

Best HR Documentation Practices

Ron Smith, PHR, Director of Human Resources, Bill Marsh Auto Group

Employment documents

- Employment application
 - Reviewed by an attorney
 - Track your applicants
 - Ensure any personality testing (PI, DISC, etc.) are compliant
 - Drug testing for everyone, record when the applicant leaves your office
- I-9 Could be one of the most costly

Recommendations

- Remove all I-9s that can be disposed
- Correct the current employee I-9s
- Try to correct the terminated employee I-9s if we can find them
- Ensure we pull terminated employee I-9s
- This one alone would have reduced our fine \$450,000

Employee files

- Employee behavior and Performance
- If it's not in the employee file it's hearsay
- Separate file with SSN private info (Supervisors don't have access)
- Health files in separate folder (red with the words PHI Confidential) in separate file cabinet

Job Descriptions

- Essential Job Duties
- "at will" Language
- Exempt/non-exempt
- Reporting supervisor

Pay Plans

- The days of writing a pay plan on a napkin are long gone (show example of BMAG pay plans)
- We have requirements under the Michigan Sales Commission Act, you may not but your industry may have some requirements that others don't.

Family Medical Leave

- WH-380-E – Certification of Health Care Provider for EMPLOYEE’S Serious Health Condition
- WH-380-F – Certification of Health Care Provider for FAMILY MEMBER’S Serious Health Condition
- WH-381 - Notice of Eligibility and Rights & Responsibilities (FMLA)
- WH-382 - Designation Notice (FMLA)
- WH-384/385 and 385V – for Veterans

OSHA

- OSHA 301 - Injury and illness incident report
- OSHA 300 – Log of work related injuries and illnesses
- OSHA 300A – Summary of work-related injuries and illnesses

Accident reporting (employee and guests)

- Create a form that captures the same information that is required by the OSHA 301
- Investigate and record the findings including the witnesses

Unemployment

- Document, document, document
- Nothing stands up in court better than good documentation
- Signed voluntary resignation forms

Benefits (401(k), Medical, Dental, Vision, vacation/PTO)

- Fair for all (90 days means 90 days for all)

Disciplinary

- Clear discipline policy
- Non-recorded disciplinary actions never happened
- Exceptions to the disciplinary process will diminish your policy

Training (orientation / annual)

- Record and maintain records of all training
- Required training requires documentation of completion