

Best Practices for Record Keeping:

Records Management and Document Retention

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Overview

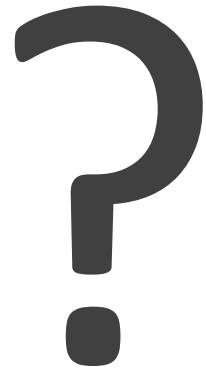
Importance of Records Management

Definition of a “Record”

Retention Schedules

Preservation and Destruction

What is a Record?



What is a Record?

All information created, sent and received in the course of work is potentially a record.

Records provide evidence of the business activities and functions.

Records can be in paper, digital or other formats including:

- Emails
- Reports
- Databases
- Letters
- Minutes
- Photographs
- Spreadsheets
- Information in business systems
- Text Messages
- Policy
- Research data
- Faxes

Importance of Records Management

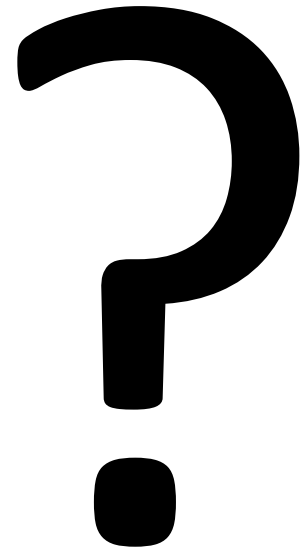
Records are an information asset and hold value for an organization

Organizations have a duty to stakeholders to manage records effectively

Organizations must comply with regulatory retention requirements



Who's Responsible?



Who's Responsible?

Each employee has an important role to play in protecting their employer by creating, using, retrieving and disposing of records in accordance with the employer's policy.

Each employee should be familiar with the policy as it relates to recordkeeping and be acquainted with the proper retention schedules.

Maintenance & Preservation

Employees must maintain records in accordance with the records retention schedule.

Retention periods are based on federal or state regulatory requirements, professional association guidance and/or internal business decisions.

Retention schedule are updated as requirements change.

Personnel Records

Employment applications and other forms of employment inquiries

Applicants' qualifications

Training programs/agreements

Hiring and Firing

Transfers and Layoffs

Payroll records and Overtime

Employment handbooks and Job Descriptions

Interview records

Identification of minority and female applicants

Requests for accommodation

Retention Period

4 years generally recommended— although some laws allow for shorter limitations and record retention periods (i.e. 3 years from the date of termination).

Storage Requirements

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office. If maintained elsewhere, records must be made available upon 72 hours' notice.

Employment Tests and Opportunities

Job orders submitted to employment agency

Aptitude or other employment tests papers

Physical examination results



Retention Period

4 years generally recommended— although some laws allow for shorter limitations and record retention periods (i.e. 3 years from the date of termination).

Storage Requirements

Physical exam results should be maintained in separate files and treated as confidential medical records

Online Application Records

Internal Resume Database—maintain record of each resume added, the date added, the position for which each search of the database was made, and the search criteria and date for each such search

External Resume Database—maintain record of position for which each search of the database was made, and for each search, the search criteria, the date of the search, and the resumes of the job seeker who met basic position qualifications.

Retention Period

1 year—government contractors/subcontractors with fewer than 150 employees or contracts less than \$150,000

3 years generally recommended—all other covered contractors

Storage Requirements

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office.

Payroll Records

Records that contain personal information, date of termination, and occupation

Compensation

Total weekly earnings broken out by straight time and overtime premium

Wages paid each pay period, dates of payment, and pay period covered

Retention Period

3 years—from termination of employment or completion of contract

Storage Requirements

If microfilm is used, employer must make any required transcripts

Withholdings and Wage Differential

Any records relating to the Federal Insurance Contributions Act (FICA) income tax withholdings

Any records explaining wage differential



Retention Period

4 years—withholdings

3 to 5 years—wage differential

Storage Requirements

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office.

Time Card Schedules

Total hours worked in each day and each week

Wage rate tables

Amount of and reason for each deduction from or addition to wages

Work schedules

Retention Period

3 years generally recommended—from termination of employment

Storage Requirements

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office.

General Business Records

Retention Period

Total dollar volume of sales or business and total volume of goods purchased or received

3 years—volume of sales and goods

Customer orders or invoices, incoming or outgoing shipping or delivery records, bills of lading and billings to customers

2 years—customer invoices and billing

Storage Requirements

As maintained in the ordinary course of business and must be made available upon 72 hours' notice

Minor Employees

Certificates of age



Retention Period

3 years—from termination of employment

Storage Requirements

Certificates of age must be kept on file at the minor's place of employment and must be given to the minor upon termination of employment

Federal Contractors/Subcontractors

For each employee working on a service contract, records showing name, address, work classification, SSN, rate of monetary wages and fringe benefits

Compensation and deductions

Hours worked

Wages and benefits for those employees not included in wage determination for each contract

Retention Period

3 years—from completion of contract

Storage Requirements

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office.

