1. Pre-Hire

1.1 Classifying Workers: Employees V. Independent Contractors
1.1(a) Federal Guidelines on Classifying Workers
1.1(b) State Guidelines on Classifying Workers

1.2 Employment Eligibility & Verification Requirements
1.2(a) Federal Guidelines on Employment Eligibility & Verification Requirements
1.2(b) State Guidelines on Employment Eligibility & Verification Requirements
   1.2(b)(i) Private Employers
   1.2(b)(ii) State Contractors
   1.2(b)(iii) State Enforcement, Remedies & Penalties

1.3 Restrictions on Background Screening & Privacy Rights in Hiring
1.3(a) Restrictions on Employer Inquiries About & Use of Criminal History
   1.3(a)(i) Federal Guidelines on Employer Inquiries About & Use of Criminal History
   1.3(a)(ii) State Guidelines on Employer’s Use of Arrest Records
   1.3(a)(iii) State Guidelines on Employer’s Use of Conviction Records
   1.3(a)(iv) State Guidelines on Employer’s Use of Sealed or Expunged Criminal Records
1.3(b) Restrictions on Credit Checks
   1.3(b)(i) Federal Guidelines on Employer’s Use of Credit Information & History
   1.3(b)(ii) State Guidelines on Employer’s Use of Credit Information & History
1.3(c) Restrictions on Access to Applicants’ Social Media Accounts
   1.3(c)(i) Federal Guidelines on Access to Applicants’ Social Media Accounts
   1.3(c)(ii) State Guidelines on Access to Applicants’ Social Media Accounts
1.3(d) Polygraph / Lie Detector Testing Restrictions
   1.3(d)(i) Federal Guidelines on Polygraph Examinations
   1.3(d)(ii) State Guidelines on Polygraph Examinations
1.3(e) Drug & Alcohol Testing of Applicants
   1.3(e)(i) Federal Guidelines on Drug & Alcohol Testing of Applicants
   1.3(e)(ii) State Guidelines on Drug & Alcohol Testing of Applicants
2. Time of Hire

2.1 Documentation to Provide at Hire
   2.1(a) Federal Guidelines on Hire Documentation
   2.1(b) State Guidelines on Hire Documentation

2.2 New Hire Reporting Requirements
   2.2(a) Federal Guidelines on New Hire Reporting
   2.2(b) State Guidelines on New Hire Reporting

2.3 Restrictive Covenants, Trade Secrets & Protection of Business Information
   2.3(a) Federal Guidelines on Restrictive Covenants & Trade Secrets
   2.3(b) State Guidelines on Restrictive Covenants & Trade Secrets
      2.3(b)(i) State Restrictive Covenant Law
      2.3(b)(ii) Consideration for a Noncompete
      2.3(b)(iii) Ability to Modify or Blue Pencil a Noncompete
      2.3(b)(iv) State Trade Secret Law
      2.3(b)(v) State Guidelines on Employee Inventions & Ideas

3. During Employment

3.1 Posting, Notice & Record-Keeping Requirements
   3.1(a) Posting & Notification Requirements
      3.1(a)(ii) State Guidelines on Posting & Notification Requirements
   3.1(b) Record-Keeping Requirements
      3.1(b)(i) Federal Guidelines on Record Keeping
      3.1(b)(ii) State Guidelines on Record Keeping
   3.1(c) Personnel Files
      3.1(c)(i) Federal Guidelines on Personnel Files
      3.1(c)(ii) State Guidelines on Personnel Files

3.2 Privacy Issues for Employees
   3.2(a) Background Screening of Current Employees
      3.2(a)(i) Federal Guidelines on Background Screening of Current Employees
      3.2(a)(ii) State Guidelines on Background Screening of Current Employees
   3.2(b) Drug & Alcohol Testing of Current Employees
3.2(b)(i) Federal Guidelines on Drug & Alcohol Testing of Current Employees
3.2(b)(ii) State Guidelines on Drug & Alcohol Testing of Current Employees

3.2(c) Marijuana Laws
3.2(c)(i) Federal Guidelines on Marijuana
3.2(c)(ii) State Guidelines on Marijuana

3.2(d) Data Security Breach
3.2(d)(i) Federal Data Security Breach Guidelines
3.2(d)(ii) State Data Security Breach Guidelines

3.3 Minimum Wage & Overtime
3.3(a) Federal Guidelines on Minimum Wage & Overtime
3.3(a)(i) Federal Minimum Wage Obligations
3.3(a)(ii) Federal Overtime Obligations
3.3(b) State Guidelines on Minimum Wage Obligations
3.3(c) State Guidelines on Overtime Obligations

