



HR Audit Checklist

Hiring

- Do job descriptions exist for all jobs?
- Are job descriptions up to date?
- Are job descriptions behavioral?
- Do job descriptions meet ADA requirements?
- Are job openings offered to current employees?
- Are applicant references checked?
- Does the employer avoid implied contracts during the interview?
- Are applicants required to fill out and sign an application form?
- If so, has it been reviewed for legal compliance?
- If the organization has a qualifying federal contract, is there an affirmative action plan?
- Are all new hires reported to the IRS timely?
- Do new employees fill out W-4 forms?
- Are W-4 forms maintained according to policy?
- Do employees complete covenants not to compete?
- Do new employees complete I-9 forms and supply the required documentation?
- Are there written recruitment procedures including standards for reference checking and offer letters?
- Does the organization have a written authorization form for conducting background checks?
- Are the Fair Credit Reporting Act guidelines followed for background checks?
- Are independent contractors accurately identified?

New employees

- Is there an employee handbook?
- Has the handbook been updated in the last 3 years?
- Has the handbook been reviewed for legal compliance?
- Does the handbook have appropriate disclaimers?
- Do employees acknowledge, in writing, receipt of the handbook?
- Do employee orientations take place?
- Is there an orientation plan?
- Are employees trained on policies and work rules?

Wages and hours

- _____ Are workweeks identified and defined?
- _____ Are full-time and part-time hours defined?
- _____ Are compensation levels monitored and reviewed?
- _____ Are employees correctly designated as exempt or nonexempt per FLSA?
- _____ Is there a formal pay structure that is reviewed regularly?
- _____ Is working time documented?
- _____ Are paid time off (vacation, holidays, etc) structures developed and equally enforced?
- _____ Is overtime calculated correctly and paid appropriately for non-exempt employees?
- _____ Is the compensation plan communicated to all employees?
- _____ Are appropriate payroll withholdings performed and forwarded?

Benefits

- _____ Are employees informed about their benefits?
- _____ Are Summary Plan Descriptions provided to plan participants?
- _____ Are general COBRA notices provided to plan participants?
- _____ Are extended COBRA notices provided as appropriate?
- _____ Are employees allowed up to 12 weeks of leave under the FMLA?
- _____ Are plan documents in compliance with ERISA?
- _____ Are supervisors and managers trained to report employee absences of more than three days for FMLA purposes?
- _____ If there is a health care plan, is protected health information kept private and secure?
- _____ Are all Form 5500s completed and reported?

Employee relations

- _____ Is there a system for performance evaluation?
- _____ Is it consistently administered?
- _____ Is the performance evaluation system based on behaviors?
- _____ Is the performance evaluation system tied to job accountabilities?
- _____ Does the system check for effectiveness of the evaluation?
- _____ Is performance tied to compensation?
- _____ Is there a process for employees to lodge complaints?
- _____ Are there a variety of individuals to whom employees may lodge complaints (supervisor, CEO)?
- _____ Is there a whistleblower policy in effect?
- _____ Are employees shown their evaluations and given a chance to comment on them in writing?
- _____ If an employee has complained of discrimination, harassment or failure to accommodate a disability, have such complaints been properly addressed?

Safety and security

- _____ Is there a first aid kit? If so, is it refreshed regularly?
- _____ Are safety hazards reported to the appropriate personnel?
- _____ Are workplace accidents, injuries, and illnesses reported and investigated?
- _____ Are measures in place to prevent intruders from entering the grounds or buildings?
- _____ Is there a safety policy/plan that conforms to the state's safety requirement?
- _____ Are measures in place (access badges, traffic control, etc.) to keep unauthorized persons from entering the facility through normal entrances?
- _____ Are employees encouraged to promptly report incidents, and suggest ways to reduce or eliminate risks?
- _____ Are structures readily accessible to disabled employees?
- _____ Are minors prohibited from performing hazardous work?
- _____ Are OSHA rules adhered to?
- _____ Is the OSHA 200 log properly maintained and posted annually?
- _____ Is there a Disaster Evacuation Plan?
- _____ Is there a Shelter in Place Plan?

Training

- _____ Is regular training provided for managers in the areas of:
 - _____ interviewing skills?
 - _____ conducting performance reviews?
 - _____ coaching?
 - _____ avoiding harassment and discrimination?
 - _____ supervisory skills?

Discrimination and employee rights

- _____ Is there a written Equal Employment Opportunity policy?
- _____ Is there a current Affirmative Action Plan in place (50+ employees)?
- _____ Are employees trained on discrimination issues?
- _____ Are supervisors and managers trained in anti-discriminatory practices?
- _____ Are employment practices in line with the various anti-discrimination laws?
- _____ Are minors prohibited from working more than their hours allowed by the Fair Labor Standards Act?
- _____ Are effective policies in place that prohibit retaliation against employees who exercise their rights?

Workers' compensation

- _____ Are injuries/incidents investigated?
- _____ Is follow-up remediation performed where appropriate?
- _____ Are employees' workers compensation files kept secure and separate from their employee files?
- _____ Is regular contact made with employees out on workers compensation?
- _____ Is there a return-to-work policy?
- _____ Are return-to-work programs checked for effectiveness?
- _____ Is contact made with medical providers?
- _____ Are insurance premiums and competitive quotes reviewed on a periodic basis?
- _____ Is the workplace environment maintained with safety in mind?
- _____ Are state requirements monitored?

