

New Hire: Now What?

1) New Employee Onboarding Checklist

Take the following steps to ensure smooth onboarding of all new employees:

1. Schedule new hire orientation.
2. Prepare the following new hire documents:
 - Form I-9.
 - Form W-4.
 - Confidentiality agreement.
 - Emergency contact information.
 - Benefit forms.
 - Employee handbook.
 - Offer letter and job description.
 - Direct deposit form.
 - Organizational chart.
 - Phone list and office map.
 - Safety instructions.
 - Personnel action form.
 - State-required new hire pamphlets.
 - Other state or local documentation requirements.
 - Any other material a new hire would find useful on the first day.
3. Conduct new hire orientation/onboarding process with the following steps:
 - Review and discuss new hire paperwork.
 - Schedule or conduct safety training.
 - Provide tour and introductions with manager.
 - Provide information on company logistics, including work station location, break rooms, and rest rooms.
 - Provide instructions for phone and computer access.
 - Sign agreements for security access and keys.
 - Explain timekeeping requirements.
 - Explain organization structure (provide organization chart and job description).
 - Discuss company mission, vision, values, and goals.
 - Describe company products and services.
 - Describe benefits of working at the company (employee benefits, job opportunities, etc.).
4. Upon completion, review new hire paperwork for completeness and accuracy.
5. Create personnel and confidential file folders.
6. Process new hire paperwork as needed and update human resource information system.
7. Provide payroll with a copy of the employee's Form W-4, direct deposit information (if applicable), and other necessary information.

Provide new employee with "welcome package," schedule first day lunch with manager or co-workers, and assign an onboarding "buddy" to help the new employee get acquainted with the company.

I-9 Procedures

1. I-9 forms do not have to be filled out on applicants, just on newly-hired employees.
2. Recent I-9 rule from the U.S. Department of Homeland Security: only documents that are unexpired when shown can be used for I-9 purposes (once shown, a U.S. passport, an alien registration receipt card/permanent resident card, or a List B document does not need to be reverified, even if it expires after the employee was hired; other types of documents need to be reverified after expiration).
3. An employer has up to three (3) business days following hire to get the I-9 form filled out. The employer should have the new employee complete the first section of the I-9 work authorization form at the time of hire, which means at the very beginning of employment, before any work is done, and the employer must

complete section 2 within the first three days of employment (or at the beginning of employment, if the job is supposed to last three days or less).

4. Follow all instructions on the form exactly - omissions or even minor clerical errors can result in potential sanctions.
5. If a new hire shows the [documentation listed on the form](#), the I-9 requirements are satisfied; the employer should not make the mistake of requiring documentation above and beyond what is shown on the I-9 form (what the government calls "document abuse").
6. "Providing a Social Security number on Form I-9 is voluntary for all employees unless you are an employer participating in the USCIS E-Verify program. Providing an e-mail address or telephone number is voluntary. ... You may not ask an employee to provide you a specific document with his or her Social Security number on it. To do so may constitute unlawful discrimination." (See USCIS Publication M-274, *I-9 Handbook for Employers*, page 3 - <http://www.uscis.gov/files/form/m-274.pdf>).
7. Always use the latest available version of the I-9 form (download it at <http://www.uscis.gov/files/form/i-9.pdf>).
8. If the employer makes copies of the documents shown by the employee, it should keep them in a separate I-9 file in case of a [CIS](#) (formerly known as INS) audit.
9. The employer is not required to be a document-authentication expert; as long as the employer satisfies itself in good faith that the documents are genuine and satisfy the requirements, that is all that is needed.
10. I-9 records must be kept for three years following the date of hire, or for one year after the employee leaves, whichever is later - recommended: keep this and all [employment records](#) for at least 7 years after the employee leaves in order to exhaust all the statutes of limitation.
11. E-Verify is an optional I-9 program whose participating employers enjoy certain benefits in terms of work authorization verification and relief from sanctions - details are at <http://www.uscis.gov/e-verify>.

Use the sample templates, fillable forms, customizable Word documents, and policy language to help you create forms and policies for use in your own hiring efforts. Download these documents and use them as is or revise where applicable. Review commentary in the Suggested Reading section at left for further guidance on hiring. See the State Materials (below) for specific forms and notices for newly hired employees for each state. Where there is no link to a state-required notice, there is no specific format required by the state; information to include and/or a link to further details is provided where available.

Sample Forms, Policies, and Tools

1. [Acknowledgment of Information Regarding Sexual Harassment Policy](#)
2. [Direct Deposit Authorization \(Word\)](#)
3. [Direct Deposit Authorization \(PDF\)](#)
4. [Employee Contact Information](#)
5. [Employee Handbook Acknowledgment](#)
6. [Employee Handbook Builder](#)
7. [Employee Handbook Self-Audit](#)
8. [Equipment Allocation Sheet](#)
9. [Harassment Policy](#)
10. [Job Description Acknowledgment](#)
11. [Organization Chart](#)
12. [Payroll and Holiday Calendar](#)
13. [Safety and Health Policy](#)
14. [Safety Notification](#)

Federal Materials

1. [COBRA General Notice \(applies to employees enrolled in a health plan\)](#)
2. [Form I-9](#)
3. [Form W-4](#) (Employers are encouraged to watch the IRS webinar [Understanding the 2020 Form W-4 and How to Use it to Calculate Withholding](#))
4. [Notice to Employees of Coverage Options \(employers who offer a health plan to some or all employees\)](#)
5. [Notice to Employees of Coverage Options \(employers who do not offer a health plan\)](#)
6. [Group Health Plan Notices](#)

State Materials

Alabama	Illinois	Montana	Rhode Island
Alaska	Indiana	Nebraska	South Carolina
Arizona	Iowa	Nevada	South Dakota
Arkansas	Kansas	New Hampshire	Tennessee
California	Kentucky	New Jersey	Texas
Colorado	Louisiana	New Mexico	Utah
Connecticut	Maine	New York	Vermont
Delaware	Maryland	North Carolina	Virginia
District of Columbia	Massachusetts	North Dakota	Washington
Florida	Michigan	Ohio	West Virginia
Georgia	Minnesota	Oklahoma	Wisconsin
Hawaii	Mississippi	Oregon	Wyoming
Idaho	Missouri	Pennsylvania	

Alabama

Forms

[Alabama Form A-4, Employee's Withholding Exemption Certificate](#)

[Drug-free workplace program](#) — Employers implementing a drug-free workplace program in accordance with the requirements of the workers' compensation law must provide all employees and job applicants a one-time notice of testing and a written policy statement. See [Drugfree Workplace Program Could Warrant WC Discount](#) for information and resources.

Alaska

[Wage payment notice](#) — Employers must notify employees in writing at the time of hiring of:

- The day and place of payment.
- The rate of pay.

Employers may provide this notice by posting a statement of the facts of wage payment, and keeping it posted conspicuously at or near the place of work where the statement can be easily seen by all employees.

Arizona

[Arizona Form A-4, Employee's Withholding Election](#)

[Employer contact information](#) — Covered employers must provide their business name, address, and telephone number in writing to employees upon hire.

[Tip credit notice](#) — Covered employers intending to exercise a tip credit must provide written notice when hiring an employee to a position where tips are customarily and regularly received.

[Earned Paid Sick Time](#) — Employers must post the notice and provide in writing to newly hired employees:

- A statement that employees are entitled to earned paid sick time.
- The amount of earned paid sick time to which employees are entitled.
- Paid sick time terms of use.

