



# California Employer Self-Assessment

**How do your HR practices measure up with California employment regulations and recommended defensible employer practices?** These are only a sample of the responsibilities of California employers. Specific company size and industry may affect the requirements under state and federal law. For a full HR Practices Review contact Silvers HR, LLC at (916) 791-8506 or visit [www.silvershr.com](http://www.silvershr.com).

	Yes	No	Not sure- Follow up
Do you have a written COVID-19 Prevention Program, required by Cal/OSHA?			
Are your managers trained and your notice documents ready for the expanded CA Family Rights Act leaves effective 1/1/2021?			
Are <b>I-9s</b> filed in a separate file and retained for the longer of 1 year after termination or 3 years from date of hire? Are you using the new form dated 10/21/2019?			
Do newly hired non-exempt employees receive a “ <b>Notice to Employee</b> ” per Labor code 2810.5 within 7 days of hire? Are mandatory pamphlets provided at time of hire?			
Do <b>exempt employees</b> classified as “managers” meet the 2 California exemption tests including: directing two or more full-time employees, spending more than 50% of work time doing “exempt” duties, and earning at least 2 times the state minimum wage (\$58,240/yr. for 2021 for employers with 26+ employees and \$54,080/yr. for 25 or fewer employees)?			
Have your employees received the CA mandated 2 hour (supervisor) or 1 hour (non-supervisor) <b>harassment prevention</b> training within 6 months of placement and every 2 years afterward?			
Do <b>disciplinary notices</b> include documentation of performance issue(s), specific, air-tight consequences, and an employee signature and date line?			
Are all medical records, including drug tests, medical claims, workers’ compensation claims and disability notices retained in a separate and confidential <b>medical file</b> ?			
Do your <b>itemized wage statements</b> (paystubs) include the ten requirements per the CA Labor Code? Does your itemized wage statement reflect Paid Sick Leave or PTO balances?			
Are all of your employees (full-time, part time, seasonal and temporary) receiving <b>Paid Sick leave (PSL)</b> ? Do you have employees working in cities with local PSL ordinances?			
Is <b>non-discretionary pay</b> (shift differentials, incentive pay, bonuses, lodging) included in a non-exempt employee’s compensation for calculating overtime pay?			
Have your managers and supervisors been properly trained in <b>lawful pre-employment inquiries</b> during interviews?			
Have your paper and online employment applications been updated to remove any inquiries requesting <b>criminal convictions or salary history</b> ?			
Are 2021 <b>state and federal mandated posters and your IWC wage order</b> posted? Do you have employees working in cities with local minimum wage ordinances?			
Do non-exempt employees take 30 minute duty-free <b>meal periods</b> prior to the 4th hour and 59 minutes of work, and record in/out on time records for daily meals?			
Have <b>Alternative Work Schedules</b> (4/10 or 9/80) been <b>authorized</b> under the Industrial Wage Order provisions?			
Have you provided <b>written commission plans</b> to employees who are eligible for commission pay?			
Do you have a <b>permanent area assigned for lactation</b> that is not a toilet stall or bathroom, and also has electricity and access to a sink and refrigeration?			
Do <b>separating employees</b> receive the CA UI Form DE 2320, written notice of change of relationship, COBRA or Cal COBRA notices, and HIPP information?			
Do <b>job descriptions</b> accurately reflect essential job functions and physical requirements?			