



*The Seay Management Human Resources Management Checklist consists of 24 key HR flash points that will help to ensure that you are up to date and in compliance with employment regulations enforced by state and federal agencies and that you are implementing HR “Best Practices” in terms of policies, procedures, manuals and documents to hire and retain good employees and motivate them to superior performance.*

1. **EMPLOYEE HANDBOOK** - This is your fundamental employment document because it describes how you will handle work issues that arise with your employees. To meet that goal, it should be comprehensive and detailed. Some of the policies you need include:
  - **EEO policy** – this should include the protected category of “genetic information.” Also, some states have additional protected categories. Check your state regulations or call your Seay Management consultant to make sure you have them all covered.
  - **Dress Code** – address extreme hair color, potentially offensive tattoos, scents and aromas that bother other employees, and body piercings in places that could be distracting. Be sure to include a provision for accommodating your dress code based on the religious beliefs of an employee or candidate.
  - **Cell Phone Use** – talking or texting at work, even if set on vibrate, taking pictures and safety issues involved while driving on employer business.
  - **Social Relationships at Work** – a supervisor dating an employee is Trouble Waiting to Happen (TWTW).
  - **Email/Internet Use at Work** - We should train employees on how to compose emails and what Internet sites should be avoided and inform them that the email system is the property of the employer and that all emails are subject to being retrieved.
  - **COVID** - While we hope never to have a COVID event again, or at least in our lifetimes, it is a good idea to have a policy covering the employer’s response to pandemic situations.
  - **Working Remotely** - More and more employees are working remotely so a Remote Work policy should be included in your employee handbook which would cover working time, accidents at home, accountability.

2. **SOCIAL NETWORKING** - Technology is racing forward at warp speed, employers should develop a policy on the use of social networking at work, taking into consideration sites like Facebook, Twitter and Instagram, etc.

- Employers should prohibit or restrict access to social networking sites during working time and employers should be aware that some material that employees post may be protected concerted activity, even if it is critical of management.
- Supervisors and managers should be required to stay off the personal social media pages or sites of their employees.
- On the basis of NLRB regulations, employers should refrain from instructing employees about what they can and cannot post on Facebook or other social networking sites.

3. **HARASSMENT AWARENESS AND PREVENTION TRAINING** - Conduct Harassment Awareness Training annually for all managers and employees, to build a wall of protection around your company. This training should include all forms of unlawful harassment including harassment based on race, religion, age, ethnicity, etc.

4. **BULLYING IN THE WORKPLACE** - Sandy has often said that “the workplace mirrors society” and that whatever behavior is occurring in society will ultimately find its way into the workplace. Today, we are seeing the emergence of bullying behavior in schools and in other parts of society and this can often lead to violence at work.

Bullying can be physical, emotional and/or relational and often occurs in cyberspace. To prevent, eliminate or reduce bullying at work, we recommend that you develop strong Anti-Bullying and Zero Tolerance for Violence policies and make absolutely sure you have a way for employees to report abuses, in a confidential and anonymous way.

5. **IMPLEMENT A DRUG FREE WORKPLACE PROGRAM** - To help resolve potential drug issues at work and lower your Workers’ Compensation premium. Your policy should cover synthetic drugs, as well.

6. **DISC PROFILE** - To make sure you hire the best employees, that are the best “fit” for the job and the work culture, consider administering the DISC profile, which is a measure of working style:

- Hard Driving Type A
- Multi-tasker
- People Oriented
- Detail oriented

The DISC lets you “look behind the curtain” to see if you really have the Wizard of Oz or if you have a pretender. We can do this online.

7. **AFFIRMATIVE ACTION PLAN** - Complete the annual update of your Affirmative Action Plan according to the regulations, if you are a covered employer. To be covered, you must have 50 employees and federal government contracts of \$50,000 or more.
8. **EEO-1 REPORTS** – Employers are required to complete this report each year if they have a workforce of 100 or more employees or if they serve as a government contractor with 50 or more employees. The tentative date to begin submission of your 2021 EEO-1 Report is April 12, 2022.
9. **VETS 4212 REPORTS** – This report should be filed if a business has a current federal government contract or subcontract worth \$150,000 or more, regardless of the number of employees. This is due by September 30<sup>th</sup> each year.
10. **NEW HIRE REPORTS** - Regularly submit your New Hire Reports to the state employment agency database.
11. **JOB DESCRIPTIONS** – Ensure that you have detailed job descriptions for every job, in compliance with ADA, EEOC and Generally Accepted Principles of Human Resources Management.

In addition to helping us manage, job descriptions are often a first line of defense, in the event of an EEOC or DOL investigation. Employers who are covered by the Affirmative Action regulations are required to have job descriptions.

12. **MANAGEMENT TRAINING** - Consider conducting several Management Training sessions this year on important subjects like:
  - How to Counsel and Dismiss Employees (When Necessary).
  - How to Conduct Performance Appraisal.
  - How to Handle Difficult Employees.
  - How to Motivate Employees to Superior Performance.
  - Ethics in the Workplace.
  - How to Harness the Power of a Type A Manager - A workshop that can help produce motivation and understanding among employees and management.
13. **EMPLOYMENT LABOR POSTERS** – Check that you have all current required employment posters, placed in prominent locations. Federal regulations require 6 posters; the various states require about 5 more.
14. **I-9 FORMS** – Review your I-9 forms for completion and keep on file for all employees. Verification requires employers to:
  - Examine and record documents under Columns A or B and C.
  - Make copies of the verification documents and staple them to the I-9 Form.
  - File the I-9 Forms in a separate location, not the regular employee file.