- A statement that the employer cannot retaliate against employees for requesting or using paid sick time.
- A statement that employees have the right to file a complaint if an employer denies paid sick time or retaliates against the employee for requesting or using it.
- Contact information for the Industrial Commission of Arizona (ICA).

Smoke-Free Arizona — Employers must communicate the prohibition on smoking to all prospective employees upon their application for employment. While the law does not specify how to provide such notice, the following steps are recommended:

- Add a brief description of the Smoke-Free Arizona Act on the employee application form.
- Include an agreement policy that explains the requirements of the act on the employee application and requires the applicant to check a box confirming that they have read the information.

Arkansas

[Arkansas Form 4EC, Employee's Withholding Exemption Certificate](#)

[Drug-Free Workplace Program](#) — Employers implementing a drug-free workplace program in accordance with the requirements of the workers' compensation law must give all employees and job applicants a one-time notice of testing and a written policy statement.

California

[California Form DE 4, Employee's Withholding Allowance Certificate](#)

[California Consumer Privacy Act \(CCPA\) notice](#) – Employers with applicants who are California residents must provide them with notice detailing the categories of personal information that the employer collects about them and how it will be used. Employers must also provide this notice to their California resident employees and independent contractors. Importantly, the act does not require that employers be located in California to be covered, instead the coverage depends on the worker being a California resident.

Initially, the notice was required to be provided by January 1, 2020. However, per exemption it has been extended to January 1, 2021 so long as the information is collected and used by the business solely within the context of that employment or contractor relationship. If an employer uses an applicant's, employee's, or independent contractor's personal information for any other purpose then the scope of the exemption is exceeded, and the employer must provide notice by January 1, 2020 and/or going forward from the date the exemption was exceeded.

The notice applies to the following personal information:

- Personal information a business collects about a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor (employee) of that business if it is collected and solely used for the person's role, or former role, as an employee of that business.
- Personal information a business collects for an employee's emergency contact if it is collected and used solely for that purpose.
- Personal information that is necessary for the business to retain to administer benefits for an employee that is collected and used solely for that purpose.

[California Family Rights Act pamphlet \(DFEH-E03B\) \(Spanish\)](#) — Employers must provide new employees with information about California's provisions for unpaid family care and medical leave to bond with a newborn, adopted or foster child, or to care for a parent, registered domestic partner, or child with a serious health condition.

[California Sexual Harassment Pamphlet \(DFEH-185\) \(English\) \(Chinese\) \(Korean\) \(Spanish\) \(Tagalog\) \(Vietnamese\)](#) —

Employers must distribute the sexual harassment information pamphlet or poster provided by the Department of Fair Employment and Housing (DFEH), unless the employer provides equivalent information that contains at least the following components:

- The illegality of sexual harassment.
- The definition of sexual harassment under applicable state and federal law.
- A description of sexual harassment, including examples.
- The employer's internal complaint process available to employees.
- The legal remedies and complaint process available through the DFEH.

- Directions on how to contact the DFEH.
- Employees' protections against retaliation for:
 - Opposing any practices prohibited by the law's antidiscrimination and antiharassment provisions;
 - Filing a complaint with the DFEH; and
 - Participating in an investigation, proceeding, or hearing conducted by the DFEH.

Disability Insurance Provisions brochure (DE 2515) and Paid Family Leave brochure (DE 2511) — Employers are required to provide new employees with the disability insurance brochure outlining partial wage replacement benefits available to covered employees who are unable to work due to a non-work related illness, injury, or pregnancy, and the Paid Family Leave brochure to new employees and persons who request leave to care for a seriously ill family member or to bond with a new child.

Notice of Rights for Victims of Domestic Violence, Sexual Assault, and Stalking (English) (Spanish) — Covered employers must provide new employees at the time of hire with information about California's protections for employees who are victims of domestic violence, sexual assault, or stalking.

Notice of Pay Information (DLSE-NTE) (English) (Chinese) (Korean) (Spanish) (Tagalog) (Vietnamese) — Employers must provide employees at the time of hire with a written notice that includes the following information:

- The pay rate and the basis, whether hourly, salary, piece, commission, or otherwise, including any overtime rate.
- Allowances, if any, claimed as part of the minimum wage, including meals or lodging.
- The regular payday.
- The employer's name, including any "doing business as" names used by the employer.
- The physical address of the employer's main office or principal place of business and a mailing address, if different.
- The employer's telephone number.
- The name, address, and telephone number of the employer's workers' compensation insurance carrier.
- A statement that an employee:
 - May accrue and use sick leave;
 - Has a right to request and use accrued paid sick leave;
 - May not be terminated or retaliated against for using or requesting the use of accrued paid sick leave; and
 - Has the right to file a complaint against an employer who retaliates.
- Any other information as determined by the Division of Labor Standards Enforcement (DLSE).

California Notice of Workers' Compensation Rights (English) (Spanish) — Employers must provide the workers' compensation Time of Hire Pamphlet to new employees either when the employee is hired, or by the end of the first pay period.

Employers must also provide a [pre-designation form](#) that the employee may use as an optional method for notifying the employer of the name of the employee's personal physician or personal chiropractor.

Colorado

Pregnant Workers Fairness Act — Employers must provide written notice to new employees at the start of employment of the right to be free from discriminatory or unfair employment practices.

Connecticut

Connecticut Form CT-W4, Employee's Withholding Certificate

Connecticut wage payment law — Employers must provide new employees with written notice of the employer's wage payment schedules, and the employee's:

- Rate of pay.
- Hours of employment.
- Wages.
- Vacation pay.

- Sick leave.
- Health and welfare benefits.

[Paid Sick Leave Law notice](#) — Covered employers must provide a newly hired service worker with written notice of:

- The employee's right to paid sick leave.
- The amount of sick leave available.
- The terms under which sick leave may be used.
- Information regarding the anti-retaliation provisions of the law.
- The employee's right to file a complaint with the Connecticut Department of Labor for any violation.

Employers may either provide written notice at the time of hire or post a notice with the required information in English and Spanish in a conspicuous place accessible to employees.

[Pregnancy Discrimination and Accommodation in the Workplace Notice](#) — Employers must provide employees upon hire with written notice of the right to be free from discrimination in relation to pregnancy, childbirth, related conditions, and the right to a reasonable accommodation.

Delaware

For Delaware withholding tax, employers may use a [federal W-4](#) and write across the top of that form: "For State Purposes Only."

From the [Business Tax Forms](#) page, click on the section "Withholding Tax" and then navigate to these forms, near the bottom:

- W-4 Allowance Computation Worksheet Resident
- W-4 Allowance Computation Worksheet Non-resident

[Notice of pay rate, paydays, and other matters](#) — Covered employers must give newly hired employees written notice of certain information about their pay. The disclosure must include information about:

- The employee's regular rate of pay.
- The employee's pay, hour, and place of payment.
- The employer's fringe benefits and policies.

[Delaware's Pregnant Workers Fairness Act](#) — Covered employers must provide written notice at the beginning of employment of an employee's right to be free from discrimination related to pregnancy, childbirth, and related conditions, and the employee's right to reasonable accommodation for known limitations related to pregnancy, childbirth, and related conditions.

[Delaware Sexual Harassment Notice](#) — Covered employers must distribute, either physically or electronically, to employees at the time of hire the sexual harassment information sheet developed by the Delaware Department of Labor, which provides notice of the right to be free from sexual harassment in the workplace.

