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### NOTE

The following checklist items are intended to assist you in considering the employment practices used by your entity. Any "no" responses, may require further analysis and/or an action plan for correction.







Can you hire and fire whoever you want?

- Race
- Color
- National origin
- Religion
- Sex
- Pregnancy
- Disability: physical or mental, blindness
- Age (40 and older)
- AIDS/HIV
- Off-duty tobacco use
- Genetic Information
- Public Policy
- Whistleblower
- FMLA
- Workers' Compensation



- ☐ Do recruitment sources represent the available labor market?
- ☐ Has an HR expert reviewed your application in the last two years to insure it meets current legal standards?
- □ Does application form contain necessary language for truthfulness and signature/acknowledgement line?



- ☐ Does a central individual oversee hiring actions/decisions?
- □Do interviewers receive training?
- ☐ Do interviewers use standardized questions?
- □ Do you follow consistent procedures for each interview?
- □ Does the interviewer take notes during the interview?
- ☐ Are the notes objective and jobrelated?
- □ Do you document the reason to hire or not hire?
- □ Do you authorize the decision to hire by an additional person(s) of authority?
- ☐ Has an attorney reviewed the job offer letter?

### THE INTERVIEW

- Stick to questions about the job
- Have a job description and use it to ask questions during the interview
- Ask only open ended questions
- Don't make empty promises
- Don't give the impression that applicant is getting the job
- Let the applicant know when they will hear back from you



- □ Do you verify personal references?
- □ Do you verify prior work references?
- ☐ If relevant to the job, do you conduct criminal background checks?
- ☐ If relevant to the job, do you check driving records?
- □ Do you verify required licenses and education?
- ☐ Do you conduct drug tests?
- ☐When filling positions with significant financial responsibility, do you perform credit checks?



- ☐ Do you require medical exams?
- □ Do you conduct medical exams after the job offer?
- □ Do you provide the medical facility with the physical requirements of the job?
- □ Do you consistently require medical exams?
- □ Do you provide formal orientation at the time of hire?
- ☐ Do you document orientations?
- □ Do all new employees receive and review copies of all policies and procedures?

### PERFORMANCE EVALUATIONS

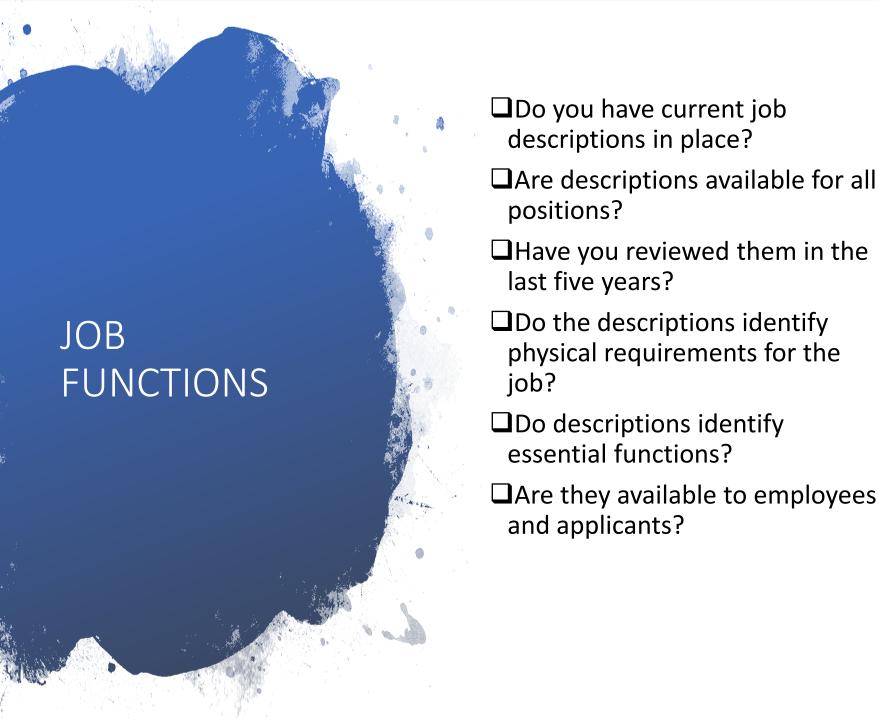
- ☐ Do all departments conduct performance evaluations?
- ☐ Do all departments conduct performance evaluations on all employees?
- ☐ How often?
  - ☐ Twice Yearly; Yearly; Every Two Years; Other
- ☐ Are procedures for performance evaluations consistent?
- ☐ Who developed the evaluation form?
  - ☐ HR or other internal department; Attorney; Other
- ☐ Do evaluators receive training?
- ☐ Is documentation job related?
- ☐ Do you allow employees to respond?





- ☐ Do you have written disciplinary rules in place?
- ☐ Are employees aware of the rules?
- ☐ Are employees terminated at-will?
- □ Do you require disciplinary action to be documented?
- □ Do you consult an attorney on major discipline issues?
- □ Do you conduct exit interviews for all employees who leave?
- □ Do you document and keep all exit interviews?





