## When to Use

This checklist may be used to conduct an HR self-audit.

Periodic HR self-audits are the best way to ward off adverse regulatory findings, costly employment claims and other similar issues. Internal self-audits should be performed routinely, but not less than once per calendar year. All the items on the HR self-audit checklist may not be applicable to every employer. However, employers should at least be aware of the following issues.

**HR Self-Audit Checklist**

### Posting and Recordkeeping Requirements

\*  Post all required federal postings in a conspicuous location easily viewable by employees.
\*  Post all required state postings in a conspicuous location easily viewable by employees.
\*  Post all required local (i.e. municipal) postings in a conspicuous location easily viewable by employees.
\*  Satisfy posting requirements as to remote workers.
\*  Have a document retention and destruction procedure.
\*  Ensure that the employer's IT department has reviewed the document retention and destruction procedure and confirmed that the organization's systems are configured to comply with the procedure.
\*  Ensure that the document retention and destruction procedure was reviewed during the preceding 12 months to comply with state and federal law and to ensure that the procedure is reasonably designed to prevent premature destruction of documentation.
\*  Be aware of document retention periods.

### Hiring

\*  Have a new hire checklist.
\*  Use the new hire checklist as part of the hiring process.
\*  Ensure that the new hire checklist has been recently reviewed and any updates have been made.
\*  Ensure that all employees have received new hire training or been to new hire orientation.
\*  Have a customizable employment offer letter template.
\*  Have a customizable conditional employment offer letter template.
\*  Have customizable employment contracts.
\*  Have form job descriptions for each class of employee.
\*  Ensure that form job descriptions for each class of employee have been recently reviewed and confirm these are accurate.
\*  Be aware of state and federal background check laws.
\*  Conduct background checks in accordance with state and federal laws.
\*  Ensure that applications for employment have recently been reviewed for compliance with state and federal laws.
\*  Ensure that all employees are required to complete an application for employment.
\*  When filling a job vacancy, provide hiring managers or supervisors with a list of common interview questions for each candidate.

### Employee Compensation and Classification

\*  Ensure that the employer has hired an outside law firm or an independent auditor to assess the employer's compliance with the Fair Labor Standards Act during the prior 24 months.
\*  To the extent applicable, ensure that employees' names are recorded on the time card or time record.
\*  To the extent applicable, ensure that employees' numbers or other identifying symbols are recorded on the time card or time record if such is used in place of a name on any time, work or payroll record.
\*  To the extent applicable, ensure that the time and name of day employees' workweek begins are recorded on the time card or time record.
\*  To the extent applicable, ensure that the date each day an employee worked is listed on the time card or time record.
\*  To the extent applicable, ensure that employees' beginning and ending times for each workday are recorded on the time cards or on a time record.
\*  To the extent applicable, ensure that employees' total hours worked for each day and the total hours worked each workweek are tallied on the time cards or on a time record.
\*  List nonexempt employees' overtime hours in a time record.
\*  Document in a time or pay record employees' rate of pay, or rates of pay (e.g., hour/piece/weekly/commissions).
\*  Document in writing deductions taken from the employees' wages.
\*  List in a time record the total wages paid to employees each week.
\*  Ensure that any minors working for the organization work at the appropriate times and in nonhazardous positions.
\*  Review pay rates for each position and, to the extent pay differentials exist between protected classes, the employer has a legitimate nondiscriminatory reason for the differentials.

### Communications

\*  Have a process in place for communicating benefits enrollment.
\*  Have a process in place for communicating its work rules, including its employee handbook.
\*  Have a process in place for communicating updates to work rules.
\*  Have a process in place for communicating with employees in the event of a natural or other disaster.
\*  Have a process in place for communicating with employees if the employer's offices are closed due to weather or other emergency.

### Personnel Files

\*  Ensure that each personnel file contains a job description for the employee's job positions, including the most current.
\*  Ensure that each personnel file contains, where applicable, a copy of contracts or agreements with the employee.
\*  Ensure that each personnel file contains an offer letter signed by the employee.
\*  Ensure that each personnel file contains contact information for the employee, as well as emergency contact information.
\*  Ensure that each personnel file contains, where applicable, a signed employment application and/or a copy of the employee's resume.
\*  Ensure that each personnel file contains a signed acknowledgement form, acknowledging receipt of employee handbook and other work rules.
\*  Ensure that each personnel file contains performance appraisal review forms signed by the employee's supervisor and the employee.
\*  Ensure that each personnel file contains federal, state and local (when applicable) W-4 tax withholding forms and documents regarding any changes.
\*  Ensure that each personnel file contains a direct payroll deposit authorization.
\*  Ensure that each personnel file contains attendance records or reports.
\*  Ensure that each personnel file contains disciplinary warnings or notices signed by the employee's supervisor and the employee.
\*  Ensure that each personnel file contains a record of position changes and employment history with the organization.
\*  Ensure that each personnel file contains status change documentation records, i.e. full time, part time, equal employment opportunity (EEO) records.
\*  Ensure that each personnel file contains an employee information form with home address and telephone number, birth date, marital status, EEO group, emergency contact and any other pertinent information.
\*  Ensure that each personnel file contains records of all compensation adjustments.
\*  Ensure that each personnel file contains records of all payroll status changes.
\*  Ensure that each personnel file contains records of vacation entitlement accruals and payments.
\*  Ensure that each personnel file contains copies of wage garnishments, child support and other court-ordered payments/deductions.
\*  Ensure that each personnel file contains, where applicable, a signed authorization for repayment of payroll advancement.
\*  Ensure that each personnel file contains, where applicable, a signed authorization for contribution deductions to community service or charitable organizations.
\*  Ensure that each personnel file contains, where appropriate and legally permissible, a signed authorization for purchase deduction of uniforms, safety equipment, tools and equipment and other related information.
\*  Ensure that each personnel file contains, where appropriate and legally permissible, a signed authorization for repayment and payroll deductions for any outstanding debt in event of termination of employment.
\*  Ensure that each personnel file contains, where appropriate, a list of completed training programs or course work.
\*  Ensure that each personnel file contains, where appropriate and legally permissible, a record of any major employment events, such as awards or complaints from customers.
\*  Ensure that each personnel file contains termination information, if applicable.
\*  For any employees who took a leave of absence during the prior 12-month period, ensure that all necessary paperwork has been completed and is in the employee's personnel file.
\*  Ensure that employees' personnel files do not contain medical records and/or medical information, including benefit enrollment forms and disability forms.
\*  Maintain Form I-9 records separately and ensure that these are not in employees' personnel files.

