Namely

HR Risk Mitigation *Checklist* ✓

○ Verify all employee information (including address, legal name, and Social Security numbers)

○ Review your employee classifications & Fair Labor Standards Act (FLSA) status

　　○ Watch career descriptions for exempt employees and match them with FLSA requirements

○ Keep I-9s safe & accurate

　　○ Ensure the most up-to-date form has been used

　　○ Keep your I-9s filed separately from your other personnel records

　　○ Keep them confidential via lock and key (or login and password only known to certain members of HR)

○ Familiarize yourself with the equal pay and salary history laws that apply where you operate

Clearly define and communicate your bonus and commission structure if applicable

Review your employee handbook to make sure it complies with federal and state law and accurately reflects your actual practices

- Make sure you include policies for PTO, sick leave, etc.

Hang (or send) all required workplace posters

Check if you are meeting all OSHA reporting requirements

- Report your completed Form 300A by March 2nd of the year after the calendar year covered by the form
- Report any worker fatality within 8 hours and any amputation, loss of an eye, or hospitalization of a worker within 24 hours

Ensure compliance with the Americans with Disabilities Act and/or similar state laws

Know your vocabulary (FMLA, COBRA, ADA, USERRA) and what they mean for your business

Review the stipulations of the Affordable Care Act for ongoing compliance

Create a clear anti-harassment policy, a detailed complaint procedure, and show a commitment to follow through on all concerns

- Provide harassment prevention training
- Implement an anonymous reporting tool

Know all the protected classes and characteristics that are protected by state law in the locations where you operate (e.g., political affiliation, credit information, arrest record)

Ensure your benefits plans documents comply with ERISA and distribute summary plan descriptions (SPDs) to employees

If your employees make pretax contributions for health coverage or FSAs, create an up-to-date cafeteria plan document based on the IRS rules

Keep track of all payroll compliance form due dates, including like W4s, W2s, Form 941, etc

Comply with all new hire reporting requirements

Ensure wages are correctly garnished, if applicable

File EEO-1 Component 1 report, if applicable

Leverage E-Verify, if required by your state

Require managers to formally document performance and behavior issues

Enforce a standard process for measuring and reviewing employee performance

Document employees' leave rights and policies under FMLA

Know the applicable state requirements for pay and notices at termination

Create a business continuity plan in the event of a natural disaster, weather incident, or health emergency affects your company

Explore Namely's Compliance Library & Compliance Plus solutions
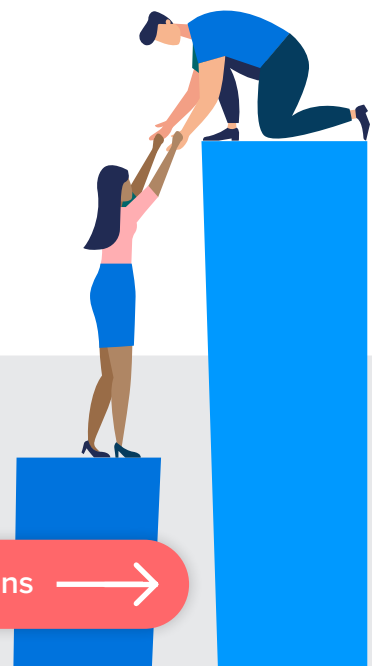
Looking to level up your risk mitigation strategy?

Learn more about Namely's compliance solutions →