McNees

Defining the scope of your HR assessment checklist

The scope of an HR assessment should be tailored to the employer's structure, operations, and compliance obligations. This checklist highlights key policies, practices, and procedures that may be included in an HR assessment to assess legal compliance, identify areas of risk, and support more consistent workplace administration.

Policies and procedures:	Applicability	Compliance (Y/N)
Review of employee handbook and related HR policies and procedures		
Review of employee benefit plans and related documents (ERISA, COBRA, HIPAA, PPACA, etc.)		
Hiring:		
Review of hiring process • Employment applications • Interview questions and interviewer guidance • Job advertisements and postings • Background check procedures and complaints • Offer letters and employment agreements • State law notice requirements (wage notice requirements) • Pre-employment physicals or medical inquiries		
Review of I-9/E-Verify compliance		
Review of onboarding process		
Wage and hour issues:		
Exempt and non-exempt classification determinations		
Review of equal pay and discriminatory pay practices concerns		
Review of minimum wage compliance		
Review of overtime calculation and payment practices (regular rate issues, bonuses, multiple rates, etc.)		
Review of hours-worked practices (start and stop times, meals/breaks, remote work, travel, training, etc.)		
Child labor compliance (work permits and hazardous occupation restrictions)		
Wage deduction authorization practices		
Review of pay, bonuses, and commission plans for clarity, consistency, and enforceability		

Compliance issues:	Applicability	Compliance (Y/N)
Review of leave of absence, FMLA, or accommodation practices and procedure		
Review use of independent contractors, temporary employees, and other contingent workers (e.g., independent contractor agreements, staffing services agreements, IRS/ DOL compliance)		
Review of EEO-1 reporting compliance		
Review of drug testing policies, related documents, and protocols		
Review of privacy and data security practices (medical records, sensitive personnel information/SSNs)		
Review of OSHA compliance • Recordkeeping • MSDS program • Workplace violence prevention • First aid and emergency response protocols • Bloodborne pathogens program • General duty clause issues • Job advertisements/postings • Lockout/tagout program		
Review of workers' compensation protocols		
Review of medical emergency protocols		
Postings and recordkeeping:		
Review of required employee postings		
Review of employment record retention practices and e-discovery protocol		
Review of job descriptions (e.g., ADA essential function designations, support of exempt designations)		
Review of protocols for maintenance of HR records		
Preventive practices and training:		
Review of protection for proprietary information and confidential business information, including non-disclosure, trade secret, non-solicitation, and non-compete agreements		
Review of performance evaluation and performance management processes (evaluation forms, disciplinary record forms)		
Review of labor relations readiness and lawful employee relations practices		
Anti-harassment training		
Termination and post-employment:		
Review of reduction-in-force procedures and related documents		
Review of termination procedures and documents (termination letter, disciplinary procedures, severance agreements, reference policy, communication to the workforce)		
Review of protocol for enforcing post-employment restrictive covenants (non-competes, non-solicitations, confidentiality/trade secret agreements)		

Supervisory and management training sessions:	Applicability	Compliance (Y/N)
Performance management and discipline		
Drug and alcohol testing issues (reasonable suspicion training)		
FMLA, ADA, or work-related injuries		
Anti-harassment		
Workplace violence		
Electronic resources, social media, and AI policies		
Interviewing/hiring		
Confidentiality and medical records		
Wage and hour issues for supervisors and managers		
Employment law for managers		
Benefits-related compliance issues for managers		

Keep in mind

This checklist is intended as a general guide. Because employment obligations and risk areas vary by employer size, operations, workforce, and geographic footprint, the scope of any HR assessment should be tailored to the organization's specific needs and priorities.