

## RECORDS RETENTION CHART

Employers must maintain certain employment records. California and federal law identify minimum requirements for keeping records, but some records should be kept longer. Here is a list of records with the minimum time they should be kept, and, in some cases, recommendations for keeping those records longer.

Type of Record	Minimum Retention Period by Law	Recommended Retention Period
<b>Pre-Employment Records</b> <ul style="list-style-type: none"> <li>• Job Applications, Resumes</li> <li>• Applicant Identification Records</li> <li>• Employment Referrals</li> <li>• Inquiries about Employment Opportunities</li> <li>• Help Wanted Adds and Job Opening Announcements</li> <li>• Announcements of Training, Promotions, or Overtime made to Employees</li> </ul>	2 years	Duration of employment (applications and individual employee information) plus 4 years
<b>Wage Records</b> <ul style="list-style-type: none"> <li>• Time Cards and Piece Rate Cards</li> <li>• Other Records Tracking Hours and Days of Work</li> <li>• Work Schedules</li> <li>• Straight and Overtime Calculations Tables</li> <li>• Explanations of Wage Differentials Between Genders</li> </ul>	3 years	5 years (err on the side of retention when possible, such as where space permits)
<b>Payroll Records</b> <ul style="list-style-type: none"> <li>• Employee's Name, Number, Address, Occupation, Sex, Age</li> <li>• Individual Wage Records</li> <li>• Time and Day Workweek Begins</li> <li>• Regular Hourly or Piece Rate</li> <li>• Hours Each Employee Worked (Daily and Weekly)</li> <li>• Overtime and Straight Time Earnings Each Week</li> <li>• Earning for Each Pay Period</li> <li>• Wage Deductions and Additions</li> <li>• Dates of each payday and period it covers</li> </ul>	4 years	Duration of employment plus 4 years

Type of Record	Minimum Retention Period by Law	Recommended Retention Period
<b>I-9 Forms – Employment Eligibility Forms and Verification</b>	3 years or 1 year after termination, whichever is later	Duration of employment plus 4 years
<b>Child Labor Certificates and Notices</b>	3 years	Duration of employment plus 4 years
<b>Employee Personnel Files</b> <ul style="list-style-type: none"> <li>• Performance Evaluations</li> <li>• Promotions and Demotions</li> <li>• Disciplinary Notices</li> <li>• Discharge, Layoff, Transfer, and Recall Records</li> <li>• Training and Testing Records</li> <li>• Records of Physicals</li> </ul>	2 years	Duration of employment plus 4 years
<b>Employee Health Records</b> <ul style="list-style-type: none"> <li>• First Aid Records for Injuries Causing Loss of Work Time</li> <li>• Chemicals Safety and Exposure Records</li> </ul>	First Aid records of job injuries causing loss of work time must be retained for the duration of employment plus three years, records relating to chemical, pesticide and similar exposures must be retained for the duration of employment plus 30 years	Duration or employment plus 5 years for routine injury/illness records; Duration of Employment plus 30 years (Records of exposure to chemical, pesticide, and similar hazards)
<b>Drug and Alcohol Test Results</b>	5 years	Duration of employment plus 5 years
<b>Unlawful Employment Practices, Claims, Investigations and Legal Proceedings Records</b> <ul style="list-style-type: none"> <li>• Personnel and Payroll records of all complaining parties</li> <li>• Personnel and Payroll records of all those holding or applying for similar positions</li> </ul>	Until Disposition of Case	Until Disposition of Case and all appeals periods have expired
<b>Union and Employee Contracts</b>	3 years	Indefinitely. (May be relevant if bargaining history is an issue)
<b>Employee Benefits Data</b> <ul style="list-style-type: none"> <li>• Election of Benefits</li> <li>• Beneficiary Designations</li> <li>• Eligibility Determinations</li> <li>• Cobra Notices</li> <li>• Summary Plan Descriptions and Earnings</li> </ul>	6 years, but not less than one year after plan termination	6 years from date of filing annual Plan Year Report
<b>Affirmative Action Programs and Documents</b>	5 years (discretionary)	5 years