

HR Rules and Regulations Checklist

A companion to the 2026 pillar guide from Biz Care Scan. Print, walk through each section, and check off what you can prove with a document.

charleshackney.com/guides/hr-rules-and-regulations

1. Rules that apply by headcount

- ☐ Confirm current employee count (including part-time) and note the next threshold you'll cross (15, 20, 50, 100).
- ☐ List every U.S. state where you have at least one employee — each adds its own rules.
- ☐ Document which federal laws currently apply based on headcount (FLSA, Title VII at 15+, ADEA/COBRA at 20+, FMLA/ACA at 50+, EEO-1/WARN at 100+).

2. Wage & hour (FLSA)

- ☐ Every employee is classified as exempt or non-exempt with a written duties + salary test on file.
- ☐ Non-exempt employees receive overtime at 1.5× for hours over 40 in a workweek.
- ☐ Pay is at or above the highest applicable federal, state, and local minimum wage.
- ☐ Timekeeping records are retained for at least 2 years; payroll records for 3 years.
- ☐ Independent contractors have signed agreements and pass the applicable classification test.

3. Anti-discrimination & harassment

- ☐ Written anti-harassment and anti-discrimination policy is current and distributed.
- ☐ Documented complaint and investigation procedure exists.
- ☐ Managers have completed state-required harassment prevention training (CA, CT, DE, IL, ME, NY, WA).
- ☐ Required federal and state EEO posters are displayed where employees work.
- ☐ Pregnant Workers Fairness Act accommodations process is in place (15+ employees).

4. Hiring, I-9, and onboarding

- ☐ Written, non-discriminatory job descriptions for every role.
- ☐ Form I-9 completed within 3 business days of hire and stored separately from personnel files.
- ☐ New hires receive W-4, state withholding, and any state-required notices.
- ☐ Background checks (if used) collect written FCRA-compliant consent.
- ☐ Job postings include salary ranges where required (CA, CO, NY, WA, IL, and others).

5. Workplace safety (OSHA)

- ☐ OSHA "Job Safety and Health" poster is displayed.
- ☐ OSHA 300 log is maintained if 11+ employees in a covered industry.
- ☐ Role-specific safety training is documented.
- ☐ Written emergency action plan exists and has been reviewed in the last 12 months.

6. Leave & benefits

- ☐ FMLA notices, tracking, and eligibility determinations are in place (50+ employees within 75 miles).
- ☐ State/local paid sick leave accrual and carryover comply with the strictest applicable rule.
- ☐ COBRA notices are issued on qualifying events (20+ employees).
- ☐ ACA affordability and coverage tracking is running (50+ full-time-equivalents).
- ☐ Leave requests are documented consistently regardless of manager.

7. Recordkeeping & retention

- ☐ Personnel files are stored securely and separately from medical and I-9 records.
- ☐ Payroll records retained 3 years; timekeeping 2 years; EEOC records 1 year (2 for terminations).
- ☐ OSHA 300 logs retained 5 years; FMLA records 3 years; ERISA/benefit records 6 years.
- ☐ Medical exposure records retained for employment + 30 years where OSHA standards apply.

8. Employee handbook

- ☐ Handbook has been reviewed within the last 24 months.
- ☐ Every employee has signed an acknowledgment of receipt.
- ☐ Covers at-will status, EEO, harassment, leave, pay, and complaint procedures.
- ☐ State-specific supplements exist for every state where you employ people.

9. Termination & offboarding

- ☐ Final pay is issued within the timeframe required by the employee's state.
- ☐ Separation notices (COBRA, state unemployment) are provided at termination.
- ☐ Every termination has a documented, lawful reason and a witnessed conversation.
- ☐ Access, equipment, and benefits offboarding runs from a written checklist.

10. 2026 items to re-check this quarter

☐	FLSA exempt salary threshold status verified against current DOL rule.
☐	PWFA accommodation process reviewed against 2024 final rule.
☐	State paid-family-leave contributions confirmed for every state you employ in.
☐	Pay-transparency language added to postings in newly covered states.
☐	Any AI screening tool audited under NYC LL 144, Colorado AI Act, or IL AI Video Interview Act.

Next step: run the free 27-question audit at charleshackney.com to score these categories automatically and get a prioritized gap list.

Informational only — not legal advice. Consult employment counsel for your specific situation.