

SECTION 24. PERSONNEL RECORDS

Records relating to the hiring, employment, benefits, compensation, retirement and termination of County employees.

General Instructions		
<ul style="list-style-type: none"> ▪ The minimum retention period applies to the record copy regardless of the storage format for the record (paper, electronic, microfilm, etc.). ▪ Unless otherwise specified in this retention schedule, duplicate copies may be destroyed at the discretion of the duplicate copy custodian provided they have no further administrative or other value. Duplicate copies should not be retained longer than the record copy. ▪ No record that is eligible for destruction under the retention schedule can be destroyed if it is pertinent to any anticipated, current or pending litigation, claim or audit or the subject of a legal hold. 		

Record Title	Record Copy Custodian	Record Copy Minimum Retention Period
1. AFFIRMATIVE ACTION RECORDS.		
A. Affirmative Action Applicant Flow Records. Applicant's name, date of application, race, sex, referral source, job applied for, interview information, disposition of application.	Human Resources	1 year + current from the date the record was made or the personnel action was taken, whichever is later
B. Affirmative Action Plans. Affirmative action plans prepared for the County.	Human Resources	Permanent <i>Duplicate Copies:</i> 1 year + current
C. Discrimination Charges or Enforcement Actions. Personnel records relevant to charge, including records relating to charging party and to all other employees holding positions similar or sought after, such as application forms, test papers or performance documentation.	Human Resources	Until final disposition of charge or action and with authorization of legal counsel (2 years minimum)
D. Form EEO-4. Records submitted to the Equal Employment Opportunity Commission (EEOC) documenting compliance with EEOC requirements by organizations with 15 or more employees.	Human Resources	3 years
E. Requests for Reasonable Accommodation. Disabled job applicants and employees requests for reasonable accommodations.	Human Resources	1 year + current from the date the record was made or the personnel action was taken, whichever is later

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2. AGREEMENTS AND CONTRACTS – EMPLOYMENT. Individual employment contracts or agreements, or where not in writing, a written memorandum summarizing the terms.	Human Resources	3 years after expiration
3. BENEFIT RECORDS.		
A. Benefit Plan Basis. Records providing the basis for all required plan descriptions and reports necessary to certify the information, including vouchers, worksheets, receipts, application resolutions, etc.	Human Resources	Not less than 6 years after filing date of documents
B. Benefit Plan Enrollment Records. Records of employee selection of benefit plans.	Human Resources	10 years + current after separation from employment
C. Benefit Plans. Documentation relating to employee health, dental, vision and other insurance plans; Social Security, pension, deferred compensation, IRAs, money purchase plans, retirement and similar plans; including benefit plan description and/or summary benefit plan descriptions and plan amendments.	Human Resources	Full period that plan or system is in effect, plus 1 year after termination of the plan
D. COBRA Notices – Continuing Group Health Insurance Coverage. Notices to covered employees, spouses and dependents of continuing group health insurance and COBRA rights, and records relating to whether employee, spouses and dependents elected or rejected continuing coverage.	Human Resources	3 years + current after separation from employment
E. Filings with Taxing Authorities to Qualify Employee Benefit Plans.	Human Resources	5 years after discontinuance of plan
F. Insurance Claim Records – Employees. Records pertaining to employee claims for medical, dental, long-term disability and other insurance coverage.	Human Resources	3 years + current after incident is closed and all rights of appeal have expired
G. Pension Plan Records.		
1) Actuarial Reports. Actuarial reports regarding County pension plans.	Human Resources	Permanent
2) Awarded Pension Records. Records of pensions awarded, including applications, determination letters, and actuarial calculations for the pension.	Human Resources	10 years after pension benefits are no longer paid or after eligibility for pension benefits ceases, whichever is later
H. Retirement Files. Records containing calculations and supporting documentation regarding retirement eligibility, retirement amounts, and other information pertaining to current and potential future pensions.	Human Resources	10 years after retirement benefits are no longer paid or after eligibility for retirement benefits ceases, whichever is later

