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CALIFORNIA HR FUNDAMENTALS COMPLIANCE ASSESSMENT

ComplianceAccelerator.com

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AS REQUESTED BY:

Sacramento Legislature



COMPLIANCE ACCELERATOR

**HR FUNDAMENTALS
COMPLIANCE ASSESSMENT**

BUSINESS DOCUMENTATION



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There are certain California Employment areas in which organizations are particularly vulnerable. Most lawsuits can be traced to issues related to pay, hiring, performance management, discipline or termination, and company record keeping. This self-assessment is written to help you identify any employment-based risks and vulnerabilities in the following areas:

- Compliance Fundamentals
- Talent Acquisition
- Interviewing and Selection
- New Hire
- Orientation and Onboarding
- Time and Attendance
- Payment of Wages
- Staffing
- Managing Leaves of Absence
- Privacy, Safety and Security
- Performance Management
- Employment Actions

ASSESSMENT WORKSHEET

Please read each compliance assessment item and rate your human resource and/or business practices according to your awareness and use. **DO NOT LEAVE ANY ITEMS BLANK**

RATING DEFINITIONS:

If you are aware of the compliance item and currently use it, check the box in Rating Column 2.
 If you are partially aware of the item and/or partially using or implementing, check the box in Rating Column 1.
 If you are unaware or unfamiliar with the compliance item listed, check the box in Rating Column 0.

Once completed, the worksheet will automatically calculate totals, and your organization's overall employment compliance risk assessment will be summarized.

2 = Fully Aware/In Use

1 = Partially Aware or In Use

0 = Unaware/Unfamiliar

COMPLIANCE FUNDAMENTALS	RATINGS		
	2	1	0
California Criteria for Exemption from Overtime-Administrative Category (large or small employer)			
California Criteria for Exemption from Overtime-Executive Category (large or small employer)			
California Criteria for Exemption from Overtime-Professional Category (large or small employer)			
California Computer Software Exemption from Overtime Notice			
California Criteria for Exemption from Overtime-Commissioned Salespeople (large or small employer)			
Summary of New Laws effective 1/1 or 7/1 of current year			
Summary of prior year Case Law affecting Labor Code interpretation			
Notice of Inspection by Immigration Agencies			
Current Industrial Welfare Commission (IWC) Wage Order			
California Minimum Wage Notice			
California Paid Sick Leave Notice			
California Paid Sick Leave: Request or Waiver Form			
Payday Notice			
Safety and Health Protection on the Job notice			
Emergency Phone Numbers			
Notice to Employees - Injuries Caused by Work			
Notice of Workers Compensation Carrier and Coverage			
Whistleblower Protections Notice			
No Smoking Signage			
California Law Prohibits Workplace Discrimination and Harassment notice			
Transgender Rights in the Workplace			
Pregnancy Disability Leave (employers with five or more employees)			
California Family Rights Act Notice (employers with five or more employees)			
Family Medical Leave Act notice (employers with 50 or more employees)			

	RATINGS		
	2	1	0
SDI Notice to Employees			
UI Notice to Employees			
Notice to Employees: Time Off to Vote			
Equal Employment Opportunity is the Law notice			
Federal Minimum Wage Notice			
Notice: Polygraph Protection Act			
Job Description Form			
TALENT ACQUISITION	RATINGS		
	2	1	0
Background Authorization and Release			
California Employment Application Form			
Candidate Evaluation Form			
Drug Screen/Medical Examination Form			
FCRA Disclosure			
ICCRA Disclosure			
INTERVIEWING AND SELECTION	RATINGS		
	2	1	0
Applicant Interview Evaluation Form			
Adverse Action Notice			
Contingent Employment Offer Letter (exempt position)			
Contingent Employment Offer Letter (nonexempt position)			
NEW HIRE	RATINGS		
	2	1	0
Current Form I9			
DE1857a – SUI Notice to Employees			
DE1857d – UI Notice to Employees			
DE2515 – SDI Notice to Employees			
DFEH-E038 CFRA Notice			
DFEH185 – Harassment Prevention Notice			
DE-4 California Withholding Form			
W4 Federal Withholding Form			
LC 2810.5 Notice			
Predesignation of Treating Physician Form			
Time of Hire WC Pamphlet			
Victims of Domestic Violence, Sexual Assault and Stalking Leave Notice			

ORIENTATION AND ONBOARDING	RATINGS	2	1	0
Employee Policy Handbook				
Employee Policy Handbook Acknowledgment				
Payroll Voluntary Direct Deposit Authorization Form				
On-Off Duty Meal Agreement				
TIME AND ATTENDANCE	RATINGS	2	1	0
Workday defined in policy				
Workweek defined in policy				
California overtime rules				
California meal and rest period rules				
California compensable time types and rules				
Nonexempt employee time-tracking system or forms				
Calculating the regular rate of pay for nonexempt employees				
Calculating the weighted overtime premium for nonexempt employees				
PAYMENT OF WAGES	RATINGS	2	1	0
California wage statement requirements (10 items)				
Section 125 reduction agreement				
Retirement Plan reduction agreement				
Required mandatory payroll deductions				
California prohibited payroll deductions				
Registered Domestic Partnership Rules in California				
STAFFING	RATINGS	2	1	0
California Alternative Workweek Schedule Procedures				
Nonexempt Employee Posted Work Schedules (paper or electronic)				
MANAGING LEAVES OF ABSENCE	RATINGS	2	1	0
Request for Leave of Absence Form				
California Certification of Healthcare Provider				
Employer response to leave of absence request				
All applicable job protected leaves of absence (by employer size)				
PRIVACY, SAFETY, AND SECURITY	RATINGS	2	1	0
California Injury Illness Prevention Program				
Cal/OSHA Covid19 IIPP Module				

PERFORMANCE MANAGEMENT	RATINGS	2	1	0
Request for reasonable accommodation form				
ADA interactive discussion form				
California HIPAA Medical release				
Corrective action notice				
Exempt Position Performance Evaluation				
Nonexempt Position Performance Evaluation				
EMPLOYEMNT ACTIONS	RATINGS	2	1	0
Termination-Change of Relationship Form				
Termination-DE 2320 Notice to employees				
Termination-California HIPP Notice				

RATING TOTALS

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ASSESSMENT SCORING SUMMARY

ASSESSMENT SCORE

176 - 146 - Strong Compliance – Low Risk Overall

145 - 58 - Moderate Compliance – Medium Risk Overall

57 - 0 - Weak Compliance – High Risk Overall