Human Resources Records Retention Guide

Statement

It is the responsibility of the Diocese of Sacramento to comply with Federal, State, and Local laws and regulations with regard to the management and retention of its Human Resources records. Failure to properly maintain Human Resources records may lead to significant fines for our organization. These guidelines are intended to assist management. Litigation holds may necessitate deviation from the retention schedule. Please check with the Director of Lay Personnel with regard to records storage questions.

Definition

Human Resources records are a collection of documents related to the hiring and employment of an employee retained under the employee's name, including but not limited to: new hire paperwork, annual reviews, performance counseling, employee wage/salary notices, pre-employment, post-employment documentation, etc. These records serve as the historical record of documents pertaining to the employment of an employee from the date of hire to the date of separation.

Confidentiality

It is essential that employee information be kept confidential and secure. All records must be stored in a secured location at all times.

Record Categories

There are seven (7) categories that make up the Human Resources Records:

1. **Applicant Records (initial contact forms, applications, interview guides, and pre-employment screenings; this includes documentation for applicants not hired)**
2. **Employee Personnel Files**
3. **Form I-9 Employment Eligibility**
4. **Employee Medical Documentation (ML, FML, LOA, etc.)**
5. **Workers Compensation and Safety-Related Documents**
6. **Inactive Employee Records**
7. **Payroll Records (stored in a separate binder or drawer)**

Record Categories (continued)

Human Resources records are retained in all of our locations. To assist our leaders in organizing their Human Resources records, the following Guide has been created. **See Drawer Setup Guide for how to properly set up each drawer.**

Applicant Records

Applicant records are anything used in the interview and hiring process for a prospective employee. The documents include the initial contact form, job application, interview guide, and pre-employment screenings such as the background screening authorization form.

NOTE: The documents for applicants who were extended a conditional offer of employment but not hired must be retained in the section labeled "Contingent Offer of Employment". The application, interview guide, and background authorization form for these applicants must be retained in the same manner as a hired employee per Fair Credit Reporting Act (FCRA) guidelines.

Employee Personnel Files

Employee Personnel Files contain records related to the employment of an employee. Active employees' personnel files should be retained together in a drawer or cabinet (depending on the number of files your building maintains). Please reference **Drawer Setup Guide** for additional information regarding permissible and non-permissible documents in an employee's personnel file.

The following documents must legally be in each employee's personnel file:

- Form W-4
- Notice of Wage Rate (Employees hired after 8/16/2010)
- Work permits for employees under the age of 18
- State required documents (please reference the HR Records Retention Document Checklist for the most current required forms)

Partner with the Lay Personnel Department if you have questions regarding documents that are not on the permissible list but that have employment history information before including the document in the personnel file. Do not destroy or throw away documents unless directed by your Human Resources Representative.

NOTE: Each personnel file should contain an HR Records Retention Document Checklist to help make sure that all required documents are in the file.

Employee Employment Eligibility File (Form I-9)

All I-9 Forms are to be filed in a separate manila folder alphabetically along with proper supporting documentation (after 9/8/2009). Please refer to the **Drawer Set-Up Guide** for direction on retention of the I-9 Form and the **Form I-9 FAQs** for specific guidelines regarding procedures for completing the I-9 Form.

NOTE: Form I-9 should never be placed in the personnel file.

Employee Medical Documentation (ML, FML, LOA, etc.)

Medical, Family, and Leave of Absence (LOA) documentation are not permitted in an employee's personnel file. You must create separate files for Medical/Family Leave documentation as well as all LOA documents and documents related to the interactive process. **Any doctor's notes brought in by an employee must be retained in the separate medical file.**

Workers' Compensation Documentation

Workers' Compensation (W/C) Documentation: W/C documents are not permitted in the Employee's personnel file. All locations should create separate files for all Workers' Compensation related documentation.

Inactive/Terminated Employee Records

Terminated employee personnel files must be kept in file cabinets for a period of three (3) years from the date of termination. After the period of three (3) years the files may be stored in records storage box until authorized to destroy per the Diocesan Document Retention Policy.

Payroll Records

At the conclusion of each payroll cycle, the ADP Payroll Report for the previous pay period is generated. The ADP Payroll Report lists all employee time records (punches) from the selected pay period. All employees must review their pay records and revisions listed on the report. By signing the document (timesheet), the employee confirms that the time records are accurate.

Locations are required to retain payroll records for seven (7) years. Payroll records consist of time card reports, weekly work schedules, and State specific payroll documents. Records should be separated by year and stored in a secure manner in either binders or drawers. Payroll records older than three (3) years must be placed in a records storage box, labeled, and stored in a secure location.

Storage

Each current employee must have a manila folder for personnel records. Documentation must be maintained as follows: New Hire Paperwork, Payroll, Training, Coaching/Counseling, Performance Reviews, and Miscellaneous. At each location, HR records must be stored in two separate drawers; one drawer for the current year and one drawer for the prior two years.

DRAWER 1: Current/active employees and terminated employees in current year.
DRAWER 2: Inactive employees and files from the previous two years.

Any records older than three (3) years must be stored in a records storage box in a secure location and labeled appropriately. Refer to the **Diocesan Document Retention Policy** for proper storage of inactive personnel files.

Recreating a Personnel File

In the event that a personnel file has become lost or irreparably damaged, the file must be recreated. The required documents need to be put into the file and we must go back to the employee when necessary to fill out paperwork and obtain signatures where applicable. Only legally required documents should be obtained from the current employee if they are found to be missing from an employee's personnel file.

Note: Never backdate a legally required document that is being replaced.

Additional Resources

Website---Diocese---Lay Personnel---Handbook and Forms

Drawer Setup Guide

Diocesan Document Retention Policy

I-9 Q & A

Auditing I-9's