



DISCRIMINATION EMPLOYER SELF-AUDIT

Employers should conduct this self-audit on a regular basis to help uncover potentially discriminatory practices and ensure better compliance with state and federal employment laws. Review any “yes” answers for possible compliance issues.

PRE-EMPLOYMENT	YES	NO
1. Recruiting and Advertising		
A. Ads have discriminatory requirements (<i>e.g.</i> , ads state “seeking male,” “fresh, young achiever,” etc.)?		
B. Recruiting methods exclude access by disabled persons or those without easy access to computers?		
2. Employment Application		
A. Asks gender or race, or requests photo?		
B. Asks age, date of birth, or dates attended or graduated from high school or college?		
C. Asks if disabled or ever injured on the job? (permissible: if applicant can, with or without reasonable accommodations, perform the essential functions of job?)		
D. Asks if a U.S. citizen or citizen of what country? (permissible: can applicant provide proof of eligibility to work in the U.S.?)		
E. Ask marital status or if applicant has kids?		
F. Asks about arrests and convictions without disclaimer?		
G. No Equal Employment Opportunity statement?		
3. Interviews		
A. Ask different questions of candidates for same job?		
B. Ask questions listed under Employment Application above?		
C. Ask about childcare arrangements?		
4. Background Checks, Medical Exams, and Drug Tests		
A. Conduct background checks only on certain candidates for same job?		
B. Reject all candidates with arrests or convictions no matter what crime or the position hiring for (<i>i.e.</i> , blanket “no hire” policy)?		
C. Reject all candidates with poor credit?		
D. Conducting medical exams/physicals before offer of employment?		
E. Conducting drug and/or alcohol tests before offer of employment?		
F. Requiring medical exam/physical or drug test only for certain candidates for same job?		



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DURING EMPLOYMENT		YES	NO
1. Decisions to Hire, Promote, Train, Transfer, Demote or Terminate			
A.	Use discriminatory factors in decision (<i>e.g.</i> , male needs to support his family, young worker will be cheaper, etc.)?		
B.	Retaliate against employees who report discrimination or harassment or have filed charges?		
C.	Progressive discipline is not documented in file?		
D.	Documentation is missing or does not otherwise support stated reason for decision?		
E.	Evaluations are not conducted on a regular basis?		
F.	Statistics of workforce demographic different from demographics of applicant pool?		
G.	Supervisors and managers are not trained on law?		
H.	Employee complaints are not timely addressed or are otherwise not taken seriously?		
I.	No uniformly applied protocol for handling complaints and investigations?		
2. Employee Handbook, Policies, and Posters			
A.	Lack of Equal Employment Opportunity policy?		
B.	Lack of harassment policy and complaint reporting methods?		
C.	No training for supervisors on recognizing, reporting and preventing harassment and discrimination?		
D.	Policies are enforced on one-off basis rather than uniformly?		
E.	No handbook in place or system to ensure handbook is reviewed and acknowledged?		
F.	Required posters are not in conspicuous location?		
G.	No system in place for handbook and policy review and update in order to reflect changes in the law?		
3. Wages and Benefits			
A.	Different wages or pay scales for employees in same/similar job?		
B.	Different benefits offered to employees in same/similar job?		
C.	No job descriptions in place or job descriptions have not been updated?		



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