



EMPLOYMENT PRACTICES SPRING CLEANING CHECKLIST

BY PATRICIA C. COLLINS, ESQUIRE

1. Hiring:

- Background checks
- Reference checks
- Immigration compliance
- Employment agreements with non-compete, nondisclosure and non-solicitation covenants; prior assignment of Inventions and Derivatives
- Provide Employee Handbook delivery
- Harassment / Discrimination training and documentation of attendance
- Industry specific training and documentation of attendance
- Assurance that at-will employees are notified of their status
- Notice of Internet and Electronic Mail Policies
- Accurate categorization of exempt and nonexempt employees
- Compliance with wage and hour laws for nonexempt employees
- Set-up and maintain appropriate employee files
- Ensure no restrictive covenants from previous employment

2. Employee Discipline and Performance Evaluation:

- Regular, documented performance reviews
- Document all incidents
- Follow up on discipline

3. Compliance

- Family Medical Leave Act policies
- Reasonable accommodation policies and procedures for disabled employees
- Proper employee classification
- Overtime pay policies
- Proper record keeping

4. Employee Complaints:

- Maintain and enforce Harassment / Discrimination Policy, including complaint and investigation policies
- Training for managers
- Maintain and enforce Whistleblower Protection policies

5. **Insurance:**

- Workers' Compensation Insurance
- Industry Specific Insurance
- Employment Practices Liability Insurance
- Bonding for employees that have access and control of Company funds

6. **Terminations:**

- Review Employment Agreements
- Review policies regarding vacation and sick pay upon termination
- Comply with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") to provide proper notice of COBRA benefits
- Retain documents
- Secure computers and electronic communications and block future access
- Conduct and document exit interviews

Please contact Patricia Collins at (215) 230-7500 to discuss any questions you have regarding the above issues, your own employment matters or to schedule an appointment.

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