District of Columbia

[District of Columbia Form D-4, Employee Withholding Allowance Certificate](#)

[District of Columbia Form D-A, Certificate of Non-residence in the District of Columbia](#)

[Notice of Hire](#) — Upon hire, employers must give employees a written notice, both in English and in the employee's primary language, containing the following information:

- The employer's name and any "doing business as" names.
- The physical address of the employer's main office or principal place of business, and a mailing address, if different.
- The employer's telephone number.
- The employee's rate of pay and the basis of that rate, including:
 - Whether by the hour, shift, day, week, salary, piece, or commission;
 - Any minimum wage allowances claimed, including tip, meal, or lodging allowances;
 - Overtime rate of pay or exemptions from overtime pay;
 - Living wage or exemptions from living wage; and
 - The applicable prevailing wages.

- The employee's regular payday.
- Any other information the mayor considers necessary.

Employers must retain copies of the notice signed and dated by both the employer and the employee acknowledging receipt of the notice.

[District of Columbia Protecting Pregnant Workers Fairness Act of 2014](#) — Upon hire, employers must provide employees written notice of their right to a reasonable accommodation related to:

- Pregnancy.
- Childbirth.
- Medical conditions related to pregnancy or childbirth.
- Breastfeeding.

Employers must provide an accurate written translation of the notice to any non-English or non-Spanish speaking employee.

Florida

[Drug-free workplace program notice](#) — Employers implementing a drug-free workplace program in accordance with the requirements of the workers' compensation law must give all employees and job applicants a one-time notice of testing and a written policy statement.

Georgia

[Georgia Form G4, Employee's Withholding Allowance Certificate](#)

Notice of employer use of payroll cards — Employers must provide new employees at the time of hire with:

- A written explanation of any fees associated with the payroll card account offered to employees.
- A form allowing employees to opt out of receiving wage and salary payments as credit to a payroll card account by:
 - Submitting in writing a request for a check; or
 - Providing the proper designation and authorization for an electronic credit transfer.

[Drug Free Workplace Program Notice](#) — Employers implementing a drug-free workplace program in accordance with the requirements of the workers' compensation law must give all employees and job applicants a one-time notice of testing and a written policy statement containing:

- A general statement of the employer's policy on employee substance abuse, which must identify:
 - The types of testing an employee or job applicant may be required to submit to, including reasonable suspicion or other basis used to determine when such testing will be required; and
 - The actions the employer may take against an employee or job applicant on the basis of a positive confirmed test result.
- A statement advising an employee or job applicant of the existence of Georgia's law regarding drug-free workplace programs (O.C.G.A. §§ 34-9-410 – 34-9-421).
- A general statement concerning confidentiality.
- The consequences of refusing to submit to a drug test.
- A statement advising an employee of the employee assistance program, if the employer offers such program, or advising the employee of the employer's resource file of assistance programs and other persons, entities, or organizations designed to assist employees with personal or behavioral problems.
- A statement that an employee or job applicant who receives a positive confirmed test result may contest or explain the result to the employer within five working days after written notification of the positive test result.
- A statement informing an employee of the provisions of the federal Drug-Free Workplace Act or Chapter 23 of Title 45, the Drug-free Public Work Force Act of 1990, if applicable to the employer.

[Georgia Smokefree Air Act](#) — Employers must communicate to all prospective employees upon their application for employment that smoking is prohibited in all enclosed areas within places of employment, including, but not limited to:

- Common work areas.
- Auditoriums, classrooms, conference and meeting rooms.
- Private offices and employee lounges.
- Elevators, hallways, medical facilities, cafeterias, stairs, restrooms, and all other enclosed facilities.

Hawaii

[Hawaii Form HW-4, Employee's Withholding Exemption and Status Certificate](#)

Hawaii's wage payment law — At the time of hire, employers must provide employees written notice of:

- The employee's rate of pay and the day, hour, and place of payment.
- Any policies regarding vacation and sick leave.

Hawaii's family leave law — Covered employers must provide new hires with written notice of their rights and responsibilities under Hawaii's family leave law, including any employer-specific policies. The notice must inform new hires of:

- Any certification requirement.
- The employee's right to substitute accrued paid leave for unpaid leave.
- Whether the employer requires the employee to substitute accrued paid leave for unpaid leave.
- Any premium payments the employee must make to maintain health care or other benefits.
- The employee's right to be restored to the same or equivalent position after returning from leave.
- Any other information required by the Hawaii Department of Labor and Industrial Relations.

Idaho

Wage Payment — Employers must notify employees upon hire and before any work begins of:

- The employee's pay rate.
- The employer's regularly scheduled paydays.

Illinois

[Illinois Form IL-W-4, Employee's Withholding Allowance Certificate](#)

Notice of pay rate and paydays — Employers must notify employees, when they are hired, of the:

- Rate of pay.
- Time and place of payment.

Paycheck notice — Employers that pay wages to employees daily must provide written notice of the employee's right to request weekly or semimonthly paychecks. Employers may provide this notice by conspicuously posting the notice at the location where the wages are received by the daily wage employees.

Notice of employer use of payroll cards — Before paying an employee via a payroll card, employers must provide the employee with clear and conspicuous written notice that:

- Notifies the employee that payment by payroll card is voluntary.
- Lists the other payment methods the employer offers.
- Explains the terms and conditions of the payroll card account option, including:
 - An itemized list of all fees the employer or payroll card issuer may deduct;
 - A notice that third parties may assess additional transaction fees; and
 - An explanation of how the employee can obtain net wages, request to receive electronic or paper transaction histories, and check account balance.

The employee's voluntary written or electronic consent to receive wages by payroll card is required.

Veteran's Preference in Private Employment Act — Employers adopting a veterans' preference employment policy for hiring, promoting, or retaining a veteran over another equally qualified applicant or employee must inform all applicants of such policy on their job application. An employer's veteran's preference employment policy must:

- Be in writing and publicly posted at the workplace or on any employer-maintained website.
- The employer's job application must inform all applicants of its preference policy and where the policy may be obtained.

- Be applied uniformly to employment decisions regarding:
 - The hiring of new applicants;
 - The promotion of current employees; and
 - The retention of employees during a reduction in the work force.

Indiana

[Indiana Form WH-4, Employee's Withholding Exemption & County Status Certificate](#)

Notice regarding prohibition of smoking in places of employment — Employers must inform prospective employees at the time of application of the smoking prohibition applying to the place of employment.

Iowa

[Iowa Form IA W-4, Employee's Withholding Certificate and Centralized Employee Registry](#)

[Notice of pay rate and paydays](#) — Employers must provide written notification to employees upon hiring of:

- Their rate of pay.
- The time and place of payment.

[Iowa Smokefree Air Act](#) — Employers must inform prospective employees of the smoking prohibitions in places of employment under the Iowa Smokefree Air Act at the time of application.

Kansas

[Kansas Form K-4, Employees Withholding Allowance Certificate](#)

[Kansas Indoor Clean Air Act](#) — Employers having a place of employment that is an enclosed area must adopt and maintain a written smoking policy prohibiting smoking in all areas. The policy must be communicated to all new employees upon hiring.

Kentucky

[Kentucky Form K-4, Kentucky's Withholding Certificate](#)

[Kentucky Pregnant Workers Act](#) — Covered employers must provide written notice to employees upon hire of their right to be free from discrimination based on pregnancy, childbirth, and related medical conditions, and their right to be reasonably accommodated for such conditions.

Louisiana

[Louisiana Form R-1300, Employee Withholding Exemption Certificate \(Form L-4\)](#)

[Louisiana wage payment statute](#) — At hire, employers must inform employees of:

- The employee's wage amount.
- The wage payment method.
- The frequency of wage payments

[Notice of Federal Earned Income Tax Credit](#) — Covered employers must provide new hires with written notice of the eligibility for Earned Income Tax Credit (EITC) or the Advance Earned Income Credit (AEIC) as developed by the Internal Revenue Service or Louisiana Workforce Commission.

