

OBERMAYER REBMANN MAXWELL & HIPPEL LLP

EMPLOYEE RELATIONS AUDIT

This self-audit will help assess whether your Company complies with applicable federal, state and local employment law and whether your policies promote positive employee relation.

I. Company Information

1. Name of Company _____

2. Address _____

(If more than one location, list all addresses)

3. Telephone Number _____

Facsimile Number _____

4. Nature of Business _____

5. Type of Business:

___ Proprietor ___ Partnership ___ For Profit Corporation ___ For Non-Profit Corporation

6. Names of Principals _____

7. Any government contracts? ___ Federal ___ State

Are the contracts in excess of \$10,000? _____ \$50,000? _____

II. Employee Information

1. Total Number of Employees _____

2. Number of Minority Employees ___ AA ___ Latino ___ Asian

3. Number of Female Employees _____

4. When do you collect your EEO data? _____

5. Number of full-time employees _____ part-time _____

6. Number of Independent Contractors/Consultants _____

7. Number of hours required for full-time status? _____
8. Are employees represented by a union? _____
9. List all positions in your Company. Mark "S" if the position is salaried and "H" if hourly. Note if employees are paid overtime for more than forty hours work in one workweek.

Position	<u>S/H</u>	<u>Overtime</u>

10. Do you provide any of the following benefits to your employees? Where applicable, indicate name of provider, type of plan and eligibility requirements.

- _____ Health Insurance
- _____ Dental Insurance
- _____ Life Insurance
- _____ Paid Holidays (list each holiday)
- _____ Paid Vacation (how are weeks earned?) _____
Paid Sick Days (list number of days)
- _____ Paid Personal Days (List number of days)
- _____ Short-term Disability Insurance
- _____ Long-Term Disability Insurance
- _____ Pension, 401K and/or Profit Sharing Plan(s)
- _____ Tuition Reimbursement
- _____ Uniform Allowance
- _____ Severance Pay
- _____ Other

11. Place a "PT" next to any of the above-listed benefits available to part-time employees.

12. Does the Company post any of the following posters:

_____ Pennsylvania Human Relations Act

_____ Title VII – Anti-Discrimination Laws

_____ Fair Labor Standards Act

_____ Unemployment Compensation Act

_____ Workers' Compensation Six Member Panel

_____ Family and Medical Leave Act

_____ Polygraph Act

_____ WARN

_____ Federal Contractors

_____ OSHA

III. Recruitment/Selection Procedures

1. How does the Company recruit applicants? _____

2. Provide a copy of your employment application.

3. Does every applicant complete an application? _____

4. Do you have written job descriptions? _____

5. Who interview applicants? _____

6. Do your interviewers follow a standard interview procedure? If yes, briefly describe. _____

7. Do your interviewers know that they may not ask certain questions in an interview? _____

8. Do you check references? _____

9. Do you require applicants to take:
- _____ Drug and/or alcohol tests
- _____ Paper and pencil tests
- _____ Pre-employment physical examinations.
10. Do new employees complete a Form I-9? _____
11. Do new employees sign an employment contract or any other agreements? _____ (If yes, attach a copy)
12. Do new employees serve a probationary period? _____
(If yes, how long?) _____
13. Do you evaluate employees at the end of their probationary period? _____
(If yes, describe the procedure) _____
- _____
- _____

IV. Personnel Policies and Procedures

1. Do you have an Employee Handbook? _____
(If yes, attach a copy. If no, would you like to have a Handbook?) _____
2. If you have a Handbook, answer the following questions:
- Who drafted it? _____
- When was it last reviewed and/or updated? _____
- Does it include the following policies:
- _____ Welcome by the President/Executive Director
- _____ Purpose of the Handbook/At-Will Statement
- _____ Equal Employment/Sexual Harassment

- _____ Employee Benefits Section
 - _____ COBRA Statement (for Group Health Coverage)
 - _____ Family and Medical Leave (50 employees or more)
 - _____ Grievance/Appeal Procedure
 - _____ Workers' Compensation Six Member Panel
 - _____ No Smoking
 - _____ Substance Abuse (Drug and Alcohol)
 - _____ Attendance/Lateness
 - _____ Unacceptable Behaviors
 - _____ Progressive Discipline
 - _____ Acknowledgement of receipt of Handbook.
3. List those policies you would like added to your Handbook.
4. Do all employees receive a Handbook? _____
5. If you do not use a Handbook, how do employees become aware of Company policies? _____
6. Do you also use:
- _____ Inter-office Memos
 - _____ Newsletters
 - _____ Pay Envelope Stuffers
 - _____ Postings on the Employee Bulletin Board
 - _____ Other (Please list)

7. Have you ever had an employee problem because of a company policy? _____
_____ (If yes, please identify)

IV. Wage Information

1. List those positions paid by the hour.
2. Does every employee paid hourly earn at least \$5.15 per hour? _____
3. List those positions receiving a salary.
4. Do any employees receive overtime? If yes, list those positions.
5. For those employees receiving overtime, describe how overtime is calculated?
6. Do you give bonuses? If yes, describe your bonus plan.
7. Do you include an employee's bonus in the overtime calculation? If yes, describe how it is calculated?
8. Do you give employees a break time? If yes, for how long and is it paid?
9. Do employees get a lunch period? If yes, for how long and is it paid?
10. Do employees have to travel as part of their jobs? If yes, are they compensated for travel time?
11. Do you require employees to wear uniforms? If yes, do you charge them and how is the money collected?

