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Employment Law: 5 Steps for Reducing Your Legal Risks

The prospect of a lawsuit by a current/former employee can be unsettling for a small/medium sized business; especially those without the proper counsel on human resources policies and the relevant employment laws. Some practical steps which may reduce your litigation risks include:

- 1. Take the hiring process seriously (“hire good employees”)**
 - Perform employment background checks (*in compliance with the Fair Credit Reporting Act and other applicable laws*)
 - Have a plan before conducting the employment interview
 - Understand the laws related to employment interview questions
- 2. Clearly define workplace rules and expectations**
 - Clear and consistent communication to employees (*build trust*)
 - Train managers in relevant policies and procedures
 - Monitor workplace dynamics and behavior (*avoid “cultural slippage”*)
- 3. Identify and protect trade secrets and proprietary information (intellectual property)**
 - Limit access to those individuals with legitimate reasons to have access
 - Consider using non-compete, non-solicitation, and/or non-disclosure agreements to protect your company’s proprietary information, as appropriate
- 4. Address workplace complaints in a timely manner**
 - Utilize experienced investigators (*may warrant retaining an attorney if significant risk of litigation is present*)
 - Be careful to avoid actions that may be perceived as retaliatory against an employee that alleges harassment or discrimination
- 5. Keep HR policies and procedures up to date**
 - Employment laws are constantly changing (broader protections is trend in Washington)
 - Policies should include guidance on social media related topics (*Facebook, LinkedIn, etc.*)

GBL3 Law provides legal counsel to businesses and individuals; for specific advice on a business or employment law issue contact GBL3 Law or your attorney.

Disclaimer: The above information is general in nature and does not constitute legal advice for any specific situation.