Maine

[Maine Form W-4ME, Employee's Withholding Allowance Certificate](#)

[Substance Abuse Testing Law](#) — Employers must provide applicants with a copy of their Maine Department of Labor-approved substance abuse testing policy prior to testing.

Maryland

[Maryland Form MW507, Employee's Withholding Exemption Certificate](#)

Notice of wages and payday — Employers must provide employees at the time of hire written notice of:

- The employee's rate of pay.

- Regular paydays.
- Leave benefits and whether leave benefits are payable on termination of employment.

[Notice to Independent Contractors and Exempt Persons](#) — Employers engaged in construction services or landscaping services must provide notice at the time of hire to individuals classified as either independent contractors or exempt persons. Signed acknowledgment is required, and employers must keep proof the notice was given.

Massachusetts

[Massachusetts Form M-4, Employee's Withholding Exemption Certificate](#)

[Workers' Compensation Notice](#) — Employers must provide written notice of the employer's workers' compensation coverage to new applicants that are to be hired.

[Sexual Harassment Policy](#) — Covered employers must give written notice to new hires at the start of employment of the employer's sexual harassment policy. The policy must contain:

- A statement that sexual harassment in the workplace is unlawful.
- A statement that the employer cannot retaliate against an employee for:
 - Filing a sexual harassment complaint; or
 - Cooperating in a sexual harassment complaint investigation.
- A description and examples of sexual harassment.
- The consequences employees face for committing sexual harassment.
- A description of the process for filing internal sexual harassment complaints.
- Work addresses and phone numbers of the individuals to whom complaints should be made.
- A list of state and federal employment discrimination enforcement agencies and how to contact them.

[Pregnant Workers Fairness Act notice](#) — Covered employers must provide written notice to employees at the time of hire of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodations for conditions related to pregnancy.

[Domestic Worker Bill of Rights](#) — Employers who employ domestic workers to work within their household must provide them with a notice that contains all applicable state and federal laws that apply to the employment of domestic workers. Employers must also provide domestic workers working 16 hours or more per week with a [notice](#) containing the following information:

- The rate of pay, including overtime, and additional compensation for multilingual skills or added duties.
- The working hours, including meal breaks and other time off.
- The provisions for any of the following, if applicable:
 - Vacation days;
 - Personal days;
 - Holidays;
 - Days of rest;
 - Sick days;
 - Health insurance;
 - Transportation;
 - Yearly raises;
 - Severance; and
 - Whether earned vacation days, personal days, holidays, severance, transportation costs, and health insurance costs are paid or reimbursed.
- Any fees or other costs, including lodging and meal costs.
- The job responsibilities.
- The process for raising and addressing grievances and additional compensation if new duties are added.
- The right to collect workers' compensation, if injured.
- The circumstances under which the employer will enter the domestic worker's designated living space on the employer's premises.

- The notice required if either party terminates the employment relationship.
- Any other benefits or rights provided to the domestic worker.

Noncompete Agreements

[Notice of noncompetition agreements](#) — If a noncompetition agreement is entered into in connection with the commencement of employment, it must be in writing and signed by both the employer and employee and expressly state that the employee has the right to consult with counsel prior to signing. The law applies to employee noncompetition agreements entered into on or after October 1, 2018. The agreement must be provided to the employee by the earlier of a formal offer of employment or 10 business days before the commencement of the employee's employment. Best practice is to attach any noncompete agreement to an offer letter.

Michigan

Forms

[Michigan Form MI-W4, *Employee's Withholding Exemption Certificate*](#)

Minnesota

Forms

[Minnesota Form W4-MN, *Employee's Withholding Allowance/Exemption Certificate*](#)

Notices

Employment Information

Written statement of employment information — Employers must give employees at the beginning of employment a written and signed agreement of hire plainly stating certain employment information, including:

- The date the agreement was entered into.
- The date employment begins.
- The employee's rate of pay or commission, so that wages may be easily calculated.
- The number of hours in a regular day's work and whether additional hours are counted as overtime.
- If applicable, the rate of pay for overtime hours.
- A statement of any special responsibility of the employee's which, if not properly performed, allows the employer to deduct wages from the employee and the terms on which these deductions may be made.

Personnel Records

[Access to personnel records](#) — Covered employers must give written notice to employees at the time of hire about their rights and remedies provided in the Minnesota Personnel Record and Review Act.

Wage Disclosure

[Wage disclosure requirements](#) — Employers providing an employee handbook must include a notice of employee rights and remedies under the Minnesota Wage Disclosure Protection law. The Minnesota Department of Labor and Industry has drafted the following sample notice:

Notice to employees — Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Your employer cannot retaliate against you for disclosing your own wages. Your remedies under the Wage Disclosure Protection law are to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800)-342-5354.

Drug and Alcohol Testing

Notice of drug and alcohol testing — Employers must provide written notice of their drug and alcohol testing policy to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant passing drug and alcohol testing. Prior to testing, employers must also provide the job applicant with an acknowledgment form, developed by the employer, attesting that the job applicant has seen the employer's drug and alcohol testing policy. Additionally, within three working days after receipt of a test result from the testing laboratory, employers must inform a job applicant who has undergone drug or alcohol testing in writing of:

- A negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.
- The right to request and receive a copy of the test result on any drug or alcohol test from the employer.

In the case of a positive confirmatory test result, employers must inform the job applicant in writing of:

- The right to explain the positive test.

- The right to request a confirmatory retest of the original sample at the job applicant's own expense.
- The employer's inability to withdraw a job offer that is made contingent on the applicant passing drug and alcohol testing, based on a positive test result from an initial screening test that has not been verified by a confirmatory test.

[Minnesota Wage Theft Law notice](#) — Employers must provide written notice to all employees at the start of their employment containing the following specific information:

- The employee's rate or rates of pay and basis thereof, including whether the employee is paid by the hour, shift, day, week, salary, piece, commission, or other method, and the specific application of any additional rates.
- Allowances, if any, that may be claimed for permitted meals and lodging.
- Provision of paid vacation, sick time, or other paid time off, how the paid time off will accrue, and terms for its use.
- The employee's employment status and whether the employee is exempt from the minimum wage, overtime, and other provisions of Minn. Stat., Chapter 177, and on what basis.
- A list of deductions that may be made from the employee's pay.
- The number of days in the pay period, the regularly scheduled payday, and the payday on which the employee will receive the first payment of wages earned.
- The legal name of the employer and the operating name, if different.
- The physical address of the employer's main office or principal place of business and a mailing address, if different.
- The telephone number of the employer.

The notice must be provided in English, with a statement that informs employees they may request the notice be provided to them in another language. Employers are required to keep a signed copy of the notice for each employee.

[Recruiting disclosure; food processing employment](#) — Employers who recruit employees to relocate to work in the business of canning, packing, or otherwise processing poultry or meat for consumption must provide written disclosure of the terms and conditions of employment at the time of recruiting. The disclosure must be written in English and Spanish and include the following information:

- Nature of the work to be performed.
- Wage rate, nature and amount of deductions for tools, clothing, supplies, or other items.
- Anticipated hours of work per week, including overtime.
- Anticipated slowdown or shutdown or if hours of work per week vary more than 25 percent from those anticipated.
- Duration of the work.
- Workers' compensation coverage and name, address, and phone numbers of the insurer and Minnesota Department of Labor and Industry.
- Employee benefits available, including any health plans, sick leave, or paid vacation.
- Transportation and relocation arrangements with allocation of costs between employer and employee.
- Availability and description of housing and any costs to employee associated with housing.
- Any other item of value offered, and allocation of costs of item between employer and employee.

