

# Human Resource Audit For Connecticut Employers

Provided by the labor and employment law firm of  
Kainen, Escalera & Mchale

## How to use the tool

This audit tool is designed to help NESMA members identify and correct possible labor and employment law vulnerabilities before they become costly problems.

Read each item and circle "Y" if you have accomplished the task. If you chose "N" in response to any of these items, you should consider signing-up for the NESMA Employment Law Answer Hotline Service and contacting one of our attorneys for further assistance.

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## Discipline

1. Are current disciplinary rules effectively communicated to employees and supervisors? Y/N
2. Do supervisors in all departments receive instruction on how to enforce the disciplinary rules fairly and consistently? Y/N
3. Is enforcement of the disciplinary rules monitored to ensure consistent enforcement in all departments? Y/N
4. Does the non-unionized employer utilize a system of progressive discipline which provides for a thorough investigation, including an opportunity for the employee to give an explanation, prior to the imposition of discipline? Y/N
5. Is appropriate documentation maintained, including oral warnings (documented), written warnings, and memoranda related to informal reprimands? Do employees sign warning forms? Y/N
6. Are employees advised in writing in any disciplinary document that they may submit a written statement explaining their position if they disagree with any information provided in the document? Y/N
7. Does the Company have a witness present during counseling and disciplinary meetings (and during terminations)? Y/N

# Termination

8. Does the Company have a procedure for reviewing prospective terminations prior to actual termination, including identifying and evaluating recent protected activity and positive performance reviews or bonuses to avoid bad timing? Y/N
9. Does the Company document poor performance and misconduct prior to termination and avoid “summary” terminations when appropriate? Y/N
10. Does the Company issue a notice of proposed disciplinary action before termination, if appropriate? Y/N
11. Does the Company prepare a well-written termination letter, stating the real reason(s) for termination (i.e., not disguising a performance-based discharge as a layoff)? Y/N
12. Are employees advised in writing in any termination document presented to them that they may submit a written statement explaining their position if they disagree with any information provided in the document? Y/N
13. Does the Company not humiliate the terminated employee (i.e., handle firing privately with minimal embarrassment to the employee)? Y/N
14. Does the Company ensure that all property and equipment is retrieved from the employee at the time of termination? Y/N
15. If an employee resigns in person, is a resignation letter obtained prior to allowing the employee to leave employment? Y/N
16. If a Company is notified of an employee’s resignation via phone, does the Company send a letter to the employee confirming and accepting the resignation? Y/N
17. If the Company is closing and/or implementing mass layoff, has the Company complied with any WARN Act obligations (as applicable) to provide notice to employees or their unions, and to local and state authorities? Y/N

# POST-EMPLOYMENT GUIDELINES:

## Wages and Benefits

18. Has the Company properly paid fringe benefits upon termination of employment (e.g., for accrued but unused vacation or sick time) based on the Company's individual policies or practices? Y/N

19. Has the Company properly and timely paid all unpaid wages/bonuses upon termination? Y/N

20. Has the Company made only proper deductions from the final paycheck (and recouped any wage/vacation advances properly)? Y/N

21. Does the Company properly issue COBRA notices to employees at time of qualifying events (such as job termination, death of employee)? Y/N

22. Does the Company ensure that the unemployment compensation paperwork coincides with the termination reasons given to employee? Y/N

## References

23. Does the Company only disclose dates of employment, job title, and confirm last salary information in response to a request for a reference regarding an employee, unless the employee has provided a written authorization to disclose other personnel-related information? Y/N

24. If authorized to disclose other personnel-related information and the Company chooses to do so, does the Company only provide truthful information and information in writing? Y/N