State Record Retention Requirements – OR



OREGON

Wage and Hour

Wage and hour records must be kept at least two years. However, the statute of limitations on wage claims is six years, so employers are generally advised to maintain records at least six years.

Worker Injuries, Health, and Safety:

Safety and health records must be kept for five years, including specifically the OR-OSHA 300 log.

Other Employment Records:

Personnel records must be kept at least 60 days after employment ends, which include all records related to the hiring decision, records used to decide on promotion of demotion, records used to determine pay raises or pay cuts, performance evaluations, disciplining notices or warnings, and records related to termination.

Does your state give employees a legal right to examine their own personnel files?

Employees' Rights:

Employees have a legal right to inspect records that "are used for or have been used to determine the employee's qualification for employment, promotion, additional compensation or employment termination or other disciplinary action," Employers have 45 days to comply with an employee's request to inspect records and receive a certified copy. However, if the records are not readily available, the employer and employee can agree to extend the time. A civil penalty not to exceed $1,000 may be imposed for violations.

Former Employees' Rights:

Former employees have a right to receive certified copies of personnel records. Employers are required to keep personnel records for at least 60 days after termination. Former employees may request a certified copy of their own records within the 60-day period "or at any time thereafter if the employer has retained the records at the time of the request". Employers have 45 days to comply with a former employee's request to receive a certified copy of records. However, if the records are not readily available, the employer and former employee can

agree to extend the time. A civil penalty not to exceed $1,000 may be imposed for violations.

Covered Employers

All employers

Citation to Authority – click on link to access Chapter – scroll to specific statutes:

Or. Rev. Stat. §§ 12.080	**contracts/liabilities**	**Action on certain**
Or. Rev. Stat. §§ 652.750	**records by employee**	**Inspection of**
Or. Rev. Stat. §§ 652.750(2)		**Copy of records**
Or. Rev. Stat. §§ 652.750 (3)		**Copy of records**
Or. Rev. Stat. §§ 652.750 (4)		**Agreement**

Oregon Administrative Rules – Click on link to section – scroll to specific rule

BUREAU OF LABOR AND INDUSTRIES

DIVISION 20 – WAGES – Procedural Rules

839-020-0080 General Record-keeping requirements

839-020-0082 Special Record-keeping circumstances

839-020-0083 Records availability

OCCUPATIONAL SAFETY AND HEALTH DIVISION

DIVISION 1 – Rules for the administration of the Oregon safe employment act

437-001-0700 Record-keeping and Reporting