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2017 Human Resources Management Checklist

The **Seay Management Human Resources Management Checklist** ensures that you implement “best practices” in terms of policies, procedures, manuals and documents to hire and retain good employees and motivate them to superior performance.

1. **EMPLOYEE HANDBOOK** - This is your fundamental employment document because it describes how you will handle work issues that arise with your employees. To meet that goal, it should be comprehensive and detailed. Some of the policies you need include:

- **EEO policy** – This policy should include all protected categories under federal, state and local employment regulations. The policy should be reviewed annually to ensure all categories are listed.
- **Dress Code** – address extreme hair color, potentially offensive tattoos, scents and aromas that bother other employees, and body piercings in places that could be distracting.
- **Cell Phone Use** – talking or texting at work, even if set on vibrate, taking pictures and safety issues involved while driving on employer business.
- **Social Relationships at Work** – Define appropriate and inappropriate work relationships.
- **Email/Internet Use at Work** – We should train employees on how to compose emails and what Internet sites should be avoided and inform them that the email system is the property of the employer and that all emails are subject to being retrieved.
- **Discussing Wages** – Employers should not have policies prohibiting employees from discussing wages, benefits and working conditions.

2. **SOCIAL NETWORKING** – Employers should develop a policy on the use of social networking at work, taking into consideration sites like Facebook, Twitter and Instagram, etc.

- Employers should prohibit or restrict access to social networking sites during working time and employers should be aware that some material that employees post may be considered a protected concerted activity, even if it is critical of management.
- Supervisors and managers should be required to stay off the personal social media pages or sites of their employees. We strongly recommend management not “friend” employees on social media and to “unfriend” them if it has already occurred.
- On the basis of NLRB regulations, employers should refrain from instructing employees about what they can and cannot post on Facebook or other social networking sites.

3. **SEXUAL HARASSMENT** – Conduct Sexual Harassment Awareness Training annually for all managers and employees, to build a wall of protection around your company.

4. **BULLYING IN THE WORKPLACE** – We often say that “the workplace mirrors society” and that whatever behavior is occurring in society will ultimately find its way into the workplace. Today, we are seeing the emergence of bullying behavior in schools and in other parts of society.

Bullying can be physical, emotional and/or relational and often occurs in cyberspace. To prevent, eliminate or reduce bullying at work, we recommend that you develop a strong anti-bullying policy and make absolutely sure you have a way for employees to report abuses, in a confidential and anonymous way.

5. **IMPLEMENT A DRUG FREE WORKPLACE PROGRAM** – To help resolve potential drug issues at work and lower your Workers’ Compensation premium.

6. **DISC PROFILE** – To make sure you hire the best employees, that are the best “fit” for the job and the work culture, consider administering the DISC profile, which is a measure of working style:

- Hard Driving Type A
- People Oriented
- Multi-tasker
- Detail oriented

The DISC lets you “look behind the curtain” to see if you really have the Wizard of Oz or if you have a pretender. We offer this service online.

7. **AFFIRMATIVE ACTION PLAN** – Complete the annual update of your Affirmative Action Plan according to the regulations, if you are a covered employer. To be covered, you must have 50 employees and federal government contracts of \$50,000 or more.

8. **EEO-1 AND VETS 4212 REPORTS** – Beginning in 2017, the deadline for filing EEO-1 Reports is March 31' 2018. This will enable employers to apply payroll information from W-2 forms in conjunction with the new requirement to include pay data in the report.

In compliance with the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) all VETS 4212 reports (you must do this if you have 100 employees or if you have 50 employees and an Affirmative Action Plan) are due on September 30th of each year.

9. **NEW HIRE REPORTS** - Regularly submit your New Hire Reports to the state employment agency database.
10. **JOB DESCRIPTIONS** – Ensure that you have detailed job descriptions for every job, in compliance with ADA, EEOC and Generally Accepted Principles of Human Resources Management.

In addition to helping us manage, job descriptions are often a first line of defense, in the event of an EEOC or DOL investigation. Employers who are covered by the Affirmative Action regulations are required to have job descriptions.

11. **MANAGEMENT TRAINING** - Consider conducting several Management Training sessions this year on important subjects like:

- How to Counsel and Dismiss Employees (When Necessary)
- How to Conduct Performance Appraisal
- How to Handle Difficult Employees
- Diversity and Harassment Training

12. **EMPLOYMENT LABOR POSTERS** – Check that you have all current required employment posters, placed in prominent locations. Federal regulations require 6 posters; the various states require about 5 more.