The disclosure must be signed by the employer and the person being recruited and maintained for two years. A copy of the signed and completed disclosure must be delivered immediately to the recruited person.

Mississippi

[Mississippi Form 89-350, Employee's Withholding Exemption Certificate](#)

[Notice of drug and alcohol testing](#) — Employers implementing drug and alcohol testing must notify job applicants, in writing, upon application and prior to testing, that they may be tested for the presence of drugs or their metabolites. The following wording must be included as a part of such written policy statement and notice:

- You are hereby advised that **(insert name of employer here)** has implemented a drug and alcohol policy and conducts a testing program, pursuant to Sections 71- 7-1, et.al., of the Mississippi Code of 1972, Ann. (hereinafter referred to as "the Act"), and you are hereby advised of the existence of said Act.
- All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by **(insert name of employer here)** through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with the Act and these regulations. Any information obtained by **(insert name of employer here)** pursuant to the Act and these regulations shall be the property of the employer. **(insert name of employer here)** shall not release to any person other than the employee or job applicant, or employer medical, supervisory or other personnel, as designated by **(insert name of employer here)** on a need to know basis, information related to drug and alcohol test results unless: the employee or job applicant has expressly, in writing, granted permission for **(insert name of employer here)** to release such information; it is necessary to introduce a positive confirmed test result into an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding, or the information must be disclosed to a federal or state agency or other unit of the state or United States government as required under law, regulation or order, or in accordance with compliance requirements of a state or federal government contract, or disclosed to a drug abuse rehabilitation program for the purpose of evaluation or treatment of an employee; or there is a risk to public health or safety that can be minimized or prevented by the release of such information; provided, however, that unless such risk is immediate, a court order permitting the release shall be obtained prior to the release of the information. The confidentiality provisions provided for by the Act shall not apply to other parts of an employee's or job applicant's personnel or medical files. If an employee refuses to sign a written consent form for release of information to persons as permitted in the Act, **(insert name of employer here)** shall not be barred from discharging or disciplining the employee.
- An employee or job applicant to be tested shall be given (1) a medication disclosure form to permit the employee or job applicant to disclose any nonprescription or prescription medications that have been taken within forty-five (45) days prior to being tested, and (2) a statement that the form shall be submitted directly to the employer's designated Medical Review Officer, ensuring that no person or entity has access to the information disclosed on the form other than the Medical Review Officer.

In addition to the above mandated language, an employer's written policy statement must contain the following:

- A general statement of the employer's policy on employee drug use, which must include identifying both the grounds on which an employee may be required to submit to a drug and alcohol test and the actions the employer may take against an employee on the basis of a positive confirmed drug and alcohol test result, or other violation of the employer's drug use policy.
- Circumstances under which drug and alcohol testing may occur, and a description of which positions will be subject to testing on a reasonable suspicion, neutral selection, or other basis.
- The consequences of refusing to submit to a drug and alcohol test.
- Information on opportunities for assessment and rehabilitation if an employee has a positive confirmed test result and the employer determines that discipline or discharge are not necessary or appropriate.
- A statement that an employee who receives a positive confirmed drug and alcohol test result may contest the accuracy of that result or explain it.
- A list of all drugs for which the employer might test. Each drug must be described by its brand name, common name, or its chemical name.
- A statement regarding any applicable collective-bargaining agreement or contract.

Missouri

[Missouri Form MO W-4, Employee's Withholding Certificate](#)

[Missouri Form MO W-4A, Certificate of Non-Residence or Allocation of Withholding Tax](#)

Form WC-106, [Notice to Workers Concerning Workers' Compensation](#) — Employers must post Form WC-106 in a sufficient number of places to ensure that there is a reasonable likelihood it will be seen by all employees. Employers must provide a copy of the notice, or a written explanation of it, to employees who may not reasonably be expected to see the posted notice.

Montana

[Montana Form MW-4, Employee's Withholding Allowance and Exemption Certificate](#)

[Wage notice](#) — Employers must, on written demand, prior to beginning work, notify each employee in writing or by posting in a conspicuous place the following:

- The pay rate, including frequency of pay.
- The pay date.

Nebraska

[Nebraska Form 9N, Employee Certificate for Allocation of Withholding Tax](#)

[Nebraska Form 12N, Nonresident Income Tax Agreement](#)

[Farm Labor Contractors Act](#) — Farm labor contractors must provide each worker at the time of hiring, recruiting, soliciting, or supplying such worker, whichever occurs first, a written statement in both English and Spanish describing:

- The method of computing the rate of compensation and the rate of compensation.
- The terms and conditions of any bonus offered and the manner of determining when the bonus is earned.
- The terms and conditions of any loan made to the worker.
- The conditions of any housing and health and day care to be provided.
- The terms and conditions of employment, including the approximate length of season or period of employment and the approximate starting and ending dates.
- The terms and conditions under which the worker is furnished clothing or equipment.
- The name and address of the owner of all operations where the worker will be working.
- The worker's rights and remedies in plain and simple language in a form specified by the department.

[Non-English-Speaking Workers Protection Act](#) — Covered employers must provide a written statement about the job in question to each prospective new non-English-speaking employee prior to hire. Employers must explain in detail the contents of the statement prior to obtaining the employee's signature. The statement must be in writing in English and in the employee's native language, and include the following information:

- The minimum number of hours the employee can expect to work on a weekly basis.
- The hourly wages of the job, including the starting hourly wage.
- A description of the responsibilities and tasks of the job.
- A description of the transportation and housing to be provided, if any, including any cost to be charged for housing or transportation, the length of time housing is to be provided, and whether housing is in compliance with all applicable state and local housing standards.
- Any known occupational physical demands and hazards of the job.

Nevada

[Workplace safety notice](#) — Employers must provide notice to employees at the time of hire, which must be a document (Nevada Workplace Safety: Your Rights and Responsibilities) or a videotape (Safety in the Workplace) provided by the Nevada Department of Business and Industry, Division of Industrial Relations, stating the rights and responsibilities of employers and employees to promote workplace safety. The document or video may not be

included as part of any employment agreement. Written acknowledgment is required and must be signed by both the employer and employee.

[Pregnant Workers' Fairness Act](#) — Covered employers must provide a written or electronic notice to new employees at the commencement of employment stating that employees have the right:

- To be free from discriminatory or unlawful employment practices based on pregnancy, childbirth, or a related medical condition.
- To a reasonable accommodation for a condition related to pregnancy, childbirth, or a related medical condition.

[Notice of domestic worker's bill of rights](#) — Employers who employ domestic workers for their household or other living quarters must provide them with a written employment agreement at the beginning of employment outlining the conditions of their employment. If the domestic worker is not able to understand the provisions of the written agreement, the employer must ensure that those provisions are explained to the domestic worker in a language that the domestic worker understands. The employment agreement must include the following information:

- Employer's full name and address.
- Domestic worker's name and a description of the duties for which he or she is being employed.
- Each place where the domestic worker is required to work.
- Beginning employment date.
- The period of notice required for either party to terminate the employment or, if the employment is for a specified period, the date on which the employment will end.
- The ordinary workdays and hours of work required of the domestic worker, including any breaks.
- The rate of pay, rate, and conditions of overtime pay and any other payment or benefits, including, health insurance, workers' compensation insurance, or paid leave, to which the domestic worker is entitled to receive.
- The frequency and method of pay.
- Any deductions to be made from the domestic worker's wages.
- If the domestic worker is to reside in the employer's household, the conditions under which the employer may enter the domestic worker's designated living space.
- A notice of all applicable state and federal laws pertaining to the employment of domestic workers.

