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To: Human Resources Directors
AVPs/Deans of Faculty Affairs

From: Cathy Robinson 
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Subject: Records Retention Guidelines for Employment-Related Records

The California State University (CSU) campuses are responsible for maintaining and retaining employment-related documents in accordance with appropriate records retention schedules. For campus reference, Human Resources Administration has prepared the enclosed Records Retention Guidelines for Employment-Related Records which provide general retention guidelines for employee documents related to human resources, employee relations, labor relations, payroll and benefits.

Questions regarding specific records retention requirements should be directed to the Office of General Counsel at (562) 951-4500. Additional questions may be directed to systemwide Human Resources at (562) 951-4411.

This document also is available on the Human Resources Administration's Web site at: <http://www.calstate.edu/HRAdm/memos.shtml>.

CR/en

Attachment

Distribution:

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Conflict of Interest Officers



California State University
Office of the Chancellor

**Records Retention Guidelines for
Employment-Related Records**

Human Resources Administration
October 2004

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Introduction

The purpose of these guidelines is to provide general retention guidelines for employee documents related to human resources, employee relations, labor relations, payroll and benefits. This guide is intended to be general in nature and is not intended to provide an all-inclusive listing of potential documents.

Personnel Files

Typical Documents

An employee’s personnel file typically includes the following documents:

Typical Documents	
<ul style="list-style-type: none"> • Employment applications • Resume/faculty biography • Appointment letters • Required state forms (e.g., Oath of Allegiance, Designation of Person Authorized to Receive Warrants) • New hire paperwork • Position descriptions • Personal data information and changes (e.g., name, address, education level) • Personnel transaction forms and supporting documentation for actions such as reclassification, reassignment, promotion/demotion, timebase changes, etc. • Court procedures (e.g., Notice of Judgment Against Wages) • Employee benefit enrollment and change documentation. Benefits include health and welfare programs, voluntary programs, retirement programs, and tax savings programs 	<ul style="list-style-type: none"> • Permanent status letters • Memoranda or letters of praise, counseling or reprimand • Notices of training completed • Performance evaluations • Salary adjustment documentation • Separation forms • Emergency Contact information • Other job-related personnel records, as appropriate. • Final disciplinary records, in accordance to collective bargaining requirements.

Minimum Retention Periods for Personnel Files

Document/File	Minimum Retention Period
Personnel Files for Separated Employees – for the following separation types: <ul style="list-style-type: none"> • Deceased • Voluntary Resignation (without fault) • Voluntary Service Retirement • Rejection During Probation • End of Temporary Appointment 	Three years after separation from the CSU.

Document/File	Minimum Retention Period
Personnel Files for Separated Employees – for the following separation types: <ul style="list-style-type: none"> • Disability Retirement • Disability Separation 	Five years after separation from the CSU or final payment, whichever is later.
Personnel Folders for Separated Employees – for the following separation types: <ul style="list-style-type: none"> • AWOL • Lay-off • Non-Retention (MPP only) • Resignation with Fault • Involuntary Termination/Dismissal 	Five years after separation from the CSU.

Employment Records Not to be Kept in Personnel File

The following records should not be kept in the employee’s personnel file because of privacy concerns or to prevent claims that others’ access to certain information could expose an employee to retaliation:

Document/File	Minimum Retention Period
<ul style="list-style-type: none"> • Verification of right to work in the U.S. (Form I-9) 	Keep for three years or one year after termination of employment, whichever is longer.
<ul style="list-style-type: none"> • EEOC Charge of Discrimination and related documents 	Keep for five years after separation from the CSU.
<ul style="list-style-type: none"> • DFEH Charge of Discrimination and related documents 	Keep for five years after separation from the CSU.
<ul style="list-style-type: none"> • Workers’ compensation claims and related documents 	Most workers compensation records should be kept five years after the date of injury or date on which compensation benefits were last provided, whichever occurs later. However, cases involving Permanent Disability should be kept permanently.
<ul style="list-style-type: none"> • Americans with Disabilities Act claim documentation 	Keep for five years after separation from the CSU.
<ul style="list-style-type: none"> • Medical information protected by the California Confidentiality of Medical Information Act 	Keep at least four years from date of document.
<ul style="list-style-type: none"> • Survey of ethnic status or disabled or veteran status for reporting and recordkeeping purposes 	Keep at least five years from date of document.
<ul style="list-style-type: none"> • Any information that may be defamatory¹ 	Keep at least four years from date of document.

¹ Campuses may consult with their campus counsel when determining whether a document contains defamatory information.

Document/File	Minimum Retention Period
<ul style="list-style-type: none"> Any information that is not job related 	Keep at least four years from date of document.
<ul style="list-style-type: none"> Any documents related to grievances or complaints, both informal and formal. 	Keep at least five years after separation from the CSU.
<ul style="list-style-type: none"> HIPAA documentation 	Keep six years from the date the document was created or last in effect.
<ul style="list-style-type: none"> Whistleblower documentation 	Keep seven years after the conclusion of the resolution.

Pay-Related Records

Typical Documents

Pay-related documents typically include the following:

- Records of hours worked
- Leave accrual and usage records
- Employee leave record
- Authorization for compensating time off
- Authorization for extra hours/Overtime documentation
- Records of additions to or deductions from wages
- Work schedules
- Withholding and deduction documentation
- W-2 forms returned by Post Office (also can order from the State Controller’s Office)
- W-4 forms

Minimum Retention Period

Keep as long as documents are in effect plus four years

Conflict of Interest Statements (Form 700)

Minimum Retention Period

Seven years

Family Medical Leave Act (FMLA) Records

Minimum Retention Period

Three years from the date of the document or the date of the event, whichever is later.

Occupational Safety & Health Records

Minimum Retention Period

Most OSHA documents should be kept for five (5) years minimum following the injury or illness. However, documents regarding exposure to toxic substances and/or physical agents should be kept for 30 years.

Recruitment Records

Typical Documents

A recruitment file typically includes applications, resumes, reference checks, writing samples, advertising records, rating sheets, etc.

Minimum Retention Period

Three years after the close of the recruitment.

Fee Waiver Records

Minimum Retention Period

Five years after completion of the class(es) for which the fee was waived.