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4. COMMERCIAL DRIVER’S LICENSE (CDL) RECORDS. ¹ Records relating to Commercial Driver’s Licenses issued to County employees.		
A. Administrative Records.	Human Resources	5 years
B. Annual Calendar Year Summary.	Human Resources	5 years
C. Collection Process Records.	Human Resources	2 years
D. Test Result Records – Alcohol and Controlled Substances.		
1) Alcohol Test Results.		
a. Concentration Greater than 0.02.	Human Resources	5 years
b. Concentration Less than 0.02.	Human Resources	1 year
2) Controlled Substances Test Results.		
a. Driver Verified Positive Test Results.	Human Resources	5 years
b. Negative and Cancelled Test Results.	Human Resources	1 year
E. Test Refusal Documentation.	Human Resources	5 years
F. Training and Education Records. Technicians, supervisors, drivers.	Human Resources	Maintained by employer while individual performs the functions which require the training and for 2 years after the individual ceases to perform those functions
5. CORRESPONDENCE AND GENERAL DOCUMENTATION. Correspondence and documentation of a general nature.	See: Section 15 General Records – Correspondence and General Documentation	
6. EMPLOYEE RECORDS.		
A. Awards – Employees. Records of service awards presented to employees by the County.	Human Resources	1 year + current
B. Court-Ordered Worker Records. Records of community service workers ordered by the courts to perform work for the County as an alternative sentence; includes time sheets, record of work performed, and correspondence.	All Departments	3 years + current after separation from employment

¹ 49 CFR 382.401(d): The required records shall be made available for inspection at the employer’s principal place of business within two business days after a request has been made by an authorized representative of the Federal Motor Carrier Safety Administration. If these records are stored electronically, they must be easily accessible, legible, and formatted and stored in an organized manner or they must be converted to printed format in a rapid and readily auditable manner.

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C. Employee Files. Employee information, name, address, birth date, application and supporting documentation, occupation, rate of pay, compensation earned weekly, length of service and other pertinent data, promotion records, demotion records, termination records, performance evaluations, new employee checklist, personnel action forms, position requisition forms, position information questionnaires (PIQ), position assessments, reference checks, etc.	Human Resources <i>Note:</i> The Sheriff's Office maintains its own personnel records, and this retention schedule does not apply to that department.	Master HR Files: 10 years + current after separation from employment Departmental Employee Files: Consult with Human Resources regarding transfer or disposal of departmental employee records upon termination of employment <i>Note:</i> The above retention periods do <u>not</u> apply to the Sheriff's Office.
D. Employee Medical Records.	See: Medical Records below	
E. Employment Verifications. Records of verification of employment in response to external requests i.e., verifications of employment status needed for loans, child support, job applications, etc.	Human Resources	1 year + current
F. Fair Credit Reporting Release of Information Forms.	Human Resources	3 years + current
G. FLSA Exempt Employee Records.	See: Section 23 Payroll Records – Payroll Basis Records	
H. FMLA Leave Records.		
1) Exempt Employees.	Human Resources	3 years
2) Non Exempt Employees.	Human Resources	3 years
I. INS Forms I-9. Employment Eligibility Verification Forms for employees hired after 11/6/86.	Human Resources	3 years from date of hire, or 1 year after separation, whichever is later (minimum of 3 years)
J. Non-Hired Applicant Records.	See: Recruitment Files below	
K. State of Colorado New Hire Reports.	See: Section 23 Payroll Records – State of Colorado New Hire Reports	
L. Temporary or Seasonal Worker Records. Records documenting work performed for the County by temporary or seasonal workers, including interns (not including payroll or fiscal records).	Human Resources	3 years + current after separation from employment
M. Training Records.	See: Training Records below	
N. Veterans – Military Leave of Absence.	Human Resources	5 years + current after military leave commences

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<p>O. Volunteer Worker Records. Records documenting work performed for the County by individuals without compensation for their services, including applicants, records of background investigations, individual recognition and timesheets.</p>	All Departments with Volunteer Workers	3 years after separation from volunteer service
<p>7. FINANCIAL RECORDS.</p>	See: Section 13 Financial Records	
<p>8. LEAVE REQUESTS. Applications submitted by employees for sick, vacation, compensatory, personal business, family and medical leave, long-term leave and other leave time.</p>	<p>Long Term Leave and Misc. Leaves of Absence: Human Resources</p> <p>Vacation, Sick Leave and Compensatory Leave: All Departments Creating These Records</p> <p>See also: Section 23 Payroll Records – Leave Records</p>	1 year + current
<p>9. MEDICAL RECORDS – EMPLOYEES.</p> <p><i>Note:</i> Federal law requires employee medical records to be retained separately from employee files.</p>		
<p>A. ADEA or ADA Medical Exams. Medical exams required under the Age Discrimination in Employment Act (ADEA) or the Americans with Disabilities Act (ADA) in connection with any personnel action.</p>	Human Resources	1 year, or until final disposition regarding the personnel action
<p>B. Drug and Alcohol Abuse Testing.</p>		
<p>1) Commercial Driver’s License (CDL) Records.</p>	See: Commercial Driver’s License Records above	
<p>2) County Policy Drug Testing. Part of “shadow” medical files separate from employee records – includes post accident, pre-employment (for those hired), probable cause, random, etc. and does not include CDL testing.</p>	Human Resources	10 years + current after separation from employment
<p>C. Employee Medical Records Files in General. Includes baseline medical assessments for new employees (if required), hazardous or toxic substance exposure records, radiation exposure records and similar employee medical records.</p>	Human Resources	30 years + current after separation from employment
<p>D. Environmental Workplace Monitoring and Measuring Records.</p>	See: Section 11 Facilities Records	