13. **I-9 FORM** – Review your I-9 forms for completion and keep on file for all employees. Verification requires employers to:

- Examine and record documents under Columns A or B and C.
- Make copies of the verification documents and attach them to the I-9 Form.
- File the I-9 Forms in a separate location, not the regular employee file.

Employers should be utilizing the I-9 form which expires 8/31/2019 for new hires. All previous versions are to be discontinued as of January 22, 2017.

14. **EMPLOYEE FILES** - Make sure your employee files are complete and that they include all the documents you need (such as the application form, disciplinary notices, commendations, performance appraisals, et. al.) but none of the documents that are problematic (such as polygraph records, drug test records, private/personal documents).

Some employee documents are necessary for recordkeeping and reporting and are perfectly proper, but are of a personal, private or medical nature or have an EEO component. For these documents, have a confidential employee file, separate from the regular employee file.

15. **COMMUNICATIONS WITH EMPLOYEES** – Employers should have clear and frequent employee communications programs such as:

- Open Door policy
- Employee Complaint Procedure
- Bulletin boards
- Employee newsletter - printed or electronic newsletter

It is our experience that most employee problems have poor communications at the foundation.

16. **DOCUMENTATION** – Make sure all of your Human Resources decisions and actions are fully and comprehensively documented, that you have developed and implemented a system of Progressive Discipline and that all of your supervisors and managers have been fully trained.

17. **UNEMPLOYMENT** – In an effort to reduce claims and benefits due to employees, keep the following in mind:

- If you dismiss an employee within the 90 day probationary period, whatever benefits may be awarded should not be charged to your account.
- Former employees should not be eligible for benefits if they are dismissed for misconduct or if they leave with “no good cause attributable to the employer.”
- Employees who are dismissed for performance reasons will almost always be awarded benefits.

18. **NATIONAL LABOR RELATIONS BOARD** – This agency covers both union and non-union employees and enforces the “Unfair Labor Practices” requirements. In addition, union membership is at a historic low and union organizing campaigns are going to increase, so it’s critical to train your supervisors and managers in the landscape of what they can and can’t do.

Under the provision of “protected concerted activity” two or more employees may discuss their wages, benefits or working conditions. As employers, we cannot counsel, discipline or dismiss them for engaging in this activity.

19. **EMPLOYEE OPINION SURVEY** – Consider conducting an employee opinion survey every 18-24 months to find out what your employees think and how they feel about their work and their jobs. Many a serious employee problem has been prevented by having an employee opinion survey.

- 20. TIME RECORDS** – The Wage and Hour Division of the Department of Labor is targeting the question of “working time,” which regulations define laboriously as whenever an employee is “suffered or permitted to work.”

If an employee is working, the employer is responsible for paying for this time, even if you didn’t authorize it, and even if you didn’t know about it. This could include travel time, meal periods, time before and after regular work hours, homework and other time.

Employers should have a clear policy on the use of smart phones and other devices at home and during other non-scheduled work hours to conduct company related business. Make sure all employees are recording all of their work time accurately and that you know when employees are working.

- 21. EXEMPT CLASSIFICATION** – Verify all of your exempt employees are properly classified. Remember that one of the requirements for exemption is that employees must receive a guaranteed salary, not subject to deduction, in any week in which they perform any work at all.

The current exempt salary level of \$455 is fairly low so we expect that it will increase at some point, but not to the \$913 level that was proposed recently by the Department of Labor. We project in the future to see an exempt salary level in the \$600-\$700 range.

- 22. ONLINE APPLICATION AND JOB POSTINGS** – Consider having employees complete the application form online, through your website, rather than in person. This can be a more efficient and less expensive process and may more quickly identify those applicants who might be good candidates for the positions you have open. You might also want to list your open positions on your website.

- 23. HR MANAGEMENT COMPLIANCE AUDIT REVIEW** – This will help you reduce or eliminate any potential liability or exposure, provide you with the comfort and assurance that you are in compliance with all of the employment regulations that cover you and check to see that you have the “best practices” you need to hire and retain good employees.

We trust that this Human Resources Management Checklist will be helpful to you as you establish and refine your employment goals and objectives. Please contact Seay Management Consultants with any questions you may have.

Remember, if you have an employment issue or challenge, and you need an answer right away, and you want the very best Human Resources Management advice available, you need to call The Seay Team!