



CALIFORNIA EMPLOYMENT LIFECYCLE CHECKLIST

Number of Employees		Government Contracts (yes or no)		Unionized (yes or no)	
States Operating in		Number of Employees at Each Worksite			

REGISTRATION

Required:

- ☐ Register with Employee Development Department for Employer I.D. number for employment tax purposes
- ☐ Obtain federal Taxpayer I.D. number

INSURANCE

Required:

- ☐ Workers' compensation

Recommended:

- ☐ General liability, errors & omissions ("E&O"), and consider pros and cons of employment practices liability ("EPLI")

HIRING

Required:

- ☐ Applicant flow data (EEO data and job sought)
- ☐ New Hire Registry (register new hires with EDD within 20 days)
- ☐ Independent contractor reporting (report to EDD within 20 days)
- ☐ I-9 forms to verify employee identity and legal right to work in the United States
- ☐ Obtain W-4 (required) and DE4 (optional) forms from Employee
- ☐ Paid Family Leave brochure and Workers' Compensation notice
- ☐ Provide new employees with California's Program for the Unemployed Brochure (DE 1857A)
- ☐ Provide new employees with SDI Brochure (DE 2515) at time of hire
- ☐ Wage Notice to non-exempt employees as required by Wage Theft Prevention Act
- ☐ Note: Prohibitions against discrimination and harassment (race, color, religion, sex, national origin, veteran status, ancestry, disability, medical condition, marital status, age, sexual orientation, pregnancy, and gender identity) (5 or more employees)
- ☐ Written commission plans, as applicable (specific requirements must be met)

Recommended:

- ☐ Employment application (must be compliant with state and federal laws)
- ☐ Emergency contact information form
- ☐ Offer letters, or at least an "at-will" policy; employment agreements for executives
- ☐ Development of job descriptions and development of performance evaluation procedures
- ☐ Arbitration Agreement (consider pros and cons)
- ☐ Employee nondisclosure and invention assignment agreements
- ☐ Bonus plans, as applicable (conform to CA terminology and legal requirements)
- ☐ Background investigations, if applicable (specific requirements must be met)
- ☐ Medical exams and drug testing, if applicable (specific requirements must be met)

WAGE AND HOUR COMPLIANCE

Required:

- ☐ Determine pay periods and work weeks
- ☐ Correctly classify workers as employees, temporary agency employees or independent contractors
- ☐ Correctly classify workers employees as exempt or nonexempt
- ☐ Compliance with overtime, meal and rest periods, payroll obligations and wage orders

Recommended:

- ☐ Independent contractor agreements, if applicable
- ☐ Pay in arrears
- ☐ If paid by piece rate, prepare agreement defining productive and non-productive time (LC 226.2)

PERSONNEL RECORDS

Required:

- ☐ Maintain required personnel records, including payroll
- ☐ Provide access or provide copies of required pay records within 21 days of current or former employee's request
- ☐ Provide access or provide copies of required personnel records within 30 days of current or former employee's request
- ☐ Personnel File Request form (LC 1198.5)

POSTINGS

Required:

- ☐ Post all required notices, including applicable wage order, EEO, harassment, FLSA, workers' compensation, whistleblower hotline, paid family leave and state disability insurance
- ☐ Pregnancy disability leave (policy/postings/notice/forms) (5 or more employees)
- ☐ Family and medical leave (FMLA/CFRA; policy/postings/notice/forms/timely designations) (50 or more employees)
- ☐ Smoking prohibition notice (if permit smoking in designated areas) (10 or more employees)
- ☐ Human Trafficking (depends upon industry)

WORKPLACE SAFETY

Required:

- ☐ Establish injury and illness prevention program and comply with workers' compensation laws (written policy generally required for 20 or more employees)

LEAVES OF ABSENCE

Required:

- ☐ FMLA/CFRA leave for employee's own serious health condition, family member's serious health condition, baby bonding, and qualifying exigency/military caregiver (50 or more employees)
- ☐ PDL for pregnancy (5 or more employees)
- ☐ Provide leaves of absence for military, voting, jury/witness duty, child's suspension from school, domestic violence, crime victims, and sexual assault victims to obtain relief
- ☐ Alcohol and drug rehabilitation leave for voluntary rehabilitation programs (25 or more employees)
- ☐ Leave of absence for parental school visitation to participate in school activities (25 or more employees)
- ☐ Expanded leave for victims of domestic violence and sexual assault to seek medical attention, psychological counseling, participate in safety planning or obtain services from a domestic violence shelter or rape crisis center (25 or more employees)

REPORTING

Required:

- ☐ EEO-1 report (all employers with 100 or more employees)
- ☐ Employers with a government contract worth \$50,000 or more – affirmative action plan, EEO-1 report (NOTE: There are also requirements tied to the size of government contracts without regard to number of employees including OFCCP EEO poster, EEO clause in contracts, and Vets-100 form) (50 or more employees)

POLICIES AND TRAINING

Required:

- ☐ Prohibition against sexual harassment (Distribute DFEH-185 and draft policy that complies with 2 CCR § 11023)
- ☐ Equal employment opportunity and harassment policies
- ☐ Sex harassment training for supervisors (50 or more employees)
- ☐ Local Sick Leave
- ☐ California Sick Leave (any employees performing more than 30 hours of work in California)

Recommended:

- ☐ Vacation/PTO – no use it or lose it policy, but can cap accrual
- ☐ Development of personnel policies and/or employee handbook (10 or more employees)

TERMINATION PROCEDURES

Required:

- ☐ Final pay, including, accrued but unused, vacation/PTO through last day worked, and only standard deductions (no acceleration of loan repayment)
 - *For discharge, paid on discharge date
 - *For resignation, paid within 72 hours of notice or last day, whichever is later
- ☐ Provide written notice of status change with EDD brochure
- ☐ Cal-COBRA for continuing health care benefits under California law (1 – 19 employees)
- ☐ COBRA compliance (20 or more employees)