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E. FMLA Physical and Medical Records. Records required to be retained under Family and Medical Leave Act (FMLA); includes an FMLA leave request relating to medical certifications, recertification or medical histories of employees or employees' family members. ²	Human Resources	No less than 3 years
F. HIPAA Authorizations for Release of Information. Employee (patient) authorizations for release of protected health information.	Human Resources	6 years from the date of creation of the record
G. Respirator Fit Tests.	Departments Using Respirators	Until the next fit test is administered
H. Spirometry Testing Records. Annual lung tests for those who use respirators.	Departments Using Respirators	30 years + current after separation from employment
10. PAY AND SALARY RECORDS.	See also: Section 23 Payroll Records	
A. Pay Plans. Written plans outlining job titles and pay scales for County employees.	Human Resources	Permanent
B. Salary Surveys. Studies and surveys conducted by the County or its agents to gather comparative salary information for positions in comparable organizations.	Human Resources	3 years + current, or until next salary survey is completed, whichever is longer
C. Wage-Rate Tables. All tables or schedules (from their last effective date) of the employer which provide the piece rates or other rates used in computing straight-time earnings, wages, or salary, or overtime pay computation.	Human Resources	3 years
11. PERSONNEL POLICIES, RULES AND PROCEDURES.		
A. Employee Handbooks.	Human Resources	Permanent <i>Duplicate Copies:</i> Until superseded
B. Personnel Policies, Rules and Procedures - In General. Documentation, including written materials such as personnel policy manuals that would be useful in establishing past policies or procedures in personnel disputes and other circumstances.	Human Resources	Permanent <i>Duplicate Copies:</i> Until superseded

² These records shall be maintained in separate files/records and be treated as confidential medical records, except that supervisors and managers may be informed regarding necessary restrictions and accommodations, not the nature of the condition, first aid and safety personnel may be informed (when appropriate) if the employee may/might require emergency treatment, and government officials investigating compliance with FMLA shall be provided relevant information.

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12. RECRUITMENT RECORDS.		
A. Advertisements. Advertisements for job openings, promotions, training programs or overtime work; job announcements posted internally.	Human Resources	1 year + current from date of related personnel action
B. Applicant Records.		
1) Applicants Hired.	See: Employee Records above	
2) Applicants Not Hired. Applications and supporting documentation, exams, waivers for job applicants not hired.	Human Resources	2 years + current from the date of the making of the record or the personnel action involved, whichever occurs later
C. Interviewing Records. Master lists of interview questions asked at hiring interviews.	All Interviewing Departments Human Resources (when HR participates in the interview process)	1 year + current from the date of the making of the record or the personnel action involved, whichever occurs later
D. Job Descriptions and Specifications. Written descriptions of duties performed, qualifications and physical requirements for County positions.	Human Resources	2 years <i>Duplicate Copies:</i> Until superseded
E. Test and Examination Records. Aptitude or other tests administered in connection with screening applicants for County employment.	Human Resources	2 years + current from making of the record or the personnel action involved, whichever is later
13. REPORTS - PERSONNEL.		
	See: Section 15 General Records - Reports	
14. SAFETY RECORDS.		
A. Employee Right to Know Forms. Hazardous materials orientation training.	All Departments with Hazardous Materials	30 years + current after separation from employment
B. Material Safety Data Sheets (MSDS).	See: Section 11 Facilities Records	
15. TRAINING RECORDS.		
A. Orientation Training Acknowledgement Forms. Completed during orientation session for new hires.	Human Resources	10 years + current after separation from employment
B. Technical Training Files. Records relating to technical training and credentials of County employees i.e. forklift training, operator credentials, etc.	All Departments Creating Such Records	10 years + current after separation from employment
C. Training and Conference Material. Material from external training sessions and conferences.	All Departments Creating Such Records	Destroy at option

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D. Training Database. Records relating to classes, training attended for individual employees (documentation for vouchers submitted for reimbursement).	Human Resources	Until superseded
E. Tuition Reimbursement Records. Applications and supporting documentation for tuition reimbursement for employees.	Human Resources	1 year + current after audit
16. UNEMPLOYMENT INSURANCE RECORDS.		
A. Colorado Unemployment Tax Records.	See: Section 23 Payroll Records	
B. Unemployment Insurance Claims and Supporting Documentation.	Human Resources	5 years + current
17. WORKER'S COMPENSATION RECORDS.	See: Section 30 Risk Management Records	