

# *Employment Law Assessment*

## **4-Minute Mini Quiz**

*Just answer Yes or No to these 20 questions*

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

*Score yourself - see "How did I do?" on page 2.*



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## Test Your Knowledge Of Employment Law

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

	Yes -- Don't -- No know
1. Do you have the current, up-to-date written personnel policies that every employer is legally required to provide for their staff?	Y ? N
2. Do your employees keep daily written records of hours worked--such as time cards or electronic records?	Y ? N
3. 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 per your State regulations)	Y ? N
4. Do you maintain two types of personnel files for each employee--one "Regular" file and one "Confidential" file?	Y ? N
5. Do you maintain up-to-date and current information (documentation) that legally must be included in each employee's personnel file?	Y ? N
6. Do you have an established legal protocol to follow when an employee (or former employee, or his/her attorney) asks to review their personnel file?	Y ? N
7. Are you an "at will" employer and does your "at will" policy information appear in all prescribed places in your policy manual?	Y ? N
8. Do you have signed, legally valid "Employment Agreements" for each of your employees?	Y ? N
9. Do you follow labor law rules for paying staff for travel to and attendance at seminars, lectures, or workshops?	Y ? N
10. During the hiring process, do you know the precautions to take to prevent possible charges of discrimination from applicants you did not hire?	Y ? N

For additional information please contact, Linda Harvey, Certified Consultant at 904-573-2232 or [Linda@lindaharvey.net](mailto:Linda@lindaharvey.net)

	Yes -- Don't -- No know
11. Do you check references before you hire a new staff member to prevent being sued for "Negligent Hiring"?	Y ? N
12. When giving or checking references, do you know how you can legally give or receive information about an employee's job performance without fear of legal ramifications (including, the real reason for an employee's discharge, i.e. excessive absenteeism, unsatisfactory performance, etc.)?	Y ? N
13. Do you know the labor law requirements for each different type of leave of absence, i.e. pregnancy, personal, family, work-related injury, jury duty, military, etc.?	Y ? N
14. Does your pregnant employee policy include a "Health Hazards During Pregnancy Release Letter"?	Y ? N
15. Do you know the process you are required to follow to protect against claims of sexual harassment?	Y ? N
16. Do you know the procedure to follow if a pregnant employee says she cannot or will not take x-rays?	Y ? N
17. Do you have a labor attorney or employment specialist review all terminations before they become final?	Y ? N
18. Do you have written job descriptions for each position and do they comply with the Americans With Disabilities Act (ADA) regulations?	Y ? N
19. <i>(California only)</i> 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?	Y ? N
20. 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"?	Y ? N

### How did I do?

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 the Federal and State regulations.

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