

# Test Your Knowledge of Employment Compliance



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# Employment Compliance Assessment

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Employment Compliance and Human Resources Consultants  
Specializing In the Health Care Profession

### Test your knowledge of Employment Compliance

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

*Just answer Yes or No to these questions*

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

		Yes — Don't Know — No		
1.	Do all of your employees keep daily records of hours worked, regardless of their method of compensation--such as time cards or electronic records?	Yes	?	No
2.	Do you maintain two types of personnel files for each employee--one "Regular" file and one "Confidential" file?	Yes	?	No
3.	Do you have an established protocol to follow when an employee (or former employee, or his/her attorney) asks to review their personnel file?	Yes	?	No
4.	Do you have a current, up-to-date personnel policy manual and do you provide each employee with an employee handbook containing all pertinent policies and protocols that ensure compliance and protection?	Yes	?	No
5.	Are you an "at will" employer and, if so, is an up-to-date version of the "at-will" prerogative correctly stated on your job application, employment agreement and in the recommended sections of your policy manual?	Yes	?	No
6.	Do you have a signed "Employment Agreement" with each of your employees which provides for HIPAA safeguards, records confidentiality and commits each employee to adherence to the established policy manual and stated professional conduct policies?	Yes	?	No
7.	Are you correctly following the most current wage and hour requirements for paying staff's time while attending or traveling to and from seminars, lecture or workshops?	Yes	?	No
8.	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.?	Yes	?	No
9.	Do you know the procedure to follow if a pregnant employee says she cannot or will not take x-rays?	Yes	?	No

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Quiz continued		Yes — Don't Know — No		
10.	Do you have written job descriptions for each position and do they comply with the Americans with Disabilities Act (ADA) regulations?	Yes	?	No
11.	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"?	Yes	?	No
12.	Have you updated your policy manual to include contemporary policies pertaining to issues like: body piercings, tattoos, social media, personal cell phone and cell phone camera use during work hours?	Yes	?	No
13.	Are you performing or having background checks performed before hiring any new staff member?	Yes	?	No
14.	Have you reviewed your policy manual recently to ensure it does not contain contradictory and/or undermining language regarding progressive discipline policies, probation or permanent employee status?	Yes	?	No
15.	Do the parameters of your "Working Interview" include a signed form verifying no wages and no promise of employment, and limit the time to no more than 2 hours, with no productive work being performed?	Yes	?	No
16.	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)?	Yes	?	No
17.	Do you obtain a candidate's authorization to check references and do you check references every time, before you hire a new staff member, to help avoid allegations of "Negligent Hiring"?	Yes	?	No
18.	Do you have established and written protocols in place to prevent and/or correctly follow up on "hostile work environment" harassment claims?	Yes	?	No
19.	Did you know that with the most recent employment law changes, you cannot terminate employment of any "at-will" employees if it violates the employee's civil rights, right against retaliation, the public interest or represents a breach of covenant of good faith and fair dealing?	Yes	?	No
20.	Are you clear on your documentation responsibilities to protect your practice from "protected class" discrimination claims?	Yes	?	No
21.	(California only) If 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?	Yes	?	No
<p><b>How did I do?</b></p> <p>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 state and federal regulations.</p>				