



Selecting a Human Resource Program

Overview

Human resource best practices are imperative to your dealership, providing you and your employees with valuable methods to keep your dealership compliant and to decrease your chances of litigation. Adhere to best practices to:

- Decrease your chances of litigation.
- Inform your employees of dealership expectations.
- Protect your employees with information pertaining to their rights.
- Motivate your employees to perform better through knowledge of their expectations.

The KPA Best Practices in Human Resources Programs Compliance Self-Audit Checklist provides you with a comprehensive way to measure your dealership's human resource practices and a way to highlight your HR weaknesses.



Complete this self-audit and return it to info@kpaonline.com for a free review with a certified KPA HR professional.

Yes No Don't Know

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Organizational Information and Policy

Does the organization have a federal identification number?

How many employees does the organization have?

- Full time: ____
- Part time: ____
- Temporary positions: ____

Employee Handbook

Does the organization have an updated personnel policy handbook?

Does the manual contain a disclaimer that any policies or practices may be modified at any time?

Does the handbook require an employee signature upon each viewing, including updates?

Yes No Don't Know

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Does the company maintain an attorney on retainer or on call for human resources questions?

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Has it been reviewed by an attorney?

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Does the organization always comply with its written personnel policies and procedures?

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If more than 15 employees, does the organization have an alcohol and drug abuse policy?

Yes No Don't Know

Personnel Records

- ☐ ☐ ☐ Does the organization maintain a personnel file for each employee?
- ☐ ☐ ☐ Does the organization keep a record of changes in employee status, such as promotions or leaves of absences?
- ☐ ☐ ☐ Is the information that identifies employees' physical or mental disability or veteran status kept in a separate file?
- ☐ ☐ ☐ Are there security procedures in effect to protect employee privacy?

Job Descriptions

- ☐ ☐ ☐ Does the organization have current job descriptions for all employees?
- ☐ ☐ ☐ Do the job descriptions clearly specify reporting relationships in detail?

Application and Hiring

- ☐ ☐ ☐ Does the application form exclude any questions or specifications as to the applicant's race, ethnicity, religion, sex, age, national origin, ancestry, physical/mental disability, or any other categories protected by federal or state and local law?
- ☐ ☐ ☐ Does the organization use language in job advertisements that is sex, race, age, or age neutral?
- ☐ ☐ ☐ Does the organization require an applicant to consent in writing to a reference, drug, and criminal background check?
- ☐ ☐ ☐ Are applicants required to complete each and every question on the employment application form and then sign an employment application?
- ☐ ☐ ☐ Is a record kept of all reference and criminal background checks and drug test results?

Yes No Don't Know

- ☐ ☐ ☐ Are I-9 forms kept in a location separate from other personnel files?
- ☐ ☐ ☐ Are medical records or records containing medical, insurance, or benefits information maintained separately from other personnel records and privacy protected?
- ☐ ☐ ☐ Are I-9 forms maintained for three years after the hire date or one year after the date of termination, whichever is later?
- ☐ ☐ ☐ Does the organization maintain all other personnel records for at least four years?
- ☐ ☐ ☐ Do the job descriptions clearly specify responsibilities in detail?
- ☐ ☐ ☐ Do the job descriptions clearly specify essential job functions in detail?
- ☐ ☐ ☐ Are applicants notified that they will be required to submit proof of eligibility to work in the United States within 3 days following the commencement of employment?
- ☐ ☐ ☐ Does the application inform the applicant that employment with the organization is at will?
- ☐ ☐ ☐ Does the organization use recruiting methods that do not discriminate or exclude persons because of their race, sex, age, or national origin?
- ☐ ☐ ☐ If an applicant is rejected due to a background, drug, or criminal check, are the required procedures followed in informing the applicant of reasons for rejection?
- ☐ ☐ ☐ Are all required background checks and tests completed at the appropriate time in the hiring process?

Yes No Don't Know

State and Federal Requirements

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the State Unemployment Compensation Act?

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the Fair Labor Standards Act?

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the Family Medical Leave Act?

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the Equal Employment Opportunity Commission?

☐ ☐ ☐ Does the organization always comply with workplace safety laws?

☐ ☐ ☐ If so, is the organization in compliance with legal requirements regarding the employment of minors?

☐ ☐ ☐ How are employees selected?

- Preliminary screening: ____
- Interview by committee: ____
- Interview by supervisor: ____
- Other: ____

☐ ☐ ☐ Does the organization use an interviewer checklist to ensure a consistent interview process?