12. Do you employ individuals under the age 18? If yes, list their ages and the position held.

13. Describe how you record the daily work hours of employees:

_____ Time Card

_____ Sign In

_____ Other

V. Employee Training

1. Do you have a program to train new and/or current employees?

2. If yes, briefly describe or attach a copy of program.

3. Do you conduct workshops in:

_____ Gender Sensitivity/Sexual Harassment Prevention

_____ Effective Supervision

_____ Effective Performance Appraisals

_____ Proper Disciplinary & Discharge Techniques

4. Would you find such workshops helpful? _____

5. Has the Company had problems with its training program? If yes, describe briefly.

VI. Employee Supervision

1. List the supervisory/management structure of the Company/Agency?

2. Do supervisors receive training in effective management skills? _____

(If yes, list the trainings)

3. When did supervisors last receive training? _____
4. Are you satisfied with communications between your supervisors and their reports? _____
(If no, what would you like to see changed?)
5. Describe any supervisor/employee-related problem the Company has encountered.

VII. Employee Performance Appraisals

1. Do you evaluate employees' performance? _____
2. If yes, please answer the following questions:
 - (a) How often? _____ semi-annual _____ annual _____
other _____
 - (b) Do you evaluate every employee? _____
 - (c) Do you use a printed evaluation form? _____
(If yes, attach a copy)
 - (d) When was it last reviewed/updated? _____
 - (e) Do supervisors review evaluations with their subordinates? _____
 - (f) Is there a mechanism for an employee to appeal an unsatisfactory appraisal?

(If yes, describe that procedure)
3. Does every employee have a personnel file? _____

4. What documents are kept in the personnel file?

5. How long do you keep employee records? _____

6. May employees review their file? _____

7. Are you satisfied with your present performance appraisal procedure?

 (If no, what would you like to see changed?)

8. Briefly describe any employee problems the Company has experienced in connection with employees' appraisals.

VIII. Employee Attitude

1. How would you describe employee morale?
 _____ Excellent
 _____ Very Good
 _____ Acceptable
 _____ On the Downside
 _____ Poor

2. How does the Company communicate information about the Company in general and the employee in particular?

3. How do employees communicate their concerns to the Company?

4. List any grievances filed and how they were resolved.

5. Describe any past and current problems you believe are a result of poor communication with employees.

IX. Discipline

1. Does the Company follow a specific procedure when disciplining employees?

(Attach a copy, if written)

2. Has the Company had to discipline/discharge an employee for any of the following?

_____ Attendance/Lateness

_____ Appearance

_____ Substance Abuse (Alcohol and/or Drugs)

_____ Sexual Harassment or other Discrimination

_____ Fighting

_____ Stealing

_____ Attitude

_____ Other

3. Do you attempt to counsel/rehabilitate disciplined employees?

4. Do you follow-up on counseling efforts? _____

5. Does the Company follow-up on disciplinary action? _____
(If yes, describe briefly)

6. Do you document, in writing, all efforts to discipline and rehabilitate problem employees? _____

7. Is there a grievance procedure in place for employees dissatisfied with disciplinary action? _____
(If yes, briefly describe)
8. Has a grievance ever been filed? _____
(If yes, briefly describe)
9. How were these grievances resolved?
10. Describe any other problems that occurred as a result of employee discipline.
11. Are you satisfied with the Company's present discipline and/or grievance procedure? _____
(If no, what would you like to see changed?)

X. Separation from the Company

1. Has the Company ever discharged an employee? _____
(If yes, described the circumstances)
2. Have you ever laid-off an employee? _____
3. Do you follow a particular procedure when discharging employees?

(If yes, please describe)
4. Do you conduct exit interviews? _____
5. Is a witness present? _____
6. Do you pay terminated employees their:

- _____ Final Paycheck
- _____ Unused, Accrued Vacation Pay
- _____ Severance Pay
- _____ Other

7. When do you give COBRA notice? _____
8. Do you deduct any monies from the final paycheck? _____
(If yes, list deductions)
9. Do you ask a discharged employee to sign a Release of All Claims? _____
(If yes, attach a copy)
10. Do you have a procedure in place for employees to grieve discharges? _____
11. Have you experienced problems following an employee discharge? _____
(If yes, describe)

XI. Legal Problems

1. Has a former or current employee filed a lawsuit? _____
(If yes, describe the circumstances and the outcome)
2. Do you have any reason to believe your employees may want a union? _____
(If yes, state the basis for your belief)
3. List those issues you consider “Priority” employee relations concerns for your Company.

- 4. Use this space to identify any other employee-related questions or concerns not addressed above.

Audit Completed

By: _____

Position: _____

Date _____