

File Retention Policies

In Missouri, the Local Records Board sets the minimum retention periods for records of local governments. These retention policies are maintained by the Secretary of State and can be found at <http://www.sos.mo.gov/archives/localrecs/schedules/>. Make sure to check for the most recent retention policies. The following is taken from the General Records Retention Schedule August 2011 revision.

Employee Personnel Records

The master personnel records maintained for each employee may include: job application, notices of appointment, personnel transaction records reflecting position classification and salary level, employee orientation checklists, payroll withholding information, leave summary record, performance documentation, and other records related to an individual's employment.

- ❖ **Minimum Retention:** 75 years from date of hire

Note: Duplicate copies may be kept at the office or department level. These records should be retained one year following separation, and then transferred to the Personnel Officer for evaluation.

Employee Medical Records

Records documenting an individual employee's work related medical history. Records may include but are not limited to: medical examination records (pre-employment, pre-assignment, periodic, or episodic), X-rays, records of significant health or disability limitations related to job assignments, documentation of work related injuries or illnesses, hearing test records, hazard exposure records (see below), drug testing records, first aid incident records, physical examination statements, Family Medical Leave Act records, release consent forms, and related correspondence. Hazard exposure records document an employee's exposure to hazardous conditions such as chemicals, toxic substances, blood borne pathogens, biological agents, bacteria, virus, fungus, radiation, noise, dust, heat, cold, vibration, repetitive motion, or other dangerous conditions.

- ❖ **Minimum Retention:** Hazard Exposure Records 30 years after separation; all other records 7 years after separation

Note: These records are not personnel records. Pursuant to the Americans with Disabilities Act, medical records must be kept physically separate from personnel records. See also: 29 CFR 1910.1020 for more information on the retention of Hazard Exposure Records.

Time and Attendance Records and Leave Requests

Records documenting hours worked and leave hours accrued or taken by employees on a daily, weekly, or monthly basis. Also documents hours of court ordered community service completed by non-employees. Records documenting an employee's request for sick, vacation, compensatory, or other leave time.

- ❖ **Minimum Retention:** 3 years plus completion of audit

Equal Employment Opportunity (EEO) Records

Records documenting the adoption, administration and compliance with US Equal Employment Opportunity Commission regulations may include: policies, plans, procedures, work place analyses, EEO-4 reports and related records and complaint records (which may include reports, exhibits, withdrawal notices, copies of decisions, hearing and meeting records, and related documentation and correspondence).

- ❖ **Minimum Retention:** Plans, policies and updates: Permanent; Complaint records: 3 years after final decision; other records: 3 years

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legal counselors to local government
314.446.0800
www.municipalfirm.com

Employment Eligibility Verification Forms

Also Called: I-9 Forms

Function: Documents the filing of US Immigration and Naturalization Service form I-9, which verifies that an applicant or employee is eligible to work in the United States.

- ❖ **Minimum Retention:** Retain for length of employment plus one year

Note: This form is not part of the Employee Personnel Record and should be filed separately.

Employee Benefit Records

Document an individual employee's benefit information such as selection of insurance plans, retirement, pension and disability plans, deferred compensation plans, and other benefit information.

- ❖ **Minimum Retention:** Retain year-end leave balance reports and a copy of retirement enrollment records 75 years after date of hire. Retain other records 3 years after employee separation or eligibility

Federal and State Tax Records

Records used to report the collection, distribution, deposit, and transmittal of federal and state income, social security, and unemployment taxes. Examples include W-2, W-4, the federal miscellaneous income statement (1099), request for taxpayer identification number and certificate (W-9), employers' quarterly federal tax return (941, 941E), tax deposit coupon (8109), and similar federal and state completed forms.

- ❖ **Minimum Retention:** 5 years

Volunteer Program Records

Document the activities and administration of volunteer programs, are used for program planning and may also include volunteer hour statistics, volunteer program publicity records, insurance requirement information, inactive volunteer files, and related records.

- ❖ **Minimum Retention:** 5 years

Volunteer Worker Records

Document work performed by citizens without compensation for their services and may include agreements, applications, skills test results, training documentation, task assignment and monitoring records, and related information.

- ❖ **Minimum Retention:** 3 years after separation

Drug Testing Records

Document the testing of current and prospective employees for controlled substances prohibited by policy, procedure, or statute.

