


WORKFORCE SOLUTIONS
The Small Business HR Experts.

Employer Risk Assessment

CWS will conduct an onsite examination and management interviews combined with offsite review and analysis. This comprehensive Risk Assessment includes review of the following areas where employers are open to significant fines, penalties and lawsuits – employee recordkeeping, employment practices, employee policies, required posters & notices and records of hours worked and hours paid. The final Risk Assessment is provided in a face-to-face meeting supported by a written summary and documentation of the findings and recommendations for elimination or reduction of the risk.

Our **Risk Assessment** focuses on the key areas where employers are at risk:

1. State & Federal required workplace posters and notices

2. Employment Eligibility & I-9 Forms

3. Active employee files & recordkeeping. CWS will review active employee files and 12 months of payroll data and wage statements to ensure all required information as detailed in the Fair Labor Standards Act, NYS Wage Theft Prevention Act and under the Affordable Care Act is maintained for each employee including:

- a. 7 required employee demographic data elements
- b. Time and day of week when workweek begins and ends
- c. Hours worked each day
- d. Regular rate of pay
- e. Total daily or weekly straight time earnings
- f. Basis on which employee's wages are paid – exempt or non-exempt and proper classification
- g. Review of Wage Statement to meet NY, CA and other State requirements
- h. All additions to or deductions from employee's wages
- i. Total wages paid each pay period
- j. Date of payment and pay period covered by payment

4. Additional employee information: The following documents/forms as defined by the Company to be located in employee files:

- a. Job application
- b. Offer Letter
- c. NYS Notification letter – new hire notification (effective October 2009)
- d. Confidentiality Agreement
- e. Employee Handbook Acknowledgement
- f. W-4 and State Withholding forms
- g. Direct deposit authorization

5. Employee Handbook: CWS will review the existing handbook to ensure that policies meet Local, State & Federal employment guidelines; protect Clients' largest area of risk and that the handbook contains the following minimum essential policies:

- a. Disclaimer/Employment At Will Statement/Employee Acknowledgement Receipt
- b. Equal Opportunity Employment Statement
- c. Workweek & Hours (including definitions of exempt, non-exempt, PT, FT employees and employee groups)
- d. Unlawful/Sexual Harassment
- e. Required Leave Policies
- f. Paid Time Off (Holiday, Vacation, Sick & Personal time)
- g. Code of Conduct
- h. Safety & Accident Reporting & Procedure
- i. Attendance
- j. Acceptable Use of Information & Information Systems/Social