3.4 Meal & Rest Period Requirements
3.4(a) Federal Meal & Rest Period Guidelines
3.4(a)(i) Federal Meal & Rest Periods for Adults
3.4(a)(ii) Federal Meal & Rest Periods for Minors
3.4(a)(iii) Lactation Accommodation Under Federal Law
3.4(b) State Meal & Rest Period Guidelines
3.4(b)(i) State Meal & Rest Periods for Adults
3.4(b)(ii) State Meal & Rest Periods for Minors
3.4(b)(iii) Lactation Accommodation Under State Law

3.5 Working Hours & Compensable Activities
3.5(a) Federal Guidelines on Working Hours & Compensable Activities
3.5(b) State Guidelines on Working Hours & Compensable Activities

3.6 Child Labor
3.6(a) Federal Guidelines on Child Labor
3.6(b) State Guidelines on Child Labor
3.6(b)(i) State Restrictions on Type of Employment for Minors
3.6(b)(ii) State Limits on Hours of Work for Minors
3.6(b)(iii) State Child Labor Exceptions
3.6(b)(iv) State Work Permit or Waiver Requirements
3.6(b)(v) State Enforcement, Remedies & Penalties

3.7 Wage Payment Issues

3.7(a) Federal Guidelines on Wage Payment
   3.7(a)(i) Form of Payment Under Federal Law
   3.7(a)(ii) Frequency of Payment Under Federal Law
   3.7(a)(iii) Final Payment Under Federal Law
   3.7(a)(iv) Notification of Wage Payments & Wage Records Under Federal Law
   3.7(a)(v) Changing Regular Paydays or Pay Rate Under Federal Law
   3.7(a)(vi) Paying for Expenses Under Federal Law
   3.7(a)(vii) Wage Deductions Under Federal Law

3.7(b) State Guidelines on Wage Payment
   3.7(b)(i) Form of Payment Under State Law
   3.7(b)(ii) Frequency of Payment Under State Law
   3.7(b)(iii) Final Payment Under State Law
   3.7(b)(iv) Notification of Wage Payments & Wage Records Under State Law
   3.7(b)(v) Wage Transparency
   3.7(b)(vi) Changing Regular Paydays or Pay Rate Under State Law
   3.7(b)(vii) Paying for Expenses Under State Law
   3.7(b)(viii) Wage Deductions Under State Law
   3.7(b)(ix) Wage Assignments & Wage Garnishments
   3.7(b)(x) State Enforcement, Remedies & Penalties

3.8 Other Benefits

3.8(a) Vacation Pay & Similar Paid Time Off
   3.8(a)(i) Federal Guidelines on Vacation Pay & Similar Paid Time Off
   3.8(a)(ii) State Guidelines on Vacation Pay & Similar Paid Time Off

3.8(b) Holidays & Days of Rest
   3.8(b)(i) Federal Guidelines on Holidays & Days of Rest
   3.8(b)(ii) State Guidelines on Holidays & Days of Rest

3.8(c) Recognition of Domestic Partnerships & Civil Unions
   3.8(c)(i) Federal Guidelines on Domestic Partnerships & Civil Unions
   3.8(c)(ii) State Guidelines on Domestic Partnerships & Civil Unions
3.9 Leaves of Absence

3.9(a) Family & Medical Leave
   3.9(a)(i) Federal Guidelines on Family & Medical Leave
   3.9(a)(ii) State Guidelines on Family & Medical Leave

3.9(b) Paid Sick Leave
   3.9(b)(i) Federal Guidelines on Paid Sick Leave
   3.9(b)(ii) State Guidelines on Paid Sick Leave

3.9(c) Pregnancy Leave
   3.9(c)(i) Federal Guidelines on Pregnancy Leave
   3.9(c)(ii) State Guidelines on Pregnancy Leave

3.9(d) Adoptive Parents Leave
   3.9(d)(i) Federal Guidelines on Adoptive Parents Leave
   3.9(d)(ii) State Guidelines on Adoptive Parents Leave

3.9(e) School Activities Leave
   3.9(e)(i) Federal Guidelines on School Activities Leave
   3.9(e)(ii) State Guidelines on School Activities Leave

3.9(f) Blood, Organ, or Bone Marrow Donation Leave
   3.9(f)(i) Federal Guidelines on Blood, Organ, or Bone Marrow Donation
   3.9(f)(ii) State Guidelines on Blood, Organ, or Bone Marrow Donation