- ❖ **Minimum Retention:** Positive test results 5 years. Negative test results 1 year. If filed with Employee Medical Records, retain 7 years after separation.

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Last Revised March 31, 2012

Employment Grievance and Complaint Records

Grievances or complaints filed by current employees, terminated employees, applicants, or private citizens regarding employment practices. Often relate to interpretations and alleged violations of employment contracts and may include complaints, investigation records, interview and hearing reports, arbitrator's findings and decisions, tape recordings and related records.

- ❖ **Minimum Retention:** 5 years after final disposition

Note: May be filed with employee's personnel records.

Employment Recruitment and Selection Records

Document the recruitment and selection of employees. Records may also document the recruitment and selection of contracted service providers such as attorneys, auditors, insurance agents, consultants, and others. Records may include but are not limited to job announcements and descriptions, applicant lists, applications and resumes, position advertisement records, civil service and other examination records, classification specifications, affirmative action records, interview questions, interview and application scoring notes, applicant background investigation information, letters of reference, civil service records, position authorization forms, certifications of eligible applicants, recruitment summary records (job announcement, position description, documentation relating to the announcement and test, and test items and ratings levels), and related correspondence and documentation.

- ❖ **Minimum Retention:** Retain announcement records, position description, and test and rating records 3 years; Retain unsolicited applications and resumes 6 months if not returned to the solicitor; Retain unsuccessful applications and other records 1 year after position filled or recruitment.

Position Description, Classification, and Compensation Records

Records document the description, classification, and compensation of jobs and positions. Usually includes details of duties and responsibilities of each position, time percentage breakdowns of tasks, skills and abilities needed for each position, and related records documenting the development, modification, or redefinition of each job or position. Records often include reports, position descriptions, position evaluations, compensation studies, wage determination surveys, job analyses, interview data, selection criteria, authorizations, agreements, and related records.

- ❖ **Minimum Retention:** 3 years after obsolete or superseded

Training Records

All records associated with or documenting the job-related instruction of employees/officials for job proficiency, enhancement or for the promotion of skill attainment or improvement and may include: 1) Training materials including but not limited to: course descriptions, manuals, textbooks, worksheets, handouts, films, videos, and course outlines; 2) Program records including but not limited to: instructor roster and certifications, planning and development documentation, class enrollment and attendance records, and course evaluations; and 3) Individual Employee/Official Training Records including but not limited to: name of employee, social security number, date attended, course title, agency or educational institution, hours of credit, test scores, final grades, certificates of training.

- ❖ **Minimum Retention:** 1) Training materials, retain one copy permanently; 2) Program materials, retain 3 years; 3) Individual Employee/Official Training Records, retain 5 years after termination of employment any records not transferred to the employee/official's master Personnel Record.

Unemployment Insurance Case Files

Documents unemployment claims.

Minimum Retention: 2 years after last action

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Worker's Compensation Case File

Document claims filed against local government and may include: insurance claim forms, copy of hospital, physician, ambulance and medication bills, death and birth certificates, reports, photographs, summaries, reviews, notices, audio and videotapes, transcriptions of recorded statements, memoranda, correspondence, and related documents used in processing the claim.

- ❖ **Minimum Retention:** If action taken, retain 10 years after case closed, dismissed, or date of last action; If no action taken, retain 3 years

Accident Report Files

Contain reports which describe accidents involving city employees that result in personal injury.

- Minimum Retention:** 5 years after case concluded.

Employee Pension Plan File

Records used to establish and administer the municipal pension plan such as the official pension plan and may include the official pension plan, amendments, financial statements, audit reports, annual reports, annuity payments and actuarial valuation of the fund.

- ❖ **Minimum Retention:** 10 years

Retirement System Monthly Transaction Registers

LAGERS - Report that shows the status of individual pension accounts

- ❖ **Minimum Retention:** 10 years

Internal Affairs Records

Documents internal investigations

- ❖ **Minimum Retention:** Complaint Report, Not Sustained, 1 Year; Complaint Face Sheet, Not Sustained, until termination; Complaint Report, Sustained, 5 Years; Complaint Face Sheet, Sustained, until termination; Unfounded, Exonerated, Withdrawn Complaints, until settlement.

Note: Not part of personnel file, however, any disciplinary action taken as a result of the investigation would be part of the personnel file.

All personnel records which are beyond the retention period should be **securely** destroyed, unless they are the subject of litigation or possible litigation then they should be maintained until after the completion of the litigation.

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