New Hampshire

[Notice of pay rate and paydays](#) — Employers must give employees at the time of hire written notice of certain wage payment information. Written acknowledgment signed by the employee is required and must be kept on file for four years. The disclosure must include:

- The employee's regular rate of pay.
- The employee's regular paydays.
- The location of payment.

[Notice of noncompete agreements](#) — Employers must provide new employees when an offer of employment is made a copy of any noncompete agreement that is part of the employment agreement. The disclosure must include any noncompete covenant.

[Meal breaks waiver notification](#) — While notice is not required, employers typically inform employees at the time of hire of their option to waive a meal break period using a form provided by the New Hampshire Department of Labor.

New Jersey

[New Jersey Form NJ-W4, Employee's Withholding Allowance Certificate](#)

New Jersey Wage Payment Law — Employers must notify employees at the time of hire of the pay rate and payday.
Recordkeeping

Obligation to maintain and report records under the Department of Labor and Industry Act of 1948 — Employers must provide employees at time of hiring a required notice ([Form MW-400](#)) describing the employer's obligation to maintain and report records regarding wages, benefits, taxes, and other contributions and assessments.

Gender Inequity

[Gender Equity Notice](#) — Covered employers must distribute a written copy of the gender equity notification to employees at the time of hire. Notice must be in English, Spanish, and any other language in which the New Jersey Department of Labor and Workforce Development has made the notice available. Acknowledgment is required and must be signed and returned within 30 days either in writing or via electronic verification by the employee.

Earned Sick Leave

[Earned Sick Leave Law](#) — Employers must provide employees at the time of hire written notice provided by the New Jersey Department of Labor and Workforce Development outlining:

- The amount of earned sick leave to which employees are entitled.
- The terms of using earned sick leave.
- The remedies provided to employees if an employer fails to provide or retaliates against an employee using earned sick leave.

[Family Leave Insurance Notice](#) — Employers must provide at the time of hire, whenever the employee notifies the employer of the need for FLI benefits, and upon an employee's first request for benefits.

[Notice of workers' compensation](#) coverage — Employers must provide employees at the time of hire the following information:

- An explanation of their workers' compensation coverage and benefits.
- How, when, and to whom to report an injury.
- Where to go for medical treatment if injured while working.

New Mexico

For New Mexico withholding tax, use a [federal Form W-4](#) and write across the top of that form: "For New Mexico Withholding Tax Only."

New York

[New York Form IT-2104, Employee's Withholding Allowance Certificate](#)

[Notice of Acknowledgment of Pay Rate and Payday](#) — Employers must provide written notice to employees at the time of hire in both English and the employee's primary language (as identified by the employee) of:

- The employee's regular rate of pay.
- The employee's regular hourly rate of pay and overtime rate of pay, if the employee is not exempt from overtime compensation under New York law.
- The basis for the employee's regular rate of pay and whether the employee is paid.
- Any allowances that will be claimed as part of the minimum wage.
- The employer's designated paydays.
- The name of the employer and any "doing business as" names used by the employer.
- The address of the employer's main office or principal place of business and a mailing address, if different.
- The employer's telephone number.

The employer must have the employee sign a statement acknowledging receipt of the required written notice. The employer must keep the signed notice for six years. The acknowledgment must:

- Be in English and, if a dual-language template in the employee's primary language is available from the New York Department of Labor, the employee's primary language.
- Include an affirmation by the employee that:
 - The employee accurately identified his or her primary language to the employer; and
 - The notice provided by the employer to the employee was in that primary language.

[New York Domestic Workers' Bill of Rights](#) — Employers who employ domestic workers to work in their household or other living quarters must provide them with a written notice at the beginning of employment regarding policies

on sick leave, vacation, personal leave, holidays, and hours of work. Additionally, employers must provide a written notice that includes their regular and overtime rates of pay and their regular payday.

[Hospitality industry employees written notice of pay rates, tip credit, and pay day](#) — Prior to the start of employment, employers in the hospitality industry must give employees written notice in both English and in the employee's primary language of:

- The employee's regular hourly pay rate and overtime hourly pay rate.
- The amount of tip credit (if any) to be taken from the basic minimum hourly rate.
- The employer's designated payday.
- Extra pay that may be required if tips are insufficient to bring the employee to the basic minimum hourly rate.

An acknowledgment of receipt must be signed by the employee and kept on file for six years.

[Farm workers](#) — Covered farm employers must give covered employees written notice at the time of hire of the conditions of their employment (sometimes referred to as a work agreement), including:

- The employer's full name, address, and telephone number.
- The location and type of work the employee is being hired to perform.
- Information about housing arrangements, including cost, number of rooms, and cooking facilities.
- Any allowances for meals and lodging to be deducted from wages.
- Employer-provided benefits.
- The employee's wages and time of payment.
- The period of the employee's employment.
- Planned payroll deductions (other than allowances for meals and lodging).
- Non-economic terms and conditions of employment.
- Overtime provisions.

[Sexual Harassment Prevention Policy](#) — All employers, including New York City, must adopt and provide a sexual harassment prevention policy to all employees at the time of hire, informing them of their rights or redress and all available forums of adjudicating sexual harassment complaints administratively and judicially, or a notice detailing that sexual harassment is against the law, that the employer has a policy in place, location of the policy, and how to report violations.

Additionally, all New York City employers are required to distribute a [factsheet](#) to individual employees at the time of hire, which may be included in an employee handbook.

North Carolina

[North Carolina Form NC-4, Employee's Withholding Allowance Certificate](#)

[North Carolina Wage and Hour Act](#) — Employers must provide employees at the time of hire either a written or oral notice of:

- The promised wages.
- The day and place of payment.

North Dakota

North Dakota uses the information on the [federal Form W-4](#) for state income tax withholding purposes.

Notice of smoking prohibition in places of employment — Employers must notify all prospective employees upon their application for employment that smoking is prohibited in the place of employment.

Ohio

[Ohio Form IT 4, Employee's Withholding Exemption Certificate](#)

[Notice of employer information](#) — Employers must provide employees at the time of hire the employer's:

- Name.
- Address.
- Telephone number.

- Other contact information, including the employer's:
 - Web address;
 - Email address;
 - Fax number; and
 - Statutory agent's name, address, and telephone number.

Oklahoma

[Oklahoma Form OK-W-4, *Employee's Withholding Allowance Certificate*](#)

Oklahoma Protection of Labor Act — Employers must disclose their designated regular paydays. No specific form of notice is required; however, written or posted notice provided on an employee's first day of work is recommended.

[Oklahoma Standards for Workplace Drug and Alcohol Testing Act](#) — Employers that request or require applicants to undergo drug or alcohol testing must provide the applicant with a written policy stating the specifics of its testing program, including:

- A statement of the employer's policy on employee drug or alcohol use.
- Which applicants and employees are subject to testing.
- The circumstances under which testing may be requested or required.
- Substances that may be tested. Employers may state in the written policy that the substances tested are for drugs and alcohol.
- Testing methods and collection procedures to be used.
- The consequences of refusing testing.
- Potential adverse personnel action that may be taken because of a positive test result.
- The ability of an applicant or employee to explain the test results in confidence.
- The ability of an applicant or employee to obtain copies of all information and records related to their testing.
- Confidentiality requirements.
- Any available appeal procedures.

[Notice of certain deductions](#) — Employers must provide new hires with a written payroll deduction agreement that must be signed by the new hire before making any payroll deductions.