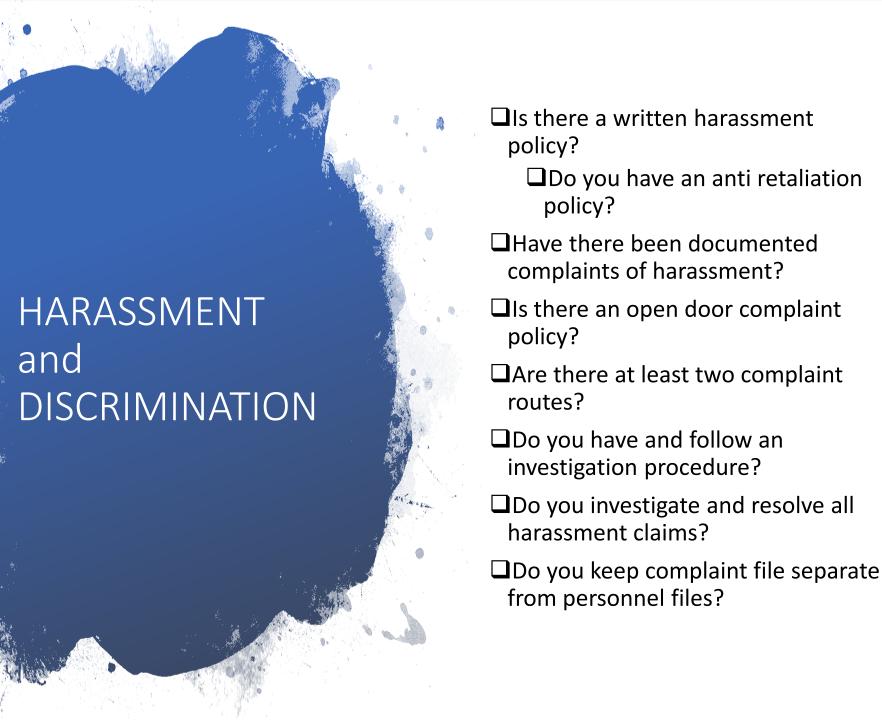
EMPLOYMENT/PERSONNEL MANUALS

- ☐ Are employments/personnel manuals in use?
- ☐ Has an HR expert or an attorney reviewed it in the last two years to insure it meets current legal standards?
- ☐ Do you provide it to all employees?
- □ Does it include an at-will employment statement?
- ☐ Are employees required to sign for receipt of the manual?

### PERSONNEL FILES

- ☐ Are files secure and confidential?
- ☐ Do you organize files in a consistent manner?
- ☐ Do you file medical information separately?
- ☐ Do you comply with Freedom of Information Act?







- ☐ Have there been documented complaints of discrimination?
- ☐ Is there a written policy prohibiting discrimination?
  - ☐ Do you have an anti discrimination policy?
- □ Do you post/display policy?
- ☐ Is there an affirmative action plan?



# FAMILY AND MEDICAL LEAVE ACT (FMLA)

- □ Do you have a written policy statement?
  - □ Does it address whether FMLA runs concurrently with annual leave, workers' comp?
- □ Are the employees' rights communicated?
  - □ Forms at <a href="https://www.dol.gov/whd/fmla/forms.htm">https://www.dol.gov/whd/fmla/forms.htm</a>
- □ Do you keep medical information in a separate personnel file?



- ☐ Do you have a written zero tolerance policy statement?
- ☐ Do you have a weapons policy?
- ☐ Do you train employees to take appropriate action?
- Do you have an emergency response plan?
- ☐ Is documentation kept of prior incidents?

TRAINING
AND
EDUCATION
Supervisors
& Managers

☐ At-Will & Just Cause Employment Relationships □ Discrimination & Harassment In The Workplace ☐ Interviewing & Selection Procedures □ Violence In The Workplace ☐ Recognizing & Handling Substance Abuse ☐ Conducting Performance Evaluations ☐ Discipline And Discharge Procedures ☐FMLA,ADA,HCRA,HIPPA ☐Title IV ☐ Personnel Policy Administration

TRAINING
AND
EDUCATION
Employees

- ☐ Harassment Policy
- ☐ Discipline And Discharge
- ☐ Violence In The Workplace
- ☐ Substance Abuse
- ☐FMLA Benefits
- ☐ Receiving Performance Evaluations
- ☐ Personnel Policy Provisions

## ANNUAL REVIEW OF POLICIES AND PROCEDURES

- HOW OFTEN DO YOU REVIEW THE FOLLOWING?
- Employment Application
- Personnel Manuals
- Sexual Harassment Policy
- Performance Evaluations Form and Instructions
- Policy on Violence in the Workplace

- Annually
- Semi-Annually
- Bi-Annually
- Other\_\_\_\_\_

### **Contact Information**



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