

Employment Law Compliance Assessment

4-Minute Mini Quiz

Just answer Yes or No to these 20 questions

Your answers identify government regulatory, compliance and personnel management problems within your practice.

Score yourself - see "How did I do?" on page 2.



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Test Your Knowledge Of Employment Law

Today's workplace is a legal minefield that can explode on unprepared employers. Each year organizations lose millions in legal fees, fines, lost production and court judgments.

4-Minute Mini Quiz

| | Yes -- Don't -- No know |
|---|----------------------------|
| 1. Do you have the current, up-to-date written personnel policies that every employer should provide to their staff to ensure compliance and protection? | Y ? N |
| 2. Do your employees keep daily records of hours worked--such as time cards or electronic records? | Y ? N |
| 3. Do you pay overtime to everyone on your staff--including office managers and hygienists, regardless of whether they are paid per hour or a salary, when they work more than 40 hours in a week (or more than the daily permitted hours if required by your State regulations)? | Y ? N |
| 4. Do you maintain two types of personnel files for each employee--one "Regular" file and one "Confidential" file? | Y ? N |
| 5. Do you maintain complete and up-to-date documentation that should be included in each employee's personnel file to provide a sound defense against any claims? | Y ? N |
| 6. Do you have an established protocol to follow when an employee (or former employee, or his/her attorney) asks to review their personnel file? | Y ? N |
| 7. Are you an "at will" employer and, if so, is your "at will" policy clearly established in your job application, employment agreement, and policy manual? | Y ? N |
| 8. Do you have signed "Employment Agreements" for each of your employees? | Y ? N |
| 9. Do you follow wage and hour requirements for paying staff for travel to and attendance at seminars, lectures, or workshops? | Y ? N |
| 10. During the hiring process, do you know the precautions to take to prevent possible charges of discrimination from applicants you did not hire? | Y ? N |

| | Yes -- Don't -- No know |
|---|----------------------------|
| 11. Do you check references every time before you hire a new staff member to help avoid allegations of "Negligent Hiring"? | Y ? N |
| 12. When giving or checking references, do you know how you can give or receive information about an employee's job performance without fear of adverse ramifications (including, the real reason for an employee's discharge, i.e. excessive absenteeism, unsatisfactory performance, etc.)? | Y ? N |
| 13. Do you know the requirements for each different type of leave of absence, i.e. pregnancy, personal, family, work-related injury, jury duty, military, etc.? | Y ? N |
| 14. Does your pregnancy leave policy include a "Health Hazards During Pregnancy Release Letter"? | Y ? N |
| 15. Do you know the process to follow to protect against claims of sexual harassment? | Y ? N |
| 16. Do you know the procedure to follow if a pregnant employee says she cannot or will not take x-rays? | Y ? N |
| 17. Do you have a labor attorney or employment specialist review all terminations before they become final? | Y ? N |
| 18. Do you have written job descriptions for each position and do they comply with the Americans with Disabilities Act (ADA) regulations? | Y ? N |
| 19. <i>(California only)</i> You have chosen to use an "Alternative Work Schedule" to prevent having to pay costly overtime. Did you install it using the required 7-step process? | Y ? N |
| 20. When purchasing a practice and the existing staff automatically continues with the new owner, can the new owner be penalized for any labor violations during the previous owner's "watch"? | Y ? N |

How did I do?

The right answer to each question is a YES answer. A NO answer to any question indicates an area where the practice is not in compliance with the Federal and State regulations.