

HR 101- Best Practices

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Agenda

- Overview of key HR labor laws
- Recordkeeping requirements
- Onboarding and offboarding
 - The importance of Checklists
- HR in 2017
- Q&A



After this session....

- You will have a better understanding of key federal labor & employment laws
- Identify compliance concerns in your government entity
- Apply best practices in your HR departments

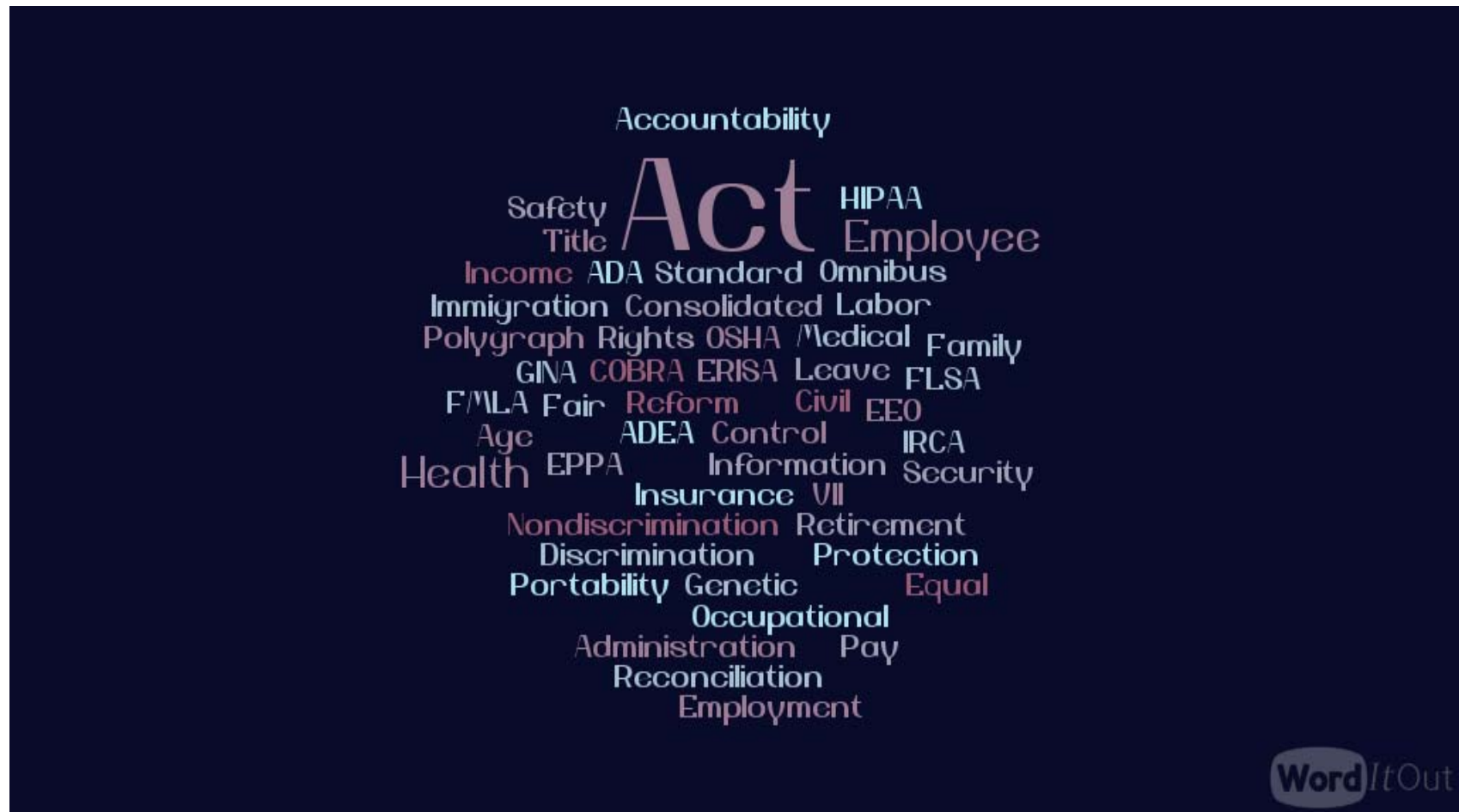




Key HR Labor Laws



Employment Law Wordcloud!



All those Acronyms...

ADA

**Americans
with
Disabilities Act**

ADEA

**Age
Discrimination in
Employment Act**

Title 7

Civil Rights Act

EPPA

**Employee
Polygraph
Protection Act**



All those Acronyms...