EEO-1 Reports

Government contractors with 50 or more employees and a single contract, subcontract, or purchase order amounting to \$50,000 or more must complete

Retention Period

1 year-from date of report

All other employers with 100 or more employees must complete

Storage Requirements

Records containing racial or ethnic identity should be kept separate from basic personnel records that are available to those responsible for personnel decisions

Veterans' Employment Reports (VETS-100A)

Government contractors with a contract amounting to \$100,000 or more entered on or after December 1, 2003 must complete

Retention Period

2 years generally recommended



Storage Requirements

Records containing veteran status should be kept separate from basic personnel records that are available for personnel decisions

Self-Identification of Applicants/Employees by Federal Contractors

Voluntary identification of gender, race, ethnicity, disability status, and protected veteran status

Voluntary updates of disability status

Personnel or employment records, including gender, race, ethnicity, disability status, or status as protected veteran

Retention Period

1 year—government contractors/subcontractors with fewer than 150 employees or contracts less than \$150,000

2 years—all other covered contractors

Storage Requirements

Records containing gender, racial, or ethnic identity and disability or protected veteran status should be kept separate from employee's basic personnel records that are available to those responsible for personnel decisions

Affirmative Action Plans

AA plans for Females and Minorities

Retention Period

AA plans for Individuals with a Disability and Protected veterans

2 year—AA plans

Required outreach and recruitment efforts for individuals with a disability and protected veterans, assessment of outreach and recruitment efforts

3 years—outreach and recruitment efforts

Data collection analyses

Storage Requirements

Hiring benchmarks

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office.

FMLA

Medical certifications and related medical information

Type of leave taken, dates/hours of taken leave

Pay rate of person on leave

Copies of all notices given/received from employee

Employee benefits regarding paid/unpaid leave

Records of any dispute between employer and employee

Retention Period

3 years—from the date the leave ended

Storage Requirements

May be microfilm or computerized if made available upon request. Medical records must be maintained in separate files and treated as confidential medical records

Immigration

Employment Eligibility Verification Form I-9



Retention Period

3 years—from the date of hire

OR

1 year—from termination of employment

*whichever is later

Storage Requirements

I-9 Form is to be ready available upon request and should be kept separate from regular personnel documents to ensure no discrimination and easily distinguishable access to files if audited

Employee Benefits Records

Benefit plan documents

Plan description

Annual reports and all recorded information used in compiling required reports

Copies of COBRA, documents relating to any instance in which COBRA is not offered due to gross misconduct, and COBRA related correspondence

Retention Period

6 years generally recommended—from filing

At least 1 year after the duration of the plan—Pension, insurance, seniority and merit systems

Storage Requirements

Paper records may be destroyed once records are converted to an electronic recordkeeping system that has controls to ensure authenticity and accuracy, may be readily inspected, proper records management practices are established, and easily legible and readable

Complaints, Charge, & Enforcement Action

Personnel/employment records relating to aggrieved person and to all other employees holding positions similar to that held by aggrieved person

Application forms and test papers completed by aggrieved person and all other persons applying for same position as aggrieved person

Retention Period

Until final disposition of the charge, complaint, review or action

Storage Requirements

Records must be stored in a safe, secure, and accessible at the place of employment or at an established central record-keeping office.

Polygraph Results

Copy of the statement concerning the activity or incident under investigation and basis for testing employee

All opinions, reports, charts, written questions, lists or other records relating to the test furnished by the examiner

Identity of persons examined, copy of written statement of time, and place of examination

Examinee's right to consult counsel

Number of exams conducted as well as duration of examinations

Retention Period

3 years—from the date of exam (or from date examination requested if no exam is conducted)

Storage Requirements

Records should be kept in a confidential employee record folder and be accessible upon 72 hours' notice

Drug Testing

Negative test results and alcohol test results less than .02

Positive test results and alcohol test results .02 or greater

*NOTE: Variations exist between specific industries specifically railroad employee, airline pilots, and pipeline employees

Retention Period

1 years—negative test results

5 years—positive test results

Storage Requirements

Records must be kept in a secure location with controlled access

Duty to Destroy

When records have reached the end of their retention period they should be discarded or destroyed.

Any records containing personal information should be destroyed by either shredding, erasing or otherwise modifying personal information to make it unreadable or indecipherable.



Questions?

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