Minimum Wage Poster (Fair Labor Standards Act)
- ___ ___ Equal Employment Opportunity Act
- ___ ___ OSHA
- ___ ___ Family Medical Leave Act
- ___ ___ Employee Polygraph Protection Act

Personnel Files

- ___ ___ Job Applications and/or resumes? (1 year)
- ___ ___ Physical Exam/Medical exam results? (If used in employment decisions) (1 Year—Must be kept separately and limited to employee’s supervisors, mgrs., safety workers, workers compensation, and insurance carrier)
- ___ ___ Health Insurance Portability & Accountability Act (HIPAA) forms and compliance in place?
- ___ ___ Notes on reference checks?
- ___ ___ Records of promotion and/or transfer, and/or demotion, and/or termination, and/or layoff?
- ___ ___ Signed waiver of employee ADEA rights to sue for age discrimination? (1 year after termination)
- ___ ___ Emergency Contact information available?
- ___ ___ Information on performance issues, coaching session notes, developmental issues in file?

Performance Evaluations

- ___ ___ Formal job-evaluation process in place?
- ___ ___ If yes, are any subjective areas of the process clearly defined?
- ___ ___ If not, are there any documented reasons for pay differentials (especially if there are gender differences?)
- ___ ___ Copies of evaluations in personnel file

Independent Contractors

- ___ ___ Do you use any independent contractors?
- ___ ___ If yes, do records clearly distinguish between core employees and contract/contingent workers?

Other Records

- ___ ___ Employee Benefit Plans (1 year after termination of the benefit plan)
- ___ ___ I-9's (On file for 3 years or 1 year after termination whichever is longer; preferably not with Personnel file)
- ___ ___ Payroll or other records that include name, address, date of birth, occupation, rate of pay and pay each week for all employees (3 years)
- ___ ___ If more than 100 employees, is Form EEO-1 at each unit or company headquarters?
- ___ ___ **IRS info**—All info on remuneration for labor including tips and sick pay and taxes withheld for each employee with Soc. Security number kept at least 4 years.
(Keeping records indefinitely is safest)

Occupational Safety and Health Act—Recordkeeping applies, if 10 or more employees during past year. Other areas apply to all employers (except agriculture, self-employed, most mining & nuclear, & state employees)**

- ___ ___ Are records of work-related injury or illness kept within 7 days of notice? **
- ___ ___ Records of all legally required medical examinations kept? **
- ___ ___ Records of employee exposure to potentially toxic materials or harmful physical agents?
- ___ ___ Totals for the calendar year on OSHA form # 300-A posted in the workplace for 3 months? **
- ___ ___ OSHA 300 injury/illness log, privacy case list, annual summary and OSUA 301 Incident Report forms kept for 5 years? **
- ___ ___ Old OSHA 200 and 101 forms retained for 5 years following the year to which they relate? **
- ___ ___ Procedure to insure reporting to OSHA any workplace incident resulting in a fatality or hospitalization of three or more employees (OSHA form # 300) within 8 hours ?
- ___ ___ Records of any medical exam required by OSHA retained 30 yrs after termination?
- ___ ___ Appropriate personal protective equipment supplied to employees?
- ___ ___ MSDS (Material Safety Data Sheets) maintained for each location and used for training?

COBRA—Insurance Continuation

___ ___ If more than 20 employees, is COBRA continuation offered?

Employee Retirement Income Security Act (ERISA)

___ ___ Records supporting data in Summary Plan Descriptions (SPDs) and related welfare and pension reports (Retain 6 years. Exception: Records needed to determine eligibility benefits must be retained as long as relevant.)

Employee Polygraph Protection Act

- ___ ___ Ever used Polygraphs? If yes, have the following items been retained for 3 yrs?
- ___ ___ Copy of statement provided employees telling specific incident being investigated?
- ___ ___ Basis for testing
- ___ ___ Records identifying loss
- ___ ___ Nature of employee’s access to person/property being investigated
- ___ ___ Notice given examiner identifying person(s) to be examined
- ___ ___ Reports, questions, lists, all records relating to testing

Compensation

- ___ ___ Is the turnover rate higher than expectation for any position?
- ___ ___ Job Analysis available for each position?
- ___ ___ Positions correctly categorized as exempt or non-exempt?
- ___ ___ Job Descriptions are up to date?
- ___ ___ Positions are categorized appropriately by job grades to insure internal equity
- ___ ___ Evaluation of local market done annually to insure external equity?

Employee Handbook

- ___ ___ Contains employment-at-will statement?
- ___ ___ Have a statement signed by each employee saying they have read and understand the handbook?
- ___ ___ All key policies are covered including areas such as harassment, violence, progressive discipline policy, federal regulations, leave, etc.
- ___ ___ Consistency between policies and practice in organization?
- ___ ___ Handbook is easily updated and there is a process in place for regular, periodic review

Selection and Employment Processes

- ___ ___ The positions and organizational structure required for success has been identified. This is reviewed before any position is replaced to see if changes are needed
- ___ ___ All questions on employment application are legal or defensible
- ___ ___ Job analysis has been done to identify the qualities, skills, abilities, and knowledge needed for the position
- ___ ___ Job descriptions that include the major duties and responsibilities available for all positions

- ___ Interviewers are able to develop and ask questions that are legal and elicit information which is behaviorally-based
- ___ A clear process is in place for notification of candidates
- ___ Adequate testing and/or background checking is done before extending an offer to insure the person has the appropriate skills, knowledge, style, etc to be successful in the position and has given accurate information
- ___ Employment offer is contingent on passing a drug test
- ___ Appropriate forms (I-9, W4, etc.) are completed before the person begins work

Americans with Disabilities Act—4 employees or more (Ohio); 15 or more Federal Standard

- ___ Policy in place
- ___ Essential functions identified
- ___ Job accommodations made, as appropriate
- ___ Medical records kept separate from other personnel files; access is limited

Family Medical Leave Act--Private employers with 50 or more employees for each working day during each of 20 or more weeks in the current or preceding year. All public employers.

- ___ Basic payroll information and identifying employee data, including compensation paid the employee and the manner in which it was determined, including all additions and reductions in pay. (Even employers with no FMLA covered employees must keep these records.)
- ___ Record of dates FMLA leave is taken by FMLA eligible employees (time records, requests for leave, etc.). Leave must be designated in records as FMLA leave. However, leave so designated may not include leave required under state law or an employer plan that is not also covered by FMLA.
- ___ The hours of FMLA leave taken if in increments of less than one full day.
- ___ Copies of all notices given to employees, as well as any received by the employer requesting FMLA leave. Copies may be maintained in employee personnel files.
- ___ Information stored in any form (paper or electronic) that explains employer policies and employee benefits and the payment for benefits.
- ___ Records of any dispute between the employer and an eligible employee regarding the designation of leave as FMLA leave, including any written statement from the employer or employee of the reasons for the designation and for the disagreement.
- ___ Records showing that exempt employees worked fewer than 1,250 hours in a 12-month period, if leave is denied.
- ___ FMLA-related medical records and documents pertaining to medical certifications, recertifications, or medical histories of employees or employees' family members, created for FMLA purposes.