FLSA

**Fair Labor
Standard Act**

ERISA

**Employee
Retirement
Income
Security Act**

EPA

**Equal Pay Act
of 1963**

FMLA

**Family Medical
Leave Act**



Even More Alphabet Soup...

IRCA

Immigration Reform & Control Act (I-9)

OSHA

Occupational Safety & Health
Administration

COBRA

Consolidated Omnibus Reconciliation Act
of 1986

HIPAA

Health Insurance Portability &
Accountability Act

GINA

Genetic Information
Nondiscrimination Act



Required Records and Retention

- Varies by Law
- At least 1 year, as many as 6 plus (ERISA)

Recommendations

- Retain records for the required minimums
- Retain records when discrimination or other charges are filed
- Ensure vendors understand compliance requirements



Notice Requirements: Posters

- Consolidated EEO
- Your Rights Under the Fair Labor Standards Act
- Notice of Protection
- Job Safety and Health Protection
- FMLA notice
- Don't forget state laws!





The Employee File



Records Are Helpful!

Required by employment laws

Assist in managing human resources

Help demonstrate compliance

Document employment decisions

Protects organization AND employees



What Makes Up an Employee File?

In general:

- Recruiting and screening documents - applications, resumes and educational transcripts
- Job descriptions
- Records relating to job offers, promotion, demotion, transfer, layoff, rates of pay and other forms of compensation, and education and training records
- Pay and compensation information



Employee File

- Records relating to other employment practices (including policy acknowledgments and agreements)
- Letters of recognition
- Warnings, counseling and disciplinary notices
- Performance evaluations and goal setting records
- Termination records



Employee File

These are usually kept apart from the file itself:

- Equal employment opportunity (EEO)/invitation to self-identify disability or veteran status records
- Reference/background checks
- Drug test results
- Immigration (I-9) forms
- Medical/insurance records (medical questionnaires, benefit enrollment forms and benefit claims, doctors notes, accommodation requests, and leave of absence records)



Employee File

These are usually kept apart from the file itself:

- Child support/garnishments
- Litigation documents
- Workers' compensation claims
- Investigation records (although relevant disciplinary action, counseling or other direct communications are placed in the employee's personnel file)
- Requests for employment/payroll verification



Survey Question

- Do managers keep a “desk file” for their employees?
 - Yes
 - No
 - Not sure



Important Change in Form I-9

It's here! – Employers must be using the new I-9 form

Changes include:

- Employees only need to provide other last names used in Section 1, rather than all names used.
- There is a dedicated area to enter additional information that employers have been required to notate in the margins of the form.
- Form is more computer friendly



Welcome!

Goodbye

Onboarding & Offboarding

The Importance of Checklists



Onboarding

- Why important?
 - In support of risk management and compliance
 - In support of retention and the hire process
 - Employees are a business' biggest investment!
- Typically first steps are completed by HR, then employee's manager completes the onboarding coordination.



Onboarding

From HR

- Pre-hire and new hire checklists are helpful
- Pre-hire will include post offer, pre-employment items such as
 - Background screening - references, employment verifications, criminal background, education/credentialing and other checks
 - Offer letters/employment contracts
 - Initialization in employer systems
 - Community announcements/press releases about hire



Onboarding

Hire checklists will include items such as:

- ✓ W4s, Federal and State
- ✓ Payroll action forms
- ✓ I-9
- ✓ Emergency contact information
- ✓ Employee benefits enrollments
- ✓ Anything still outstanding from pre-hire process



What's Offboarding?

This is the process to separate the employment relationship.

- Can be retiree, involuntary, resignation
- You guessed it, you need a checklist...



Offboarding

While the goal is to retain employees, it's important to separate correctly as well. There are compliance and employee relations considerations.

- Unemployment and severance
- Employee benefits notices and actions (COBRA)
- Final pay action items
- Removal from systems and directories
- Internal and external announcements



Offboarding

As with onboarding, best practice usually means checklists to be sure you get it right each time

Things to consider when offboarding include:

- Type of separation – Voluntary or Involuntary – this category represents a host of scenarios and must be handled with care.
- Timing of separation
- Who should be included in the process
- Internal/External impact to the organization



Survey Question

Does your local government utilize checklists or a workflow procedure for onboarding/offboarding?

- Yes
- No





HR in 2017



Predictions in 2017

- Trump Administration
 - More favorable labor programs for business
 - Economic growth and job creation a priority
- Review and revisions of Affordable Care Act
- FLSA Overtime
- Minimum Wage, Paid Leaves
- Immigration



