

# HR Compliance Audit Checklist

*(Please have these items ready for review at the scheduled time of the audit. Thank You!)*

## Compensation and Wage and Hour Compliance with State and Federal Regulations

- Organizational chart showing reporting relationships for each department/division (*formal or hand-drawn if a formal one does not exist*)
- List of all locations with number of employees at each location (*for employees who work out of their home, include the location and note the same*)
- List of all employees by location, date of hire, gender, race, date of birth, position, rate of pay, and current classification (exempt or nonexempt, including the particular overtime exemption)
- Any position-specific commission, incentive, and/or bonus plans
- Recent payroll ledger with name, position title, pay method (salary, hourly, piece rate, flat rate, tipped, commissioned, etc.), gross and net earnings, deductions, and straight and overtime hours worked
- Corresponding time records for nonexempt employees, GPS records, or other documents used to determine work time
- Corresponding commission sheets, route sheets, piece rate calculations, tip sheets, and/or payroll worksheets
- Written salary guidelines/policies, including formal compensation plan, if one exists
- Job descriptions for all positions
- Access to individual who can describe/explain pay practices/positions in order to analyze compliance related to state and federal wage and hour regulations (work time, travel time, meal breaks, homework, use of company vehicle, uniforms, pay deductions, final pay, vacation upon separation, etc.)
- List of any independent contractors, interns, and volunteers, including names and positions
- List of employees working two different jobs at two different rates of pay
- For piece rate pay plans: time records, piece rate calculations, and overtime calculations
- For 7(i) pay plans: percentage of annual dollar volume of revenue from sales/service for commercial vs. residential work; worksheets showing average hourly rate tests; documentation establishing how commissions are calculated
- For Fluctuating Workweek pay plans: copies of all Fluctuating Workweek Letters of Agreement
- Copies of any collective bargaining agreements with compensation provisions
- Results of any state or federal Department of Labor investigation

## Americans With Disabilities Act (Title I)

- Medical questionnaires or exam forms used in the hire process
- Physical and mental demands for each position
- Wellness program or wellness initiatives and medical inquiries associated with such programs/initiatives
- ADA/ADAA and reasonable accommodation policies, procedures, and forms

## Family and Medical Leave Act/General Leaves of Absence Procedures/State-Specific Leaves

- FMLA and non-FMLA policy and notices
- FMLA certification forms and letters
- Internal leave forms and documentation
- List of essential job functions for health care providers
- Fitness for Duty Certification
- Return to work programs for employees with work-related injuries
- FMLA logs and records retention
- Copies of any forms, policies, and employee information used to administer state-specific leaves, including paid sick and/or family leave benefits

## **Fair Employment Compliance**

- Sampling of active and inactive personnel files (4-6 each, varied positions and lengths of service)
- Any open charges of discrimination
- Employee handbook
- List of HR training sessions for staff conducted in the last three years
- HR Procedure manual
- All forms utilized in the hire process, separated into pre-offer and post-offer phases
- Background check forms and procedures
- Manager's manual or procedure manual
- All post-hire employment forms (coaching, termination, payroll change, non-compete agreements, etc.)
- Personnel files for any employees currently involved in a significant employment matter or investigation

## **General Human Resource Assessment**

- Recruiting programs and copies of classified ads/recruiting sources
- Performance appraisal program and forms
- Internal job posting program
- Required posters/employee notices
- Return-to-work programs
- Drug-free workplace program
- Written training manual or materials

## **Affirmative Action Requirements**

- Existence and nature of any government contracts in excess of \$50,000
- Existing Affirmative Action Program and supporting logs, letters, and documentation
- Adverse impact analyses
- EEO, veterans, and handicapped survey forms
- Documentation pertaining to the status of goals and affirmative action efforts in the past year

## **Immigration & Nationality Act Compliance**

- Immigration affidavits (I-9s) and supporting documentation for current employees
- Records retention (I-9s for terminated employees)
- Process related to no-match letters
- Internal compliance program / training for individual responsible for completing the I-9s
- Review of practices associated with contract labor
- E-verify procedures

## **Other**

- General business plan related to organizational development
- Staffing plans
- HR structure and staffing
- Turnover reports
- Mission statement and supporting documentation
- Marketing brochures or other materials that help describe the organization's purpose, mission, and philosophy