

Top 10 Employment Law Compliance Trends for 2020

Anti-Discrimination •Is your company compliant with state and federal anti-discrimination laws (e.g., EEOC reporting, Americans with Disabilities Act (ADA) by policies, pregnancy discriminationage discrimination, genetic information?

Allegations of Harassment • Does your company have a harassment process in place including written procedures, management and employees training, and how to respond to allegations?

Immigration Reform and Control Act •When was the last time you conducted an compliance audit on your new hire reporting requirements, including I-9 forms processing, OFAC reporting, state agency reporting, and E-Verify for required states?

COBRA

• Are you administering your COBRA (Consolidated Omnibus Budget Reconciliation Act) process, or do you have third party provider which manages COBRA for you? If so, are your new hire and termination COBRA notices updated with the current language? Are they timely? Are required notices provided to employees?

Employment Law Compliance Reporting •If your company has 100 or more employees, are you completing and submitting an EEO-1 Report and a VETS-4212 Report? If you are a federal contractor, are the required documents completed?

Employee Handbook •When was the last time your company updated your Employee Handbook to reflect new or modified state laws? (e.g., state leave laws, new reimbursement requirements, overtime policies)

Employment Law Notices •Is someone responsible for ensuring all necessary employment regulatory posters are available in a common space, and that they are updated regularly?

Personnel Files •How do you know if your company's personnel files contain the necessary documents, and do not contain, improper or unnecessary documents? What is your company's process to collect necessary documents, and retain them in compliance with federal and state employee access and document retention guidelines?

Performance Management • Does your company have a written process in place, written procedures, and training? How have the process and procedures been communicated to all employees? Are you providing guidance and training to managers on how to conduct performance reviews to ensure reviews limit bias and inapproate language?

Fair Labor Standards Act (FSLA) • Is your company aware of all the requirements under the Fair Labor Standards Act (FLSA) related to overtime policy, exemption status, raining, minimum wage, job classifications, and pay practices?