Oregon

[Oregon Form OR-W-4, *Employee's Withholding Allowance Certificate*](#)

[Predictive work scheduling](#) — Covered employers must provide new employees with a written, good faith estimate of their work schedule at the time of hire. This written estimate may be a printed or printable communication in physical or electronic format, including a communication that is transmitted through electronic mail, text message, or a computer system or is otherwise sent and stored electronically. The good faith estimate must be in the language the employer typically uses to communicate with employees and must include the following:

- The median number of hours the employee can expect to work in an average one-month period.
- A voluntary standby list explanation and its required written notice. The employee must also be notified whether he or she will be expected to work on-call shifts if not on the standby list and if so, when he or she will be expected to be available to work on-call.
- A statement that it may be based on a prior year schedule if it is an estimate for seasonal or episodic work.

Additionally, the employer must provide a written work schedule that runs through the last date of the posted work schedule in effect at the time of delivery to a new employee on or before his or her first day of work.

[Employer Accommodation for Pregnancy Act](#) — Effective January 1, 2020, covered employers must provide a written notice to employees at the time of hire informing them of the employment protections under this act, including the right to be free from discrimination because of pregnancy, childbirth, and related medical conditions, and the right to reasonable accommodation. The Commissioner of the Bureau of Labor and Industries will develop

training and education materials that may be used to train and educate employers and employees regarding the obligations, rights, and protections provided.

Pennsylvania

[Pennsylvania Form REV-419, *Employee's Nonwithholding Application Certificate*](#)

Wage Payment

Wage Payment and Collection Law notification — Employers must notify employees at the time of hire of:

- The time and place of payment.
- The rate of pay.
- The amount of any fringe benefits or wage supplements to be paid to:
 - The employee;
 - A third party;
 - A fund for the employee's benefit; or
 - Any change to the three previous items before the time of the change.

The notice must be provided to employees at the time of hire. Alternatively, employers may conspicuously post the information at their place of business. Where collective-bargaining agreements reference wage and benefit payments, employers can satisfy the notification requirement by making copies of the agreements available to employees.

Workers' Compensation

[Workers' Compensation Act, required notice of employee rights and duties](#) — Employers may choose to designate certain medical providers as approved for employee medical examinations. If an employer creates this list, the employer must also provide written notice to employees at the time of hire of their rights and duties under the law. Employees must sign a written acknowledgment indicating they have received and understand the employer's written notice. The notice must indicate that during the 90-day period after an employee's first medical visit, an employee has the following rights and duties:

- The duty to continue treatment for work-related injuries and illnesses from one or more of the designated health care providers for 90 days from the date of the first visit.
- The right to have all reasonable medical supplies and treatment related to the injury paid for by the employer if treatment is obtained from a designated provider during the 90-day period.
- The right to switch from one health care provider on the list to another, with all treatment paid for by the employer.
- The right to seek emergency medical treatment from any provider, but further non-emergency treatment must be by a designated provider for the remainder of the 90-day period.
- The right to seek treatment or medical consultation from a non-designated provider, at the employee's own expense.
- The right to seek treatment from a referral provider if referred by a designated provider, at the employer's expense.
- The right to seek treatment from any health care provider after the 90-day period has ended, at the employer's expense, if it is reasonable and necessary.
- The duty to notify the employer of treatment by a non-designated provider within five days of the first visit. The employer may not be required to pay for that treatment before receiving notice.
- The right to seek an additional opinion from any health care provider of the employee's choice when a designated provider prescribes invasive surgery.

Veterans' preference employment policy — Employers who have adopted a veteran's preference employment policy for hiring, promoting, or retaining a veteran, a spouse of a disabled veteran, or a surviving spouse over another qualified applicant or employee, must provide a copy of the policy to all applicants at the time of hiring.

Rhode Island

Forms

[Rhode Island Form RI W-4, Employee's Withholding Certificate](#)

Notices

Workers' Compensation

Employers' mandatory disclosure of workers' compensation coverage — All employers doing business in Rhode Island must disclose to all prospective employees at the time of application for employment either that the employer is subject to the provisions of the Workers' Compensation Act, or that they are exempt. If an employer is exempt, they must specify the type of exemption. This information must be included on the first page of any written employment application. If the employer does not have a written employment application, the information must be given in writing to the applicant.

Pregnancy Discrimination

[Accommodation for pregnancy-related conditions disclosure](#) — Covered employers must provide written notice to new employees at the commencement of employment advising of the right to be free from discrimination in relation to pregnancy, childbirth, and related conditions, including the right to reasonable accommodations. Under the law, written notice includes notice that is conspicuously posted in an area accessible to employees at the employer's place of business.

South Carolina

Forms

For South Carolina withholding tax, use a [federal Form W-4](#) and write across the top: "For State Purposes Only."

Notices

Wage Payment

[South Carolina Payment of Wages Act: Terms of Employment Notice](#) — Employers must notify employees at the time of hire of:

- Agreed normal hours and wages.
- Time and place of payment.
- Deductions to be made from wages, including payments to insurance programs.

Wages are defined as all amounts paid for work done and expressly include all payments due under any employer policy or employment contract, including payments for vacation, holiday, and sick leave.

Pregnancy Discrimination

South Carolina Human Affairs Law — Covered employers must develop and provide written notice to new hires at the commencement of employment of the right to be free from discrimination arising from:

- Pregnancy.
- Childbirth.
- Related medical conditions, including, but not limited to, lactation.

South Dakota

South Dakota does not require employers to provide newly hired employees with any specific information, nor does the state require withholding tax.

Tennessee

Notices

False Representation

False or deceptive representations, false advertising, or false pretenses — When hiring employees who were brought into Tennessee or induced to go from one place to another in the state, employers may not use false or deceptive representations, false advertising, or false pretenses about:

- The kind and character of the work to be done.
- The amount and character of compensation to be paid for the work.

- The sanitary or other employment conditions.
- Employer-employee labor relations, such as the existence of a strike.

If the employer is experiencing labor trouble, the employer must notify job applicants of the labor trouble in any advertisement, proposal, or employment contract.

Drug and Alcohol Testing

[Drug or alcohol testing notice](#) — If a position requires drug or alcohol testing, employers participating in Tennessee’s drug-free workplace program must notify applicants of the testing in the position’s vacancy announcement. Employers must:

- State on the vacancy announcement that drug or alcohol testing is required for the position.
- Give job applicants a copy of the employer’s drug and alcohol testing policy before the drug test.

The employer’s drug and alcohol testing policy must be in writing and contain:

- A general statement of the testing policy, which must identify:
 - The types of drug or alcohol testing an employee or job applicant may have to undergo; and
 - The consequences to the employee or applicant if he tests positive for drugs or alcohol.
- A statement on the employer’s notice requirements for drug and alcohol testing.
- A general statement on confidentiality.
- Information on procedures for employees and applicants to report their use of medications to a medical review officer after being tested, and after testing positive for drugs or alcohol.
- The consequences of refusing to take a drug or alcohol test.
- A list of employee assistance programs and local drug or alcohol rehabilitation programs including the programs’ names, addresses, and phone numbers.
- A statement that an employee or applicant who tests positive for drugs and alcohol may:
 - Contest or explain the result to the medical review officer within five days after receiving written notification of the test result; and
 - Contest the test result after the medical review officer rejects the applicant or employee’s explanation and reports the result to the employer.
- A statement on the employee’s responsibility to notify the laboratory of any administrative or civil action arising from the drug or alcohol testing.
- A list of the substances for which the employer may test.
- A statement on applicable collective-bargaining agreements or contracts, and any right to appeal.
- A statement on an employee or applicant’s right to consult a medical review officer about technical medication-related information.
- A statement noting that:
 - It is a condition of employment for employees to not work while drugs and alcohol are present in the employee’s body; and
 - Employees forfeit workers’ compensation benefits if they are injured on the job and refuse to be tested.

