

Table of Contents

- Chapter 1 Introduction** 1
 - The Importance of Documentation 2
 - Commitment of Senior Management..... 3
 - Commitment and Implementation by all Other Levels of Management 3
 - Usable and Meaningful Forms..... 3
 - Reasonable Rules and Policies 3
 - Supervisory Training..... 3
 - Audit Procedures to Ensure Consistency..... 3
 - What Should You Document?..... 4
 - Disclaimers..... 5

- Chapter 2 Job Descriptions** 7
 - The Importance of Job Descriptions..... 7
 - Tailoring Your Job Descriptions to Comply with the ADA..... 7
 - Determining Essential Functions..... 8
 - Format of a Job Description..... 8
 - At-Will Job Description (Examples 1-3) 9-12

- Chapter 3 Pre-hire Considerations** 13
 - Job Applications..... 13
 - At-Will Employment Application (Examples 1-4)..... 15-29
 - Job Interviews..... 30
 - ADA Guidelines..... 33
 - Conducting the Interview..... 34
 - Interviewing Form..... 35
 - Employment Interview Analysis..... 37
 - Candidate Rating Sheet..... 38
 - Sample Interview Checklist..... 39
 - Interviewer Evaluation 40
 - Information Pertinent to the EEO-1 Form 41
 - Equal Employment Opportunity Data Survey for
Employers with a Federal Contract 42
 - Post-Hire Equal Employment Data Survey for Employers Who
Do Not Have a Federal Contract 45
 - Background Checks..... 47
 - Illinois Gives Employers Job Reference Protection..... 48
 - Written References..... 48
 - Reference and Background Check Forms 48
 - Telephone Reference Check 49-53
 - Reference Inquiry..... 54
 - Employment Reference..... 55

Educational Reference.....	56
Background Research Release	57
Pre-Employment Inquiry Authorization Release	58
Post-offer, Pre-hire	60
At-Will Employment Offer/ Acceptance Letter (Examples 1-2)	61-62
Consent/Waiver for Drug and Alcohol Testing	63
Consent for Drug/Alcohol Screen Testing	64
Verification of Military Status.....	65
Refusal of Employment	66

Chapter 4	Accommodations for Employees with Special Needs.....	67
	Accommodations in General.....	67
	Accommodations Under the ADA	67
	Employee Report of Limitations.....	70
	Accommodation Request Due to Limitations	71
	Employer Form for Identifying Potential Accommodations	72
	Employer Response to Request for Accommodation.....	73
	Accommodation for Religious Beliefs.....	74
	Employee Request for Religious Accommodation	76
	Employer Response to Employee Request for Religious Accommodation	77

Chapter 5	Hiring and Orientation.....	79
	How to Use Employee Orientation to the Company's Advantage	79
	Employee Orientation and Training Checklist.....	80
	Immigration Law Compliance	82
	Form I-9	83
	General Considerations and Policies	92
	Employment-at-Will Message.....	92
	Employment Handbook.....	93
	Handbook Acknowledgement.....	94
	Union-Free Statements	95
	Drug-Free Workplace Policies	95
	Acknowledgement of Receipt of Drug Policy	96
	Informed Consent and Release of Liability.....	97
	Other Forms Used/Given at Hiring.....	98
	Employment Confirmation	99
	Hiring Checklist.....	100
	Confidential and Proprietary Information Statement	101
	EEO Policy Statement to New Employees	102
	Employee Information Form.....	103
	Daily Time Record	104
	Biweekly Payroll Time Record	105
	Department Overtime Request.....	107
	Training	108
	Conclusion	108

