

## Public Officials Liability Training

**Lines of Business:** General Liability, Public Officials Liability

**Risk Control Strategy/Key Issues:** To establish, document, and maintain a training plan for all public officials who operate in a supervisory or managerial capacity.

### Suggested Program Elements:

#### 1. Management Statement:

- Assign Training Responsibilities and Accountability
- Establish inclusiveness of program

#### 2. Employment Training:

- “At-Will” Employment Doctrine
- Federal and State Anti-Discrimination Laws
- Tort and “Common Law” Doctrines Bearing upon Termination
- Potential Personal Liability
- Potential Legal Exposure
- Sexual Harassment
- Age Discrimination
- Severance Obligations
- The Hiring Process
- Employee Evaluation and Disciplinary Matters
- State statutes and Employment Law

#### 3. Board Practice Training:

- Informed and regular review of financial statements
- Regular attendance at board meetings
- Boards role in personnel situations
- Avoid conflicts of Interest

#### Program Activities Calendar:

- Training after elections for new officials
- Annual re-training
- Annual Audits of HR Policy and Procedure Manual
- Annual records compliance review

#### Web Site Links:

- U.S. Small Business Administration  
<http://www.sba.gov>
- United States Department of Labor  
<http://www.dol.gov>

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## EMPLOYMENT PRACTICES CHECKLIST

ITEMS TO BE REVIEWED:	YES	NO
"At-Will" Employment Doctrine		
Anti-Discrimination Laws (Federal & State)		
Tort and "Common Law" Doctrines		
Clearly defined job descriptions		
Outlined exposures for potential personal liability		
Sexual Harassment Program		
Statutes relating to layoffs and termination		
Termination procedures		
Age Discrimination policy		
<b>Hiring Process</b>		
Applications & Interviewing procedures		
Testing of applicants		
Documentation for Employment		
<b>Employee Orientation</b>		
Personnel Policies		
Employee Handbook		
<b>Employee Evaluation / Disciplinary Matter</b>		
Annual reviews		
Documented Disciplinary measures		
Investigation procedure (harassment/discrimination)		
Legal council review		
<b>State statutes and Employment Law</b>		
Wage and Hours		
Union Laws		
Immigration Laws		
Family & Medical Leave		
Affirmative Action Laws		