

Compliance Chart

Fewer than 15 employees must be aware of:

	Overview	To be aware of:	Website for additional guidance
Fair Labor Standards Act	Establishes minimum wage, overtime pay, record keeping, and child employment standards impacting employees. Some industries such as religious organizations may be exempt.	Rules relating to who is entitled to overtime. Pay can be very complex for travel and waiting periods. Comp time is never allowed in private business. Meal and break laws will be defined by each state and must be checked.	https://www.dol.gov/agencies/whd/flsa
Immigration Reform and Control Act	Requires employers to collect information regarding an employee's identity and employment eligibility and document that information on Form I-9. Must use form that is currently in effect.	Form must be completed within 72 hours of employee starting work. Your only obligation is to complete the form, but many employers choose to retain copies of the documents provided.	https://www.uscis.gov/i-9
Equal Pay Act	Prohibits sex-based wage discrimination between men and women in the same establishment who perform jobs that require substantially equal skill, effort, and responsibility under similar working conditions.	Some exceptions exist such as a seniority or merit system, difference in quantity of work, and geography.	http://www.eeoc.gov/laws/statutes/epa.cfm
Occupational Safety and Health Administration	Sets standards and conducts inspections to ensure that employers are providing safe and healthful workplaces.	Requirements include maintaining a log of injury/illness, annually posting summary of the log, and investigating workplace accidents. Many organizations are exempt from the OSHA requirement of posting accidents. The list of exemptions can be found here	https://www.osha.gov/recordingkeeping/index.html https://www.osha.gov/recordingkeeping/presentations/exempttable
Fair Credit Reporting Act	Protects the privacy of consumer report information and guarantees the information supplied by consumer reporting agencies is as accurate as possible. Sets forth legal obligations of employers who use consumer reports. Requires specific authorization by candidates or employees.	Many states have laws which prohibit or limit an employer's use of consumer credit reports or criminal records checks and/or prohibit discrimination based on credit or criminal history information. Be sure to check the applicable laws in your state and consult with an employment law attorney who knows your state laws to ensure full compliance.	It's most critical that you check state law. Be especially aware of the "Ban the Box" laws that do not allow you to ask about conviction at time of application. Google: State followed by background check for example

15 and more employees (above plus...)

	Overview	To be aware of:	Website for additional guidance
Title VII of Civil Rights Act; and its amendment in 1991	Prohibits employment discrimination based on race, color, religion, sex and national origin or other protected class or characteristic. Also, prohibits harassment in the workplace. The amendment set maximum recovery penalties.	State and municipalities have broadened the scope in their areas. Be sure to check local law. Better yet, just treat all employees fairly! Similar protection exists for small employers based on state law.	http://www.eeoc.gov/ Many tools relating to Discrimination in the work place. Search on Title VII and more
Americans with Disabilities Act	Prohibits employment discrimination against qualified individuals with disabilities. Requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.	Job descriptions should clearly define the essential functions and the physical requirements of the job. Understand the concept of a reasonable accommodation and speak with an attorney prior to separating any employee with a disability. Always engage in conversations with employees about their requests for accommodations.	http://www.ada.gov/
Genetic Information Notification Act	Prohibits discrimination against applicants, employees, and former employees based on genetic information relating to individual or family member.	GINA notification has been added to required employment posters. Ensure your poster is up to date. You can download a free poster at the web site shown.	https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/fact-sheets/gina.pdf

20 or more employees (all of above, plus...)

	Overview	To be aware of:	Website for additional guidance
COBRA	Provides most members of employer sponsored health insurance the right to choose to continue group health benefits for limited periods of time if they lose their health benefits. Employee pays full cost of insurance plus administrative fee.	The paperwork requirements are very specific and it is generally advisable to have your benefit broker or health plan provide this service. If under 20 employees check state law.	https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/publications/an-employers-guide-to-group-health-continuation-coverage-under-cobra.pdf
Age Discrimination in Employment Act	Prohibits employment discrimination against persons 40 years of age or older.	Upon separation, specific documents must be given if providing severance. Check with your attorney before creating a separation agreement.	https://www.eeoc.gov/laws/statutes/adea.cfm

50 or more employees (All of above, plus...)

	Overview	To be aware of:	Website for additional guidance
Family and Medical Leave Act	Entitles eligible employees to take unpaid, job-protected leave for up to twelve weeks per year if specified family and medical reasons are met. There are provisions regarding paid time off, definition of the year, benefits while on leave etc. FMLA also covers leave for family members of active military in certain situations. Note: An employee must work at a location where the company employs 50 or more employees within 75 miles and meet certain other requirements with respect to time worked.	Specific forms should be completed by the medical professional as well as the employer. All forms can be found on the government website. If employee is not able to return after 12 weeks, ADA must be considered before terminating the employee. The twelve weeks of leave does not need to be consecutive or paid.	https://www.dol.gov/agencies/whd/fmla

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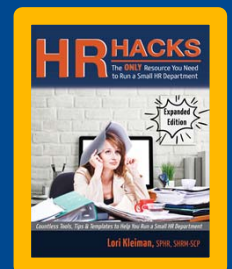
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