Chapter 6	Insurance and Other Benefits	109
	Pension and Profit Sharing Plans	109
	Beneficiary Designation Form.....	111
	Spouse’s Consent to Designation of Primary Beneficiary	
	Other Than Surviving Spouse.....	113
	Beneficiary Designation Form.....	115
	401(k) Plan Salary Reduction and Revocation Agreement.....	117
	401(k) Plan Application for Hardship Withdrawal	118
	Participant’s Application for Benefits.....	121
	Special Tax Notice Regarding Plan Payments.....	124
	Consolidated Omnibus Reconciliation Act of 1985 (COBRA).....	132
	General Notice of COBRA Continuation Coverage Rights	133
	COBRA Information.....	137
	COBRA Continuation Coverage Election Notice.....	138
	COBRA Continuation Coverage Election Form.....	139
	Important Information About Your COBRA Continuation Coverage Rights.....	140
	Illinois Continuation Law	144
	Illinois Continuation Notice.....	145
	Illinois Continuation Coverage Election Form.....	146
	Important Information About Your Illinois Continuation Rights.....	147
	Comparison of Laws Pertaining to Continuation of Health Benefits	150
	Health Insurance Portability and Accountability Act (HIPAA)	153
	Notice of Terms of Pre-existing Condition Exclusion.....	154
	Notice of Application of Pre-existing Condition Exclusion	155
	Request for Certificate of Health Coverage	157
	HIPAA - Certificate of Group Health Plan Coverage	158
	Uniformed Services Employment and Reemployment Rights Act.....	159
	Notice of Employee of USERRA Rights	160
	Employee’s Notice of Uniformed Service Leave of Absence	162
	Flexible Benefit Plans.....	164
	Election to Participate and Compensation Reduction Agreement.....	165
	Flexible Benefits Plan Change in Status and Salary Reduction Agreement.....	167
Chapter 7	Leaves of Absence	171
	Qualifying Leaves Under the FMLA.....	171
	Non-FMLA Family and Medical Leaves	172
	Other Forms of Leave.....	172
	General Request Form for Leave	174
	Physician’s Statement Concerning Fitness for Duty.....	175
	Physician’s Statement Concerning Leave	176
	Physician’s Release to Return to Work	177
	Employer File Memo Regarding Employee’s Unforeseeable Absence.....	178
	Employer Request for Medical Documentation (Non-FMLA Leave).....	179
	Response to Employee Request for Non-FMLA Leave.....	181

Designated Leave Letter from Employer - Non-FMLA Leave	182
Expiration of Leave - Non-FMLA Leave	183
FMLA Fact Sheet	184
Request Form for FMLA Leave	188
Employer Response to Request for FMLA Leave	189
FMLA Designated Leave Letter from Employer.....	190
Employee Rights and Responsibilities Under the Family and Medical Leave Act - FMLA Form 1420	191
Certification of Health Care Provider for Employee’s Serious Health Condition - FMLA Form WH-380-E.....	192
Certification of Health Care Provider for Family Member’s Serious Health Condition - FMLA Form WH-380-F.....	196
Notice of Eligibility and Rights and Responsibilities - FMLA Form WH-381.....	200
Designation Notice - FMLA Form WH-382.....	202
Certification of Qualifying Exigency for Military Family Leave - FMLA Form WH-384	203
Certification for Serious Injury or Illness of a Current Servicemember - for Military Family Leave - FMLA Form WH-385.....	206
Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave - FMLA Form WH-385-V	210
Your Rights Under USERRA.....	215
Illinois Department of Labor - Victims’ Economic Security and Safety Act.....	216
Illinois Department of Labor School Visitation Rights Act Fact Sheet	218
Illinois Department of Labor School Visitation Form	219
Notice of Termination of Benefits.....	220
Report of Absence.....	221
Report of Called-in Absence	222
Vacation Request and Approval.....	223
Employee Request for Bereavement Leave.....	224
Funeral Leave Request.....	225
Authorization for Use and Disclosure of Protected Health Information	226
FMLA Policy Example	227

