

Document Checklist for Board of Directors

There is an obligation on the part of the organization to provide the following documents and an obligation on the part of directors to request these documents, to read and understand them.

Founding & Organizational Documents <ul style="list-style-type: none"> • Articles of Incorporation (including all amendments) • Current Bylaws • Mission Statement (any additions not part of the Bylaws) 	Current Financial Documents <ul style="list-style-type: none"> • Current budget • Balance sheet • Financial statement • Current Audit, if applies
Current Key Organizational Policies <ul style="list-style-type: none"> • Conflict of Interest • Document Retention • Whistleblowing • Gift Acceptance • Board Evaluations • Financial • Human Resources <ul style="list-style-type: none"> ○ Harassment & Discrimination • Endowment 	Statutory and Regulatory <ul style="list-style-type: none"> • Most recent 990 filing with the IRS • Copy of the Insurance Policies <ul style="list-style-type: none"> ○ General Liability ○ Directors and Officers Liability ○ Worker's Compensation policy ○ Any other types of insurance coverage carried by the organization
Organizational Information <ul style="list-style-type: none"> • List of Current Directors and Officers including each person's term expiration • List of Board committees as well as other committees including membership in each • Copies of materials that are regularly handed out to donors, potential donors, volunteers, or stakeholders/clients of the organization • Current Annual Report • Organization's web address and any Social Media outlets 	

New Key Regulations/Laws for Organizations with Employee(s) Board of Directors Awareness

In partnership with the staff organizational leader (Executive Director or other), it can be helpful for Board Members to be aware of these regulatory/legal necessities – a director with expertise could perhaps lend a hand.

New (and Newly focused attention) Laws that apply to nonprofits with staff

Sexual Harassment Prevention Training – Required since 2019

Applies to businesses with more than 5 employees and requires organizations to provide at least two hours of sexual harassment prevention training to all supervisory employees and at least one hour to nonsupervisory employees EVERY 2 YEARS.

Emergency Action Plan – Required since 2016 by Department of Industrial Relations & Cal/OSHA (new attention being paid with host of natural disasters recently)

Applies to ALL businesses. Regulation that sets minimum requirements for emergency action plans, including evacuation plans, for employers with more than 10 employees. The plan covers actions employers and employees should take to ensure safety during emergencies like fires, hazardous spills, earthquakes, and flooding. This plan must be in writing for 10 or more employees but can be orally given for those with 1- 9 employees.

Injury and Illness Prevention Plan – Required since 1991 Department of Industrial Relations & Cal/OSHA (new attention being paid after the onset of the pandemic)

All California employers with at least one employee are required to have an effective written IIPP and it needs to be understood by all employees. This plan took on new meaning for businesses outside of manufacturers and the like with the onset of the pandemic.

Workplace Violence Prevention Plan – Required as of July 2024

Applicable to all employers in California except those in the health care sector*, this law requires that businesses establish, implement, and maintain an effective Workplace Violence Prevention Plan. There is a significant list of workplace violence prevention requirements that employers must review and address before many provisions become effective in July 2024. Exemptions may exist for organizations not open to the public with less than 10 employees.