File Documentation Standards



THE FOLLOWING ITEMS SHOULD BE KEPT IN A BASIC PERSONNEL FILE:

- Employment application and resume
- College transcripts
- Job descriptions
- Hiring, promotion, demotion, transfer, layoff, rates of pay, other forms of compensation and education and training records
- Letters of recognition
- Disciplinary notices or documents
- Performance evaluations
- Test documents used by an employer to make an employment decision
- Exit interviews
- Termination records

THE FOLLOWING ITEMS SHOULD BE MAINTAINED IN SEPARATE FILES:

- Medical Records—The American with Disabilities Act requires employers to keep all medical records separate. Many states have privacy laws to protect employees. All medical records including physical examinations, medical leaves, worker' compensation claims and drug and alcohol testing.
- Equal Employment Opportunity—To minimize claims of discrimination and/or retaliation, investigation documents of internal and external charges of disparate treatment based on protected class should be maintained separately.
- Immigration (I-9) Forms—It is recommended that these forms be maintained chronologically by year. Keeping this information in a separate file reduces the opportunity for an auditor to pursue and investigate unrelated information.
- Invitation to Self-Identify Disability or Veterans Status—This information is required to be maintained by federal contractors. Laws prohibit employment decisions on the basis of certain protected classes; however, managers have the right to access an employee's file for a number of operational issues. Unless there is a need to know for accommodation purposes these files should be maintained separately to reduce a potential source of bias.
- Safety Training Records—OSHA may audit company's training records; keeping this information separate will protect the employer from an auditor pursuing and investigating other information in the personnel file.