

# TOP 10 HR Mistakes

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Many business owners try to “go it alone” and handle human resources issues without professional assistance. Unfortunately, HR mistakes can result in government fines, lawsuits, poor morale and employee turnover. Here are some of the common mistakes that I have found working with clients:

1. Asking for illegal information or failing to ask the right questions on the **Employment Application**.
2. Failure to have written policies (**Employee Handbook**) that set expectations for workplace conduct, establish consistency in how employees are treated, and provide an affirmative defense against harassment and discrimination complaints.
3. Not paying **overtime** when non-exempt employees work more than 40 hours in a workweek – “Salaried” doesn’t mean exempt from overtime. Exempt status is determined by job duties, how much the employee is paid, as well as how (salary vs. hourly) the employee is paid.
4. Misclassifying workers as **independent contractors** – In general, if the employer controls when, where and what the worker does, then the worker is probably an employee.
5. Incomplete or incorrect I-9 (**Employment Eligibility Verification**) forms. Employers may be assessed a fine ranging from \$216 to \$2,156 by the federal government for each form that is not completed correctly.
6. Not providing employees with **written job descriptions** that outline performance expectations and essential duties.
7. Not addressing **performance deficiencies** promptly and **documenting** expected changes with consequences for failure to improve.
8. Not conducting **background checks** during the hiring process. Failure to check references and employment history means your new employee may not have the job skills and experience that he or she claimed to have.
9. Making improper deductions or withholding **final pay** when an employee resigns, with or without notice, including failure to pay accrued but unused leave on the final payroll check.
10. Failure to pay an employee for up to one day of **jury duty leave** annually.

An HR professional can help you with all of your human resource needs, from hiring the right employees, running background checks, creating employee handbooks that include anti-harassment policies and procedures, managing employee performance, staying legally compliant, automating employee records, and anything else you need to create an environment where employees can provide the services that you need to run your business.

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