State Record Retention Requirements – WI



WISCONSIN

Wage and Hour

Employers in the State of Wisconsin must make and keep payroll records for three years for each of their employees which contain; name and address; date of birth; date of entering and leaving employment; time of beginning and ending of work each day; time of beginning and ending of meal periods if employees' meal periods are required or such meal periods are to be deducted from work time: total number of hours per day and per week; rate of pay and wages paid each payroll period; the amount of and reason for each deduction form the wages earned: and output of employee, if paid on other than a time basis.

Worker Injuries, Health, and Safety:

Every employer of three or more persons and every employer who is subject to the Workers' Compensation Act must keep a record of all accidents causing death or dismemberment of any employee while performing services growing out of and incidental to employment, giving the: name, address, age and wages of the deceased or injured employee, the time and causes of the accident, the nature and extent of the injury, or any other information the Department of Workforce Development may require. No specific record retention requirement is specified, although the statute of limitations is 12 years.

Other Employment Records:

Employers must maintain a true and accurate work record for every individual who performs services, including full name and address and social security number, dates on which each individual performed services, weekly wages earned by each individual who performed services, and dates on which wages were paid to each individual. Records must be maintained for six years from the date on which each individual last performed services for the employer.

DOES YOUR STATE GIVE EMPLOYEES A LEGAL RIGHT TO EXAMINE THEIR OWN PERSONNEL FILES?

Employees' Rights:

Employers must, upon request of employees, permit employees to inspect personnel documents used in determining qualifications, promotions, transfers, additional compensation, termination, or other disciplinary action, and any medical records unless specifically excepted from the rule. Employers must grant at least two

requests by an employee in a calendar year, unless otherwise addressed in a collective bargaining agreement, to inspect the employee's personnel records and the employer shall provide the employee with the opportunity to inspect the personnel records within seven working days after the employee makes the request for inspection. Records of investigations of possible criminal offenses, letters of reference, records relevant to pending claims between employer and employee are among the records that don't have to be provided. If an employee disagrees with information in the records, removal or correction of the information may be mutually agreed on between employer and employee. If agreement can't be reached, a written statement explaining the employee's position must be attached to the record. Employees have the right to copy records and employers may charge a fee that may not exceed the actual cost of copying.

Former Employees' Rights:

Same as for employees.

Covered Employers

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Citation to authority – click link to view statute:

Wis. Admin Code DWD § 270.09 Payroll records

Wis. Admin Code DWD § 272.11 Records to be kept by employer

Wis. Stat. § 102.37
Accident/injury records

Wis. Stat. § 102.17(4)
Statute of limitations – injury records

Wis. Admin. Code DWD § 110.02 Required records; retention period