☐ ☐ ☐ Does the procedure make clear the organization's right to change the terms and conditions of employment?

☐ ☐ ☐ Are references checked and a record kept?

Yes No Don't Know

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the State Minimum Wage Rules?

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the Employee Polygraph Protection Act?

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the Americans with Disabilities Act?

☐ ☐ ☐ Does the organization post or provide to its employees the required employment notices for the State Workers Compensation Act?

☐ ☐ ☐ Is anyone under 18 years of age employed?

☐ ☐ ☐ Are the interviewers properly trained to avoid discriminatory pre-employment inquiries?

☐ ☐ ☐ Does the procedure make clear that an offer of employment does not create an expectation or a right to employment for any specified length of time?

☐ ☐ ☐ Does the organization dispose of the interviewer checklist in the mandated manner after completion of the interview?

☐ ☐ ☐ Does the organization have a standardized offer procedure?

Yes No Don't Know

Training

☐ ☐ ☐ Are all employees trained regarding unlawful harassment and discrimination?

☐ ☐ ☐ Do employees verify in writing that they have attended training programs?

☐ ☐ ☐ Is training provided to supervisors regarding employment actions that could generate lawsuits, such as harassment (including sexual harassment), discrimination, wrongful discharge, defamation, assault and battery, false imprisonment, and other unlawful policies?

Complaint Procedure

☐ ☐ ☐ Is there a confidential and anonymous procedure for airing and resolving employee complaints and gathering a complete report by the employee on each complaint?

☐ ☐ ☐ Are there anti-retaliation policies in place?

Performance Management

☐ ☐ ☐ Does the organization use an evaluation and promotional system that gives all employees an equal opportunity for advancement or promotion?

☐ ☐ ☐ Does the organization train supervisors on how to conduct consistent evaluations and give constructive feedback to employees?

☐ ☐ ☐ Are employees required to sign an acknowledgement that they received the performance review?

☐ ☐ ☐ Does the organization have a procedure to give an employee notice of deficiencies and an opportunity to improve, with a reference to applicable sections of the employee handbook?

☐ ☐ ☐ Are all employees treated similarly with regard to performance measurements?

Yes No Don't Know

☐ ☐ ☐ Are employees trained on safety procedures?

☐ ☐ ☐ Does the company have proof that each new employee has completed the required training program?

☐ ☐ ☐ If so, does the procedure provide a bypass from the supervisory chain if a supervisor is the alleged harasser?

☐ ☐ ☐ Is there a procedure for raising sexual harassment and discrimination claims?

☐ ☐ ☐ Does the organization conduct evaluations annually by a person familiar with the employee's performance and keep a written record?

☐ ☐ ☐ Does the organization have a standardized evaluation system based on job-related objective criteria?

☐ ☐ ☐ Does the organization have a process for employees to comment or appeal an evaluation?

☐ ☐ ☐ Does the procedure include written notification to the employee that continued egregious conduct and failure to correct actions could result in discharge, and acknowledgement of such notification by employee?



Yes No Don't Know

Leaves of Absence/FMLA

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Does the organization keep attendance records?

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If the organization has more than 50 employees, are employees given notice of entitlement to take up to 12 weeks of unpaid leave under the Family and Medical Leave Act?

Termination

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Does the organization have procedures for termination of employees?

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Are exit interviews conducted for terminating employees?

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Are termination decisions reviewed by higher-level management or a committee prior to implementation?

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Are terminations handled as confidently as possible?

Yes No Don't Know

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Are leave policies applied consistently to all employees?

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Does the organization utilize consistent documentation and procedures for terminations?

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Are terminations properly documented regarding prior infractions and disciplinary procedures?

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If more than 20 employees does the organization provide information on COBRA rights?

Did you answer "no" to any of these, or even "I don't know?" Contact hrm@kpaonline.com or call 866-356-1735 to bring your Human Resources Program into compliance.

About KPA

KPA delivers Environmental Health & Safety, HR Management and Sales & Finance Compliance programs that help our clients achieve regulatory compliance, control risk, protect their assets and effectively manage people through a combination of innovative software, award winning training and onsite consulting. Over 5,200 clients, including 8 out of 10 of the largest dealership groups in the country, count on KPA for Environmental Health & Safety, HR Management and Sales & Finance Compliance programs. KPA has been endorsed by 26 dealer associations at both the national and state level and is a founding member of the [Clean Auto Alliance](#).