

# Chapter 1

# Snapshot

The following list of questions will provide a snapshot for you to use in determining whether or not you are complying with fundamental employment laws and regulations. You should know the answer to every one of these questions. Although a “No” answer does not necessarily mean you are in violation of any laws or regulations, you should understand why the answer is “No.” The page reference is provided for quick reference.

Yes	No		Page reference
<input type="checkbox"/>	<input type="checkbox"/>	Do you have an employee handbook? If so, is it regularly updated, and do you include a clear statement that continue employment is not guaranteed?.....	47
<input type="checkbox"/>	<input type="checkbox"/>	Do you know what questions you can't ask job applicants and which ones you should?.....	24
<input type="checkbox"/>	<input type="checkbox"/>	Do you give medical examinations to applicants only after the employment offer, and are they given to all applicants in the job category?.....	19
<input type="checkbox"/>	<input type="checkbox"/>	Do you check job and personal references before hiring?.....	27
<input type="checkbox"/>	<input type="checkbox"/>	Do you have a discipline policy, and do your supervisors understand it and apply it consistently? .....	97
<input type="checkbox"/>	<input type="checkbox"/>	Should you have job descriptions?.....	23
<input type="checkbox"/>	<input type="checkbox"/>	Are you prepared to respond to union-organizaing activity? .....	173
<input type="checkbox"/>	<input type="checkbox"/>	Do you know when a company can be sued for negligent retention or supervision of an employee?.....	170
<input type="checkbox"/>	<input type="checkbox"/>	Can you terminate any employee for excessive absenteeism while they serve jury duty?.....	36
<input type="checkbox"/>	<input type="checkbox"/>	Do you train your managers and supervisors so they know how to handle discipline and termination situations? .....	98
<input type="checkbox"/>	<input type="checkbox"/>	Are whistleblowers protected under Tennessee laws? .....	36

<input type="checkbox"/>	<input type="checkbox"/>	Can employers record surveillance of employees suspected of wrongdoing? .....	103
<input type="checkbox"/>	<input type="checkbox"/>	Is it usually preferable to suspend an employee before termination? .....	105
<input type="checkbox"/>	<input type="checkbox"/>	Are all your termination decisions reviewed and approved by your company's human resources department? .....	98
<input type="checkbox"/>	<input type="checkbox"/>	If you want to prevent employees from suing you after their termination, do you use a legally-enforceable release agreement? .....	109
<input type="checkbox"/>	<input type="checkbox"/>	May you terminate an employee, or refuse to hire an applicant, based on garnishments? .....	118
<input type="checkbox"/>	<input type="checkbox"/>	Do you know how much parental leave, if any, are you required to offer? .....	41
<input type="checkbox"/>	<input type="checkbox"/>	Do you report all new hires to the proper agencies? .....	45
<input type="checkbox"/>	<input type="checkbox"/>	Do you know the special requirements for "Internet applicants?" .....	80
<input type="checkbox"/>	<input type="checkbox"/>	Do you perform any pre-employment screening to try to identify applicants who are capable of committing workplace violence? .....	21
<input type="checkbox"/>	<input type="checkbox"/>	Do you factor an applicant's arrest and conviction records into your employment decisions? .....	8
<input type="checkbox"/>	<input type="checkbox"/>	Do you know what steps you need to take before performing a background check? .....	27
<input type="checkbox"/>	<input type="checkbox"/>	Do you keep all medical records separate from other personnel files? .....	63
<input type="checkbox"/>	<input type="checkbox"/>	Are you required to allow employees access to their personnel files? .....	63
<input type="checkbox"/>	<input type="checkbox"/>	Do you offer employment contracts? Do you know what qualifies as an "implied contract?" .....	65
<input type="checkbox"/>	<input type="checkbox"/>	Do you have a written affirmative action policy, and are your employees aware of it? .....	75
<input type="checkbox"/>	<input type="checkbox"/>	Do you document your employees' performance? .....	98
<input type="checkbox"/>	<input type="checkbox"/>	Do you distribute standards of conduct to your employees? .....	98

- Do you retain for one year job applications, resumes and promotion/demotion and discharge letters?..... 181
- Do you retain for three years each employee's name, address, date of birth, occupation, rate of pay and compensation ? ..... 181
- Have you posted all required employee notices in conspicuous places? ..... 185