[Notice of wages](#) — Employers must notify new and prospective employees of their wage amounts before they start work.

[Notice of exclusion from Employment Security Law](#) — Employers who are not required to provide unemployment insurance under state law must provide written notification to prospective employees before employment begins that they are exempt from having to provide unemployment insurance.

[Notice regarding prohibition of smoking in public places](#) — Employers must notify prospective employees at the time of application of the smoking prohibition in the employer’s public areas. When providing notice, the employer may either:

- Post a sign in a location where employees frequent; or
- Distribute a written policy, handout, or statement.

Texas

[Notice of workers' compensation coverage](#) — In addition to the posted notice required by law, employers must give their employees upon hire written notice of workers' compensation insurance coverage status, which must include the text required in the posted notice. Further, if the employer is covered by workers' compensation insurance, whether by commercial insurance or through self-insurance as provided by the Texas Workers' Compensation Act, the notice to employees must include the following statement, verbatim:

You may elect to retain your common law right of action if, no later than five days after you begin employment or within five days after receiving written notice from the employer that the employer has obtained workers' compensation insurance coverage, you notify your employer in writing that you wish to retain your common law right to recover damages for personal injury. If you elect to retain your common law right of action, you cannot obtain workers' compensation income or medical benefits if you are injured.

If an employer participates in a workers' compensation insurance network, it must give employees written notice of the network's rules and requirements, which will be provided by the insurance carrier. The notice of network requirements must comply with Tex. Ins. Code Ann. §§ 1305.005 and 1305.451 and include, among other things:

- A list of health care services that require preauthorization or concurrent review.
- The network's toll-free number.
- Descriptions of all network processes.
- Information on the network's service area.
- A complete list of network providers.

The notice must be provided in English, Spanish, and any language common to 10 percent or more of the employer's employees.

Employers must provide this notice to new employees no later than the third day of hire.

Employees must sign an [acknowledgment form](#) saying that they received the network rules; however employees are not exempt from the network rules if they do not sign the acknowledgment form. However, if an employer does not give notice to an employee, the employee is not required to follow the network's treatment rules. Employers should keep a record of all acknowledgment forms and whether they were delivered to employees. The required employee acknowledgment form must include:

- A statement that the employee has received information that describes what the employee must do to receive health care under workers' compensation insurance.
- A statement that if the employee is injured on the job and lives in the service area described in the information, the employee understands that:
 - They must select a treating doctor from the list of doctors who contracted with the workers' compensation network, or ask their HMO primary care physician to agree to serve as their treating doctor, and must obtain all health care and specialist referrals for a compensable injury through the treating doctor except for emergency services;
 - The network provider will be paid by the insurance carrier and will not bill the employee for a compensable injury; and
 - If the employee seeks health care, other than emergency care, from someone other than a network provider without network approval, the insurance carrier may not be liable, and the employee may be liable for payment for that health care.
- Separate lines for the employee to fill in:
 - The date;
 - Their signature;
 - Their printed name; and
 - Where they live.
- A separate line that indicates the name of the employer.
- A separate line that indicates the name of the network.

Utah

Utah uses the information on the [federal Form W-4](#) for state income tax withholding purposes.

Tip credit toward minimum wage law — Employers using the tip credit must inform the affected employee at the time of hire. Any tip pooling or sharing arrangement must be made in writing and provided to each affected employee at the time of hire or prior to implementation.

Pay

Notice of paydays — Employers must notify new and prospective employees of their day and place of payment, rate of pay, and any change to any of these items prior to the time of the change.

Vermont

[Vermont Form W-4VT, Employee's Withholding Allowance Certificate](#)

[Sexual harassment policy](#) — Employers must give individual written copies of their sexual harassment policy to each new employee when hired. The policy must contain:

- A statement that sexual harassment in the workplace is unlawful.
- A statement that it is unlawful for the employer to retaliate against an employee for:
 - Filing a complaint of sexual harassment; or
 - Cooperating in an investigation of sexual harassment.
- A description and examples of sexual harassment.
- The consequences an employee faces for having engaged in sexual harassment.
- A description of the process for filing internal sexual harassment complaints, if the employer has more than five employees.
- The names, addresses, and telephone numbers of the individuals to whom complaints should be made.
- The complaint process of the appropriate state and federal employment discrimination enforcement agencies, and directions on how to contact them.

Earned Sick Time

[Earned sick time](#) — Employers must notify employees of their right to earned sick time when they are hired.

Required Apparel

Notification of cost for required apparel — Covered employers must notify a job applicant prior to or at the time of hire of any cost to the employee for required apparel.

Drug Testing

[Drug testing notification](#) — Employers cannot require applicants to submit to drug testing, administer such a test, or ask an applicant to consent to any practice prohibited under Vermont's drug-testing law unless:

- The applicant has been given an offer of employment on the condition that they receive a negative test result.
- The applicant received written notice of the drug-testing procedure and a list of the drugs to be tested. The notice must also state that therapeutic levels of medically-prescribed drugs tested will not be reported. Applicants may not waive the notice.
- The drug test is administered in accordance with various statutorily required procedures for such testing, including, among other things, a written policy describing the drug testing to be conducted.

Virginia

[Virginia Form VA-4, Employee's Withholding Exemption Certificate](#)

Washington

[Employee paid sick leave benefits notification](#) — Employers must provide a one-time notification in written or electronic form to each employee at the commencement of employment of their paid sick leave rights. The notification must include:

- Their entitlement to paid sick leave.
- The rate at which the employee will accrue paid sick leave.
- The authorized purposes under which paid sick leave may be used.

- That retaliation by the employer for the employee's lawful use of paid sick leave and other rights provided under the Minimum Wage Act (Wash. Rev. Code § 49.46) is prohibited.

Assignment of employee rights to inventions — Employers must give an employee written notice that an agreement assigning the employee's rights in any inventions to the employer does not apply (with some exceptions) to inventions that the employee developed in his own time without using the employer's equipment, supplies, facility, or trade secret information. Notice is required when the employer and employee make an employment agreement that contains a provision assigning the employee's rights to inventions to the employer.

West Virginia

West Virginia Form IT-104, West Virginia Employee's Withholding Exemption Certificate/Certificate of Nonresidence Wage Payment and Collection Act — Employers must notify employees in writing at the time of hire of:

- Their pay rate and the pay day, hour, and place of payment.
- Any employment practices and policies about vacation pay, sick leave, and comparable matters.

Wisconsin

Wisconsin Form WT-4, Employee's Wisconsin Withholding Exemption Certificate/New Hire Reporting

Grooming requirements notification — Employers must notify employees at the time of hiring about any hairstyle, facial hair, or clothing requirements.

Migrant labor worker agreements — No person may bring or arrange for another to bring a migrant worker into Wisconsin for employment, by means of an express or implied job offer induce a migrant worker to come into Wisconsin for employment, otherwise recruit a migrant worker to come into Wisconsin for employment, or hire a migrant worker for employment in Wisconsin unless that person:

- At the time of the worker's recruitment, provides the migrant worker a written recruiting disclosure statement containing the information required in a work agreement.
- At the time of hiring, provides the migrant worker a written [work agreement](#) approved by the Wisconsin Department of Workforce Development, which is signed by the employer and by each migrant worker or head of a family if a family is employed.

Wyoming

Wyoming does not require employers to provide newly hired employees with any specific information, nor does the state require withholding tax.