



Top 10 hiring mistakes companies don't know they are making

#1 Not using a formal application form. *Using a customized formal application insures that you have all the information necessary to check qualifications and references*

#2 Not checking references before hiring. *Talking to former employers can be valuable in determining applicant's ability to work with others and their job fit. Using Social Networking sites like Facebook, LinkedIn, and Myspace can also provide insights to the candidate. Not checking references puts your company at risk for negligent hiring lawsuits and employee theft.*

#3 Asking illegal interview questions. *Avoid all questions regarding age, race, religion, or national origin and don't ask about off-duty activities or previous arrests.*

#4 Not conducting background checks. *Background checks ensure safe hiring practices, avoid negligent hiring lawsuits, and protect your employees, clients, and customers from violent or dangerous individuals.*

#5 Not getting written consent for background checks. *Applicant consent for background checks is required by law and should be a separate release and disclosure form.*

#6 Not documenting employee conduct and performance. *Proper consistent documentation of employee disciplinary meetings, performance reviews, and written warnings, will support your decision to make certain employment decisions and can protect against wrongful discharge claims.*

#7 Incorrectly classifying employee exemption status. *Failing to pay overtime to an employee because he or she was incorrectly classified as exempt under the Fair Labor Standard Act can be an expensive mistake.*

#8 Not updating your employee handbook. *Although an employee handbook isn't required by law, written employee policies are. You risk liability if their employee handbook is not reviewed and updated regularly so that it remains compliant with laws and your company's evolving practices.*

#9 Not knowing which records to keep on file. *Improper employee recordkeeping can put you at risk for legal liability. Employment applications, new hire paperwork, payroll records, job descriptions and performance reviews are some of the major documents to be kept in the employee personnel files. Medical history and other information that can be construed as discriminatory, ie, employees date of birth, marital status, citizenship etc must be kept in a separate secure file, only accessible by those with a need to know.*

#10 Not having a policy to support your hiring and screening practices. *If you administer background checks and employee assessments, you need a policy related to the types of positions that are screened, the types of checks and tests you run and when checks are conducted. This policy should reflect the employer's effort to balance its "need to know" with employee privacy rights.*

Bottom Line:

Business owners are bound by more laws and have access to more resources than ever before when it comes to hiring. It is wise to use a consistent system of employee assessments, background and reference checks, and interviews to collect as much information about your candidates as possible to avoid negligent hiring lawsuits and protect your employees, clients, and customers from violent or dangerous individuals.

Maryanne Preston
Hiring Solutions, Inc.
11054 Wine Palm Road
Fort Myers, FL 33966
(239) 851-6906
Maryanne@Hiring-Solutions.com