- The E-Verify program is required for some government contractors; however, we recommend it even if you are not a government contractor because it is an efficient and inexpensive way of checking a candidates' eligibility for employment.

15. **EMPLOYEE FILES** - Make sure your employee files are complete and that they include all the documents you need (such as the application form, disciplinary notices, commendations, performance appraisals, et. al.) but none of the documents that are problematic (such as polygraph records, drug test records, private/personal documents).

Some employee documents are necessary for recordkeeping and reporting and are perfectly proper, but are of a personal, private or medical nature or have an EEO component. For these documents, have an Administrative or Confidential file, separate from the regular employee file.

16. **COMMUNICATIONS WITH EMPLOYEES** – Employers should have clear and frequent employee communications programs such as:

- Open Door policy
- Employee Complaint Procedure
- Bulletin boards
- Employee newsletter - printed or electronic newsletter

It is our experience that most employee problems have poor communications at the foundation.

17. **DOCUMENTATION** - Make sure all of your Human Resources decisions and actions are fully and comprehensively documented, that you have developed and implemented a system of Progressive Discipline and that all of your supervisors and managers have been fully trained.

18. **UNEMPLOYMENT** - Remember that the Unemployment Office is giving away unemployment benefits like chiclets. Keep in mind:

- In most states, if you dismiss an employee within the 90 day probationary period, whatever benefits may be awarded should not be charged to your account.
- Former employees should not be eligible for benefits if they are dismissed for misconduct or if they leave with “no good cause attributable to the employer.”
- Employees who are dismissed for performance reasons will almost always be awarded benefits.
- Check your unemployment claims report to make sure there are no fraudulent claims. Fraudulent claims are skyrocketing, particularly in the Age of Covid.

19. **NATIONAL LABOR RELATIONS BOARD** - This agency covers both union and non-union employees and enforces the “Unfair Labor Practices” requirements. In addition, union membership is at a historic low and union organizing campaigns are going to increase, so it’s critical to train your supervisors and managers in the landscape of what they can and can’t do. Most managers and supervisors are surprised to learn that they can do more than they think they can. A one-half day supervisory training program will resolve this issue. This is an emerging flash point that we must continually monitor.
20. **EMPLOYEE OPINION SURVEY** - Consider conducting an employee opinion survey every 18-24 months to find out what your employees think and how they feel about their work and their jobs. Many a serious employee problem has been prevented by an employee opinion survey.
21. **TIME RECORDS** - The Wage and Hour Division of the Department of Labor is targeting the question of “working time,” which the regulations define as whenever an employee is “suffered or permitted to work.”

If an employee is working, the employer is responsible for paying for this time, even if you didn’t authorize it, and even if you didn’t know about it. This could include travel time, meal periods, time before and after regular work hours, homework and other time.

Employers should have a clear policy on the use of smart phones and other devices at home and during other non-scheduled work hours to conduct company related business. Make sure all employees are recording all of their work time accurately and that you know when employees are working.

22. **EXEMPT CLASSIFICATION** - Verify that all of your exempt employees are properly classified and receive at least the minimum salary for exemption. The federal minimum level is \$684 per week but some states and municipalities have a higher requirement. Remember that one of the requirements for exemption is that employees must receive a guaranteed salary, not subject to deduction, in any week in which they perform any work at all.
23. **ONLINE APPLICATION AND JOB POSTINGS** - Consider having employees complete the application form online, through your website, rather than in person. This can be a more efficient and less expensive process and may more quickly identify those applicants who might be good candidates for the positions you have open. You might also want to list your open positions on your website. Candidates should complete the application for prior to the initial interview.
24. **HR MANAGEMENT COMPLIANCE AUDIT REVIEW** - This will help you reduce or eliminate any potential liability or exposure, provide you with the comfort and assurance that you are in compliance with all of the employment regulations that cover you and check to see that you have the “best practices” you need to hire and retain good employees.

We trust that this Human Resources Management Checklist will be helpful to you as you establish and refine your employment goals and objectives. Please contact Seay Management Consultants with any questions you may have.

Very best regards,

**SANDY, DAN, MIKE, SISSY AND ALL OF THE SEAY MANAGEMENT CONSULTANTS TEAM**

*Remember, if you have an employment issue or challenge, and you need an answer right away, and you want the very best Human Resources Management advice available, you need to call . . . The Seay Team!*

It is our goal to:

1. Help ensure that your business is in compliance with all of the state and federal employment regulations and guidelines which affect your company and your employees;
2. Help eliminate your financial exposure in these areas; and
3. Develop the policies and systems which will help you employ and maintain a satisfied, happy and productive work force.

Seay Management provides Human Resources Management and Labor Relations consulting services. Seay Management does not provide legal advice and does not engage in the practice of law. If you need an attorney, we'll be glad to recommend one to you.



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