



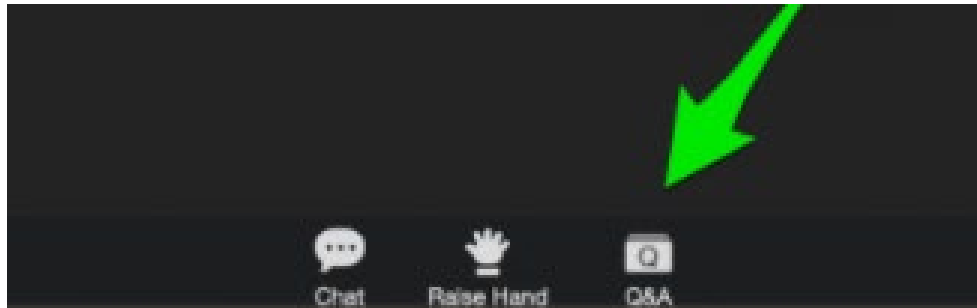
Leadership Logic
Coaching stronger leaders.

The Lifecycle of an Employee – From Hiring to Firing: Your HR Obligations

Presented by:

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Q&A Box



Today's Speaker



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Vaccine Policies

- Mandatory
- Incentive Program
- Disability accommodations
- Religion accommodations

Create/update employee handbook:

- Policies should be consistently enforced.
- Employees should be trained on policies.
- Employees should receive discrimination/ harassment training.
- There is an orientation plan for new employees.

Policy	Required by state or federal law (does not need to be in writing)	Recommended (if applicable)	Required in writing by state or federal law
Anti-discrimination	X		
Attendance & Standard Working Hours		X	
Background Check		X	
Blood Donation Leave	X		
Bone Marrow Leave	X		
Business Expense Reimbursement Policy		X	
COBRA Benefits	X		
Code of Conduct		X	
Company Credit Card Policy		X	
Computer Usage		X	
Confidential Information & Company Property		X	
Conflicts of Interest		X	
Disciplinary Action Policy		X	
Dress Code		X	
Drug-free Workplace Policy		X	
Employee Assistance Program		X	
Employee Benefits		X	
Employee Classification		X	
Employee Referral Bonus Policy		X	
Employment Taxes & Voluntary Deductions		X	

Policy	Required by state or federal law (does not need to be in writing)	Recommended (if applicable)	Required in writing by state or federal law
Equal Employment Opportunity	X		
Federal Family and Medical Leave Policy			X
Harassment Policy	X		
I-9 Immigration Reform	X		
Injury & Illness Reporting Policy		X	
Internet Usage		X	
Jury Duty	X		
Lactation Breaks	X		
Lunch and Rest Periods		X	
Military Leave	X		
Open Door Policy		X	
Orientation Period		X	
Overtime Pay	X		
Paid and Unpaid Time Off		X	
Paid Family Leave Policy			X
Pay Periods & Check Distribution	X		
Performance Evaluation		X	
Personnel Records Policy		X	
Phone Call Policy		X	
Reasonable Accommodation	X		
Sexual Harassment Policy			X
Sick Time		X	

Policy	Required by state or federal law (does not need to be in writing)	Recommended (if applicable)	Required in writing by state or federal law
Smoke-free Environment Policy		X	
Social Media Policy		X	
Solicitations, Distributions & Use of Bulletin Boards		X	
Time Keeping		X	
Time-Off to Vote	X		
Vacation Time		X	
Wage and Hours		X	
Workers' Compensation Policy	X		

Create new employee packets to include current W-4, IT-2104, I-9, and Wage Theft Prevention Act Forms

Obtain all required employment insurance coverage, including workers' compensation, paid family leave, unemployment, and disability.

Create I-9 Form files and be sure to have them all for employees, especially current employees.

- Forms should be kept in a separate I-9 file and not the employees' personnel folders.
- Confirm I-9 process legally compliant.

Be familiar with OSHA requirements for your industry *(if applicable)*.

- Recording requirements
- Reporting requirements
- COVID-19 considerations

Post current labor posters.