Chapter 8

Workers’ Compensation	235
Workers’ Compensation Notice.....	235
Workers’ Compensation - Form ICPN - English.....	236
Workers’ Compensation - Form ICPN - Spanish.....	237
Employer’s First Report of Injury	238
Form IC45.....	239
Employer’s Supplementary Report.....	240
Form IC85.....	241
Settlement Contract Lump Sum Petition and Order	242
Form IC5.....	243
Application for Adjustment of Claim (Application for Benefits)	246
Form IC1.....	246

Subpoena..... 248
 Form IC16..... 249
 Petition for Review of Arbitration Decision..... 251
 Form IC11..... 252
 Rehabilitation Plan..... 254
 Form IC31..... 255
 Application for Self-Insurance 256
 Self-Insurance Form 257

Chapter 9 Performance Evaluations 263
 Improving Your Performance Appraisals..... 263
 Performance Evaluation 266
 Performance Evaluation of Supervisory Employee..... 274
 Performance Evaluation of Non-Supervisory Employee 277
 New Employee Progress Report..... 280
 Department Checklist/Employee Progress Report..... 282
 Self/Peer Performance Evaluation Form 282
 Subordinate Evaluation of Manager..... 285
 Temporary Employee Evaluation 287

Chapter 10 Disciplinary Letters 289
 Employee Discipline..... 289
 First Warning Notice..... 290
 Second Warning Notice 291
 Third Warning Notice..... 292
 Final Warning Notice 293
 Employee Warning Notice..... 294
 Second Warning Notice 295
 Third Warning Notice..... 296
 Final Warning Notice 297
 Excessive Absenteeism Warning..... 298
 Last Chance Agreement..... 299

Chapter 11 Termination of Employment..... 301
 Sample Letter for Termination/Permanent Layoff Due to Downsizing..... 303
 Separation and Mutual Release Agreement 304
 A Proven Protocol for Handling a Low-Risk Termination with a Release 306
 Usable “Script” for Termination With Severance Pay and Release 307
 Model for Drafting Cover Letter for Release 308
 Sample Release Agreement for Those Under 40 Years of Age 309
 Sample Release Agreement for Those 40 Years or Older 312
 Sample Cover Letter for a Bank Closing its Trust Department (and Where
 Some of the Terminated Employees are 40 Years of Age or Older)..... 315
 How to Accept Additional Separation Benefits (For 40 and Older Group)..... 316

Sample Listing for Group Age Release Job Classification Listing 317

Sample Letter for Termination/Permanent Layoff Due to Downsizing
(Without Separation Agreement) 318

Sample Letter for a Termination Due to Poor Performance or Misconduct 319

Voluntary Resignation 320

Exit Interview (Examples 1-3)..... 321

Employee Exit Interview 325

Exit Checklist (Examples 1-2)..... 326

Authorization to Release Information/Waiver of Liability (Examples 1-3) 328

Chapter 12

Miscellaneous Forms 331

Employee Flextime Schedule 331

Employee Benefits Analysis 332

Notice of Confidentiality Agreement 333

Check Request Form 334

Payroll Direct Deposit Form 335

Department Payroll 336

Direct Deposit Authorization..... 337

Salary Change Recommendation Form..... 338

Employee Payroll Change Notice 339

Promotion or Transfer Request..... 340

Employment Information Change/Payroll Information Salary Rate Change/
Payroll Deduction/Employment Status/Transfer-Promotion-Position Change/
Leave of Absence 341

Employee Information Update 342

Promissory Note 343

Expense Report 344

Authorization Form for Wage Deduction..... 345

Position Decline Statement..... 346

Substance Abuse Prevention Process: Substance Abuse Investigation Form..... 347

Substance Abuse Prevention Agreement..... 348

Verification of Dependent Status..... 349

Displaced Employee Data Sheet Form 350

Employee Absence Report 351

Expense Reimbursement Request 342

Open-Door Form..... 343

Bright Idea Program Entry Form..... 344

Employee Suggestion Form 345

Chapter 13

Record Retention 357

Record Keeping Requirements 358

General Recommendations Regarding Personnel Files and Records 364