### Training

\*  Perform a training needs analysis to determine the employer's training needs.
\*  Conduct needed training as demonstrated by the results of the training needs analysis.
\*  Be aware of any state and federal training requirements.
\*  Conduct training required under federal, state or municipal law.
\*  Ensure that managers and supervisors with hiring authority have received training regarding permissible and impermissible preemployment inquiries.
\*  Conduct antidiscrimination and sexual harassment training.
\*  Conduct training for individuals promoted from nonmanagerial to managerial positions.

### Handbooks and Work Rules

\*  Have work rules in place that are reasonably designed to detect and prevent employee misconduct.
\*  During the prior 12 months, perform a gap analysis to determine whether the employer is missing any key work rules or to require additional rules to address new business areas or other developments within the organization.
\*  Ensure that the employee handbook and other work rules have been reviewed by external or in-house legal counsel during the prior 12-month period.
\*  Implement any changes suggested by external or in-house counsel during the review process.
\*  Ensure that the employee handbook and other work rules, including any updates, have been communicated to all employees.
\*  Implement a recruitment policy.
\*  Implement a written antisolicitation policy.
\*  Implement a written anti-retaliation policy.
\*  Implement a written antidiscrimination and sexual harassment policy.
\*  Implement a written complaint/grievance procedure.
\*  Implement written leave policies, including one concerning leave under the federal Family and Medical Leave Act.
\*  Implement a policy capping the number of vacation and personal time off days employees may accrue and rollover from one calendar year to the next.
\*  To the extent legally permissible under state law, implement a vacation forfeiture policy.
\*  Implement a social media policy.
\*  Coordinate with the IT department to develop the social media policy.
\*  Implement an EEO policy.
\*  Implement a computing and electronic communication policy.
\*  Implement an at-will employment policy.
\*  Implement a background check policy.
\*  If employer conducts drug and alcohol testing, implement a drug and alcohol testing policy.
\*  Implement a policy defining confidential information and governing employees' disclosure of confidential information.
\*  Provide employees with a nondisclosure agreement form in conjunction with a policy on confidential information.
\*  Have a procedure in place to ensure key operations continue if an emergency event occurs.

### Workplace Safety

\*  Have a process in place for evacuating worksite premises in the event of an emergency.
\*  Communicate evacuation procedures to employees.
\*  Assign a team of employees to ensure evacuation occurs in an orderly fashion.
\*  Provide evacuation team with appropriate training.
\*  Conduct an emergency evacuation drill during the preceding 12 months.
\*  Offer CPR and/or first aid training.
\*  Retain a list of all personnel trained in CPR and first aid, including their office phone number.
\*  Have CPR masks available on work premises.
\*  If the employer has a defibrillator on its premises, ensure that it has been tested in the preceding three months and is in working order.
\*  Implement a workers' compensation policy.
\*  Have a procedure in place for documenting workplace injuries at the time they happen.
\*  Have a procedure in place, and person responsible for handling, workers' compensation paperwork.

### Employee Performance and Discipline

\*  Have a process in place for monitoring employees' work performance.
\*  Evaluate employees' work performance, at least, on an annual basis.
\*  Have a performance appraisal form.
\*  Ensure that supervisors and managers have received training regarding when and how to document poor work performance.
\*  Ensure that poor work performance is appropriately addressed.
\*  Prior to taking disciplinary measures, ensure that supervisors and managers notify and involve HR.
\*  When appropriate and possible, have a process in place to rehabilitate employees who are performing poorly.
\*  Document the employee rehabilitation process, including employees' improvement or failure to improve.

### Termination

\*  Have a termination checklist.
\*  Use the termination checklist.
\*  Have a process in place to ensure separated employees are promptly removed from payroll and are not overpaid.
\*  Ensure that employees' final paychecks are paid in the time and manner proscribed under state and federal law.
\*  If any termination required notices under a state or federal Worker Adjustment and Retraining Notification Act (WARN), ensure compliance with the law in all cases.
\*  Submit employees' COBRA paperwork in the time frame required under federal law.
\*  If the employer is covered under a state health care continuation law, ensure compliance with the law in all cases.
\*  Perform exit interviews after an employee resigns.
\*  Where necessary, take action based upon what it learns during exit interviews.
\*  Retain a copy of any settlement and release agreement in the employees' personnel files with the original being retained in employees' legal files.