

2026 HR Compliance Checklist for Small Businesses

Use this checklist to audit your HR compliance posture. Check off each item you have in place.

HIRING & ONBOARDING

- Job descriptions reviewed for EEOC compliance (no discriminatory language)
- Offer letters include at-will language (where applicable by state)
- Form I-9 completed within 3 days of hire for every employee
- W-4 and state tax withholding forms collected at hire
- Direct deposit authorization on file
- New hire reported to state agency within required window (varies by state)
- Employee handbook acknowledged in writing
- Non-disclosure / confidentiality agreements signed (if applicable)
- Background check consent and process documented (if used)

WAGES & PAYROLL

- All employees paid at or above federal minimum wage (\$7.25/hr) and applicable state minimum
- Overtime calculated correctly for non-exempt employees (1.5x after 40 hrs/week)
- Employees correctly classified as exempt or non-exempt under FLSA
- Workers correctly classified as employees vs. independent contractors
- Payroll records retained for at least 3 years
- Pay stubs provided each pay period (required in most states)
- Final paychecks issued within state-required timeframe upon termination

BENEFITS & LEAVE

- FMLA eligibility tracked (50+ employees: federal; check state thresholds)
- ACA compliance confirmed (50+ FTEs: offer health coverage or face penalties)
- State-required leave policies in place (paid sick leave, PTO, etc.)
- COBRA notices sent within 44 days of qualifying event (20+ employees)
- Pregnancy Discrimination Act accommodations documented
- Military leave (USERRA) policy in employee handbook

WORKPLACE SAFETY

- OSHA poster displayed in workplace
- Injury and illness records maintained (Form 300, 300A, 301) · 10+ employees
- Emergency evacuation plan posted and practiced

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BEFORE ALLMYHR

- ✗ 5+ disconnected tools
- ✗ Constant Googling
- ✗ Expensive lawyer calls
- ✗ Compliance anxiety

AFTER ALLMYHR

- ✓ 1 unified dashboard
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