3.9(g) Voting Time
   3.9(g)(i) Federal Voting Time Guidelines
   3.9(g)(ii) State Voting Time Guidelines

3.9(h) Leave to Participate in Political Activities
   3.9(h)(i) Federal Guidelines on Leave to Participate in Political Activities
   3.9(h)(ii) State Guidelines on Leave to Participate in Political Activities

3.9(i) Leave to Participate in Judicial Proceedings
   3.9(i)(i) Federal Guidelines on Leave to Participate in Judicial Proceedings
   3.9(i)(ii) State Guidelines on Leave to Participate in Judicial Proceedings

3.9(j) Leave for Victims of Domestic Violence, Sexual Assault, Stalking, or Victims of Crime
   3.9(j)(i) Federal Guidelines on Leaves for Victims of Domestic Violence, Sexual Assault, Stalking, or Victims of Crime
   3.9(j)(ii) State Guidelines on Leaves for Victims of Domestic Violence, Sexual Assault, Stalking, or Victims of Crime
### 3.9(k) Military-Related Leave
- 3.9(k)(i) Federal Guidelines on Military-Related Leave
- 3.9(k)(ii) State Guidelines on Military-Related Leave

### 3.9(l) Other Leaves
- 3.9(l)(i) Federal Guidelines on Other Leaves
- 3.9(l)(ii) State Guidelines on Other Leaves

### 3.10 Workplace Safety

#### 3.10(a) Occupational Safety and Health
- 3.10(a)(i) Fed-OSH Act Guidelines
- 3.10(a)(ii) State-OSH Act Guidelines

#### 3.10(b) Cell Phone & Texting While Driving Prohibitions
- 3.10(b)(i) Federal Guidelines on Cell Phone & Texting While Driving
- 3.10(b)(ii) State Guidelines on Cell Phone & Texting While Driving

#### 3.10(c) Firearms in the Workplace
- 3.10(c)(i) Federal Guidelines on Firearms on Employer Property
- 3.10(c)(ii) State Guidelines on Firearms on Employer Property

#### 3.10(d) Smoking in the Workplace
- 3.10(d)(i) Federal Guidelines on Smoking in the Workplace
- 3.10(d)(ii) State Guidelines on Smoking in the Workplace

#### 3.10(e) Suitable Seating for Employees
- 3.10(e)(i) Federal Guidelines on Suitable Seating for Employees
- 3.10(e)(ii) State Guidelines on Suitable Seating for Employees

#### 3.10(f) Workplace Violence Protection Orders
- 3.10(f)(i) Federal Guidelines on Workplace Violence Protection Orders
- 3.10(f)(ii) State Guidelines on Workplace Violence Protection Orders

### 3.11 Discrimination, Retaliation & Harassment

#### 3.11(a) Protected Classes & Other Fair Employment Practices Protections
- 3.11(a)(i) Federal FEP Protections
- 3.11(a)(ii) State FEP Protections
- 3.11(a)(iii) State Enforcement Agency & Civil Enforcement Procedures
- 3.11(a)(iv) Additional Discrimination Protections

#### 3.11(b) Equal Pay Protections
- 3.11(b)(i) Federal Guidelines on Equal Pay Protections
- 3.11(b)(ii) State Guidelines on Equal Pay Protections
3.11(c) Pregnancy Accommodation
   3.11(c)(i) Federal Guidelines on Pregnancy Accommodation
   3.11(c)(ii) State Guidelines on Pregnancy Accommodation

3.11(d) Harassment Prevention Training & Education Requirements
   3.11(d)(i) Federal Guidelines on Antiharassment Training
   3.11(d)(ii) State Guidelines on Antiharassment Training

3.12 Miscellaneous Provisions
   3.12(a) Whistleblower Claims
      3.12(a)(i) Federal Guidelines on Whistleblowing
      3.12(a)(ii) State Guidelines on Whistleblowing
   3.12(b) Labor Laws
      3.12(b)(i) Federal Labor Laws
      3.12(b)(ii) Notable State Labor Laws

4. End of Employment
   4.1 Plant Closings & Mass Layoffs
      4.1(a) Federal WARN Act
      4.1(b) State Mini-WARN Act
      4.1(c) State Mass Layoff Notification Requirements
   4.2 Documentation to Provide When Employment Ends
      4.2(a) Federal Guidelines on Documentation at End of Employment
      4.2(b) State Guidelines on Documentation at End of Employment
   4.3 Providing References for Former Employees
      4.3(a) Federal Guidelines on References
      4.3(b) State Guidelines on References