

Every business faces challenges with various rules, laws, regulations, and general business issues. The purpose of this questionnaire is to highlight the key areas of human resources activities that could pose risks to the business if not done or improperly managed. With your responses, the questionnaire answer will provide you with more information about what, why, and how that topic is important in your risk mitigation program.

## General Company Questions

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Are you a federal or state government contractor?  Yes  No

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Do you know the employment laws and regulations impacting an organization of your size (by number of employees)?  Yes  No

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Do you intend to either hire more people or shrink your workforce this year?  Yes  No

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Do you have unions subject to a collective-bargaining agreement?  Yes  No

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Do you have a regular system for monitoring and auditing your human resources to ensure compliance with applicable state and federal regulations?  Yes  No

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Have you had any employment practice claims in the last three years (including, but not limited to, NLRB, DOL, EEOC, FLSA, state agencies, mediations, arbitrations, administrative hearings, internal grievances, and attorney demands)?  Yes  No

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Do you have employment practices liability insurance coverage?  Yes  No

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Is your management personnel trained in human resources practices and compliance with company policies and the law?  Yes  No

# HR AUDIT CHECKLIST

## Hiring, Staffing and Onboarding

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Do you have a recruitment process that includes defining the job prior to advertising openings and training hiring managers on the process?  Yes  No

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Are your job advertisements compliant with nondiscrimination, equal employment opportunity, and disability regulations?  Yes  No

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Do your job descriptions help you comply with the Americans with Disabilities Act (ADA) by setting forth essential job functions and duties?  Yes  No

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Do you use a structured interview checklist with legally-compliant interview questions?  Yes  No

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Do you have candidates complete an employment application? If so, does it specify your state requirements for background checks, employment and educational verification, criminal records, driving records, credit checks, and job-related testing?  Yes  No

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Do you conduct background checks or drug testing prior to making an offer of employment?  Yes  No

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Are the tests and assessments you conduct job-related and validated based on actual job performance?  Yes  No

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Do you have a procedure to inform applicants of their acceptance or rejection?  Yes  No

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Do you use independent contractors/contingent workers? If so, do you have them sign a contract confirming that their independent business is compliant with all labor, immigration, and tax laws and that the business has liability insurance?  Yes  No

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Do you make sure that you are fully prepared for onboarding new employees by preparing paperwork, people, policies and procedures, performance expectations, getting the workstation ready, assigning a work "buddy" and a 60-90 day work plan?  Yes  No

# HR AUDIT CHECKLIST

## Employee Relations and General Employment Practices

Do you have an updated employee handbook compliant with federal and state rules for the areas where your company operates?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your employee handbook contain provisions for "employment at will" and acknowledgement of handbook receipt?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have an arbitration or mediation agreement for resolving employee claims signed by employees and maintained separately from your employee handbook?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a standard process for measuring and reviewing performance with employees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your employee handbook contain language that states that the company will not tolerate any form of harassment, discrimination, or other illegal and unethical conduct?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your employee handbook contain an Equal Employment Opportunity policy statement, and is that also included in your employment application and posted in prominent employee areas of your company?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a company ethics policy that includes the process for reporting illegal or unethical activity?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a standard process for employees to communicate issues of concern (open door policy)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a documented process, designated investigators, and management training for conducting an investigation of sexual harassment, discrimination, or other complaints?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your employee handbook outline standards of conduct and progressive disciplinary measures?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have an established process and managers trained to ensure that company standards are being followed prior to disciplining or terminating an employee?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your process include a second level of review prior to taking significant disciplinary action?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
In the case of employment terminations, do you have a process in place to manage compliance with final paycheck regulations, required notifications for termination reasons, unemployment and benefits continuation rights, or any other notification, collection of company equipment, and exit interview process?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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# HR AUDIT CHECKLIST

## Total Compensation (Wages and Benefits) and Hours Requirements

Do you have clearly defined employee classifications (i.e., full-time, part-time, temporary, short-term, exempt, non-exempt, regular employee, independent contractor)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have you ensured that you are paying your exempt and nonexempt employees in compliance with federal and state wage and hour laws?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have systems and communications in place to accurately track time worked, including meal and rest periods, as required under federal and state laws, for purposes of overtime and regulatory compliance?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a process in place to approve time worked or to make scheduled work time changes (such as requests for time off, make-up time requests or schedule changes)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a written policy for absenteeism and punctuality?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have clearly defined paid time off policies (vacation, sick, holiday, other)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your sales compensation program clearly define when a commission is "earned" and what happens to uncollected commissions after an employee leaves the job?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you comply with regulatory rules for the employment of minors (work permits, hours of work)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you offer group health benefits programs to your employees, do you have Summary Plan Descriptions for the required plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are your benefit plans clearly communicated to eligible employees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do your plans that are subject to IRS Section 125 (Cafeteria Plans) or Employee Retirement Income Security Act (ERISA) meet the design, notification, nondiscrimination, and recordkeeping requirements of those plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do your benefit and wellness plans comply with the portability and privacy requirements of the Health Insurance Portability and Accountability Act (HIPAA)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is your process and communications for participants eligible for health care continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) defined?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

# HR AUDIT CHECKLIST

## Total Compensation (Wages and Benefits) and Hours Requirements (continued)

Are you working with your broker to ensure that your plans comply with the plan design, notification, and recordkeeping requirements under the Affordable Care Act?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do your retirement plans (pension, 401(k), 403(b)) comply with all ERISA requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are all of your discretionary bonus and benefits plans defined and communicated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you have a severance pay plan, does it comply with ERISA requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your severance pay plan require employees to sign a Release of Claims Agreement as a condition to receiving any severance package?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a policy about managing various leaves of absence, pregnancy disability, military leaves or other types of special time off needs?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

## Recordkeeping and Compliance Requirements

Do you know what types of personnel records to maintain in your files?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you know how long to maintain your personnel records?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are your personnel files (cloud or paper) secure, with limited access to those on a "need-to-know" basis?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you separate any of your personnel records?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you know which postings you need to have on display in common areas for employees and if the posters need to be in another language besides English?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you know what required notices you need to provide to your employees and in what languages?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you know what notifications you need to file with the appropriate regulatory authorities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

# HR AUDIT CHECKLIST

## Health and Safety

Have you complied with all OSHA and notification requirements related to your industry?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have an injury prevention program (IIP) that is compliant with the safety regulations in your company locations?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a designated safety officer that manages periodic safety inspections/audits and corrections?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a safety training program?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have an emergency response and communications plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have your process and communications in place for employees and managers to immediately report all occupational injuries to your human resources contact and/or workers' compensation carrier?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you maintain your annual OSHA log to record all employee work-related illnesses and injuries and comply with all OSHA recordkeeping and posting requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a hazardous substance communication and disclosure policy that is communicated within your organization?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a process for managing the employee communications and administration of workers' compensation leaves of absence, including your return-to-work protocols?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a process for reviewing your losses and experience ratings with your workers' compensation agent or carrier?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have you evaluated your workplace for safety issues, including proper ergonomics, office equipment, VDT exposure, or other potential repetitive motion issues?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have a policy, procedures, and communications plan for managing potential violence in the workplace issues?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have employee wellness programs in place that are compliant with all applicable health care and privacy regulations and designed to improve health outcomes?	<input type="checkbox"/> Yes	<input type="checkbox"/> No