- Federal posting requirements
- State posting requirements

Ensure there are job descriptions for all jobs and that all job descriptions are up to date.

- Exempt status considerations
- Essential functions
- Physical requirements

Create hiring and onboarding procedures:

- Are references checked?
- Is there a selection process and is it followed in a uniform fashion?
- Create application forms.
- Is the interview / screening process legally compliant (i.e., does interviewer refrain from requesting protected information?).
- Disability issues
- Eligibility to work in U.S.
- Criminal history

Employment classifications

- Are salary / hourly employees properly classified?
- Are independent contractors (if any) properly classified?

Create pay structure

- Ensure legal compliance
- Wage deductions
- Equal pay issues

Have a process to ensure working time is properly documented.

- Meal breaks
- Rounding
- Off the clock
- Overtime authorization
- Call-in pay
- Reporting time pay
- Spread of hours pay
- Split shift pay

Create paid time off (vacation / sick / holiday, etc.) structure

- Paid Sick Leave Requirements
- Accrual vs. Lump Sum
- Termination Provision
- COVID-19 paid leaves
 - Orders of Quarantine
 - Vaccination Injections
 - FFCRA extension
- Parental Paid Leaves
- Voting Leave

Is the compensation plan clearly communicated to employees?

- Holiday pay
- Bonus pay
- Commissions
- Raises

Is your benefits administration running properly?

- Are COBRA notices provided when applicable?
- Is a letter mailed out within 5 days of termination notifying when benefits cease?

FMLA (for businesses with 50 or more employees) and PFL

- Are processes in place to administer this leave?
- Is there a tracking system for intermittent leave?
- Are supervisors / managers trained to identify and report FMLA and PFL eligible leave?

Paid Leave Processes

- Are processes in place to administer this leave?
- Is there a tracking system for intermittent leave?
- Are supervisors / managers trained to identify and report FMLA and PFL eligible leave?
- Are the mandatory posters being posted?

Performance Evaluations

- Are the current evaluations effective?
- Are supervisors / managers trained to give accurate performance evaluations?
- How is performance tied to compensation?

Disciplinary actions

- Is discipline uniformly and consistently enforced?
- Is discipline documented?

Is there a process for employees to report complaints?

- Are there designated individuals to whom employees may lodge complaints?
- Are those individuals trained regarding responding to complaints?
- Are complaints documented?
- Are complaints investigated and are responses to complaints communicated?
- Is there a whistleblower policy in effect?

Is there a process for reporting safety hazards?

- Are workplace accidents, injuries and illnesses reported and investigated?
- Are security measures in place to keep unauthorized persons / intruders out of facilities?

Discrimination

- Is there a sexual harassment policy in place that is compliant with NYS law?
- Are employees trained regarding ant-discrimination policies and complaint procedures?
- Are employees receiving annual sexual harassment training that is compliant with NYS law?
- Are supervisors / managers trained on avoiding and responding to discrimination / harassment issues?
- Are effective policies in place to avoid retaliation against employees who lodge protected complaints?
- Are discrimination complaints, investigations, and responses properly documented?

Americans with Disabilities Act / NY Human Rights Law compliance

- Is there a system in place for reviewing and responding to requests for reasonable accommodation?
- Are supervisors / managers trained to identify and properly respond to reasonable accommodation issues?
- Are reasonable accommodation matters properly documented?
- Are measures in place to prevent retaliation for requesting accommodations?

Workers compensation compliance

- Are workplace injuries investigated and reported?
- Are workers comp files kept secure and separate from personnel files?
- Is regular contact made with employees on workers comp and medical providers as appropriate?
- Is return to work system effective?
- Are insurance premiums and competitive quotes reviewed periodically?

Termination processes

- System for executing termination
 - Notifying employees
 - Return of company property
 - Documentation of termination
- Termination letter within 5 days of termination.
- COBRA notification

Q&A Session

Thank You



Pullano & Farrow COVID-19
Resource Center
www.lawpf.com/coronavirus-legal-updates

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