<p style="text-align:center; color:red">**HR COMPLIANCE AUDIT CHECKLIST**
For California Employers</p>

Organization: _____

Organization representatives: _____

Attorneys assigned: _____

Date of review: _____

I. HIRING

A. Selection and Screening

☐ Job descriptions

☐ Advertising

☐ Job postings

    ☐ Pay scale disclosures

☐ Employment application

☐ Pre-employment drug/alcohol testing

    ☐ Consent form

    ☐ Sampling procedures

☐ Other pre-employment tests

☐ Interviewing procedures

☐ Salary history bans

☐ Background checks

    ☐ Notice to employees

    ☐ Disclosure and authorization forms

☐ Reference checks

☐ Inquiries regarding arrests and convictions

    ☐ "Ban the Box" laws

    ☐ San Francisco Fair Chance Ordinance

B. <u>Onboarding</u>

☐ Employment Offer

☐ Employment agreement

☐ Non-disclosure agreement

☐ Confidentiality agreement

☐ Probationary period

☐ Employee orientation

☐ New hire notices

☐ Labor Code 2810.5 New Hire Notice

☐ Required pamphlets (*see Employment Law Toolkit*)

☐ Arbitration Agreements

NOTES:

II.   TERMS AND CONDITIONS OF EMPLOYMENT

☐   Collective bargaining agreements

☐   Employee handbook

  ☐   At-will policy

  ☐   Equal employment opportunity (EEO) policy

    ☐   Updated to include latest protected classes (i.e. hair texture/styles)?

  ☐   Anti-harassment

    ☐   Updated to comply with recent FEHA regulations?

    ☐   Complaint and investigation procedures

    ☐   Other harassment/respect policies

    ☐   Bullying policy

  ☐   Lactation accommodation

  ☐   Reasonable accommodation policy

  ☐   Retaliation protections

  ☐   Acknowledgement of handbook form

☐   Posters (*see Employment Law Toolkit*)

☐   Harassment training

NOTES:

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III. OTHER EMPLOYMENT POLICIES

- ☐ Paid sick leave

- ☐ Vacation or PTO

- ☐ Leave of absence

- ☐ Absenteeism/tardiness control

  - ☐ Beware disability protections

- ☐ No solicitation/no distribution

  - ☐ Beware NLRA protections

  - ☐ Bulletin boards

- ☐ Conflicts of interest

- ☐ Receipt of gifts from third parties

- ☐ Trade secrets

- ☐ Confidentiality

- ☐ Privacy

- ☐ Electronic communications

- ☐ Social media

- ☐ Conduct/discipline

- ☐ Open door

- ☐ Whistleblower policy and procedures

- ☐ Personnel record review

NOTES:

IV.   **EFFECTIVE EMPLOYEE MANAGEMENT**

☐   Performance reviews

☐   Cannabis use and testing

☐   Promotions/transfers

☐   Discipline

☐   Regular supervisor training

☐   Employee training, retraining

☐   Continuing education

☐   Tuition assistance

☐   Flexible scheduling

   ☐   Family Friendly Workplace Ordinance compliance (San Francisco)

☐   Pay Data Reporting

NOTES:

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V. **WAGE AND HOUR**

☐ Employee classifications

☐ Exempt

☐ Non-Exempt

☐ Independent contractor

☐ Volunteer

☐ Intern

☐ Salary schedule

☐ Hourly wage schedule

☐ Commissions

☐ Bonuses and incentives

☐ Holiday pay

☐ Vacation/PTO

☐ Eligibility

☐ Accrual

☐ Scheduling

☐ Reconciling PTO with paid sick leave ordinances

☐ Paid sick leave

☐ San Francisco Paid Sick Leave Ordinance – and other cities (e.g. Berkeley, Emeryville, Oakland)

☐ California Labor Code

☐ Other non-working day pay

☐ Travel time

- ☐ Premium pay

  - ☐ Call-in pay

  - ☐ Reporting time pay

  - ☐ Call-back pay

  - ☐ Overtime

    - ☐ Scheduling

    - ☐ Rates

  - ☐ Shift premiums

- ☐ Rest breaks

- ☐ Meal periods

- ☐ Pay days

- ☐ Definition of work week

- ☐ Off the clock

- ☐ Expense reimbursement

  - ☐ Personal cell phone use for work purposes?

NOTES:

VI. LEAVES OF ABSENCE

- ☐ Medical

- ☐ Disability

- ☐ Pregnancy/maternity

- ☐ Family

  - ☐ California Family Rights Act

  - ☐ San Francisco Paid Parental Leave

- ☐ Military

- ☐ Personal

- ☐ Bereavement

  - ☐ Reproductive Loss Leave

- ☐ Jury duty

- ☐ Voting

- ☐ Child school activities

- ☐ Other leaves (paid and unpaid)

- ☐ Physical examinations/inquiries (current employees)

  - ☐ Fitness for duty

  - ☐ Transfer/promotions

- ☐ Return to work

  - ☐ Medical certifications

  - ☐ GINA Safe-harbor language

NOTES:

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VII. **Employment Termination**

☐ Layoff

☐ Recall rights

☐ Disciplinary discharge

☐ Voluntary quit

☐ Severance pay

☐ Severance agreement/release

☐ Non-disparagement and confidentiality clause

☐ Final paycheck

☐ Wages

☐ Vacation

☐ Deductions

☐ Timing

☐ COBRA notification

☐ Exit interview

☐ Termination Certification form

☐ Termination checklist

☐ Recordkeeping on former employees (see records retention chart)

NOTES:

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VIII.   ISSUES FOR FOLLOW-UP

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