Recordkeeping and other documentation

- _____ Are personnel files current?
- _____ Do personnel files contain only appropriate information?
- _____ Are documents regarding employees kept for their required duration?
- _____ Are there I-9 forms for all employees hired after Nov. 6, 1986?
- _____ Are I-9 forms and acceptable documentation reviewed annually?
- _____ Are I-9 forms and medical information kept separately from personnel files?
- _____ Are personnel files maintained in a locked and secure cabinet, or have proper electronic security features been developed?
- _____ Have all documents containing protected information been removed from personnel files?
- _____ Are personnel files organized in a logical manner so that information is easy to find?
- _____ Is there a policy or consistent practice regarding employee access to personnel files?
- _____ Is this policy/practice compliant with any relevant state laws?
- _____ Are medical/confidential files maintained in a locked and secured cabinet?
- _____ Is there a regular disposal plan for documents that have exceeded record retention guidelines?
- _____ Are employment records that have met or exceeded record retention requirements disposed of via shredding, burning or fully destroying these records prior to disposal?
- _____ Are files related to a current or potential lawsuit maintained by legal counsel or in some other way marked to be exempted from any disposal process until after the suit is closed?
- _____ Is there a written record retention and destruction policy and procedure?
- _____ Is there a procedure/policy for handling employee handbook updates?
- _____ Do appropriate forms exist for various types of documentation?
- _____ Are forms adequately referenced in the employee handbook?
- _____ Are all appropriate labor posters displayed in a conspicuous place?
- _____ Have the posters been updated?

Employment Policies and Work Rules

- _____ Are policies communicated?
- _____ Is this communication documented?
- _____ Are policies enforced?
- _____ Is there a progressive disciplinary action policy and is it followed by all supervisors?
- _____ Are there established procedures for supervisors to follow in administering policies and have they been trained in these procedures?
- _____ Is supervisory discipline adequately monitored by members of management?
- _____ Are wages and overtime payments in compliance with the Fair Labor Standards Act and the Equal Pay Act?
- _____ Have forms and handbooks been reviewed by an attorney for objectivity and legality?

Discipline and Documentation

- _____ Is there a progressive disciplinary action policy?
- _____ If so, is it used consistently?
- _____ Does the policy differentiate offenses which are immediately terminable from those for which investigations will be conducted?
- _____ Do supervisors regularly maintain **behavioral** incident logs?
- _____ Have verbal warnings or counselings been recorded in employee personnel files?
- _____ Are forms available for written warnings and have supervisors been trained in their use?
- _____ Have written warnings been discussed with employees and been acknowledged and signed?
- _____ Are employees' performance regularly evaluated with the review documented in writing?
- _____ Have supervisors been trained in the use of evaluation forms?
- _____ Are evaluations reviewed at higher levels and monitored in a centralized manner for discriminatory impact or erratic evaluation patterns?
- _____ Is there a policy and forms for conducting disciplinary investigations?
- _____ If so, are these policies followed?
- _____ If so, are supervisors trained in the policies and in how to conduct an investigation?
- _____ Is another manager always present when talking to an employee regarding serious discipline issues?
- _____ Does the employee have a chance to present his/her side of the story?

Electronic Files (skip this section unless personnel records are maintained electronically)

- _____ Is there a good document management system?
- _____ Are there clear parameters around which employees have access to which files?
- _____ Are there proven security and password protections to ensure access is provided only to those with a need-to-know?
- _____ Is there a back-up system in place to ensure data are not lost and a secondary back-up system in the event both the software and its back-up are destroyed?
- _____ Has training been provided to end users on how to properly use and protect information in the document management system?

Employee separation

- _____ Is there a written termination policy? If so, is it consistently followed?
- _____ Do exit interviews take place?
- _____ Are separation and COBRA notices provided on time?
- _____ Are final paychecks administered appropriately?
- _____ Is there a procedure for recovering keys, credit cards, passwords, etc.?
- _____ Are employees treated in a manner consistent with the employee handbook or other established policies?
- _____ Is there an exit checklist?
- _____ Is there a policy on severance pay? On rehiring?
- _____ Are the termination/severance provisions of the employee handbook followed?
- _____ Is there a policy stipulating the employer's right to place a resigning employee on paid leave during the employees' notice period?
- _____ Are the necessary and appropriate security measures for the termination meeting, gathering the employee's personal belongings and departing from the premises implemented?
- _____ Is another management witness present when the decision is communicated?
- _____ Is there a policy to provide post-termination benefits in return for a release?
- _____ Is there a policy for giving/getting references?
- _____ Do departing employees complete an authorization for references?
- _____ Are references regarding former employees "neutral" and "behavioral" to avoid charges of defamation and/or discrimination?
- _____ Is there a procedure for notifying staff, members and other appropriate personnel of the employee's departure and for discussing how the departed employee's work and incoming calls will be handled?
- _____ Are supervisors and others counseled not to violate the organization's reference policy and thereby protect the organization and the supervisors from legal vulnerability?
- _____ Is there a procedure to prevent the loss of the organization's property and proprietary information?
- _____ Is there a procedure for dealing with inquiries from unemployment compensation agencies?

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