State Records Retention Requirements – MA



MASSACHUSETTS

Wage and Hour

Every employer must keep a true and accurate report of the name, address, and occupation of each employee, the amount paid each pay period to each employee, and the hours worked each day and each week. These records must be kept on file for at least two years.

Worker Injuries, Health, and Safety:

No requirements

Other Employment Records:

Employers of 20 or more employees are required to retain personnel records for three years after termination.

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

Employees' Rights:

Employees have a statutory right to review their personnel files their place of employment during normal business hours. Employers must allow employees to review their files within five days of receiving a written request, and employees are entitled to a copy within five days of receipt of their written request. If employees disagree with information contained in the file, it is to be corrected if mutually agreed on by employer and employee. If agreement isn't reached, employees may submit written statements explaining their positions.

Effective August 1, 2020, in addition to the requirements above, employers must now notify an employee within 10 days of placing any information in the employee's personnel record that is, has been, or may be used to negatively affect the employee's qualification for employment, transfer, additional compensation, or possible disciplinary action. Although the changes limit an employee to review of his/her personnel record to twice a year, if there are any of the aforementioned additions to the record, the employee also has the right to inspect the record upon each potentially adverse addition.

Former Employees' Rights:

Same as for employees

Covered Employers

All employers

Citation to Authority – Click link to view statute:

Mass. Gen. Laws Ch. 151 § 15 Employer’s records