

Subject: Human Resources Records Retention and Destruction Policy
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Effective Date: September 10, 2009

Approved By: Board of Directors
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Policy:

The school's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the school will only collect personal information that is required to pursue its business operations and to comply with government reporting and disclosure requirements. Personal information collected by the school includes employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and school/college or certification credentials.

Personal employee information will be considered confidential and as such will be shared only as required and with those who have a business-related need to have access to such information. All hard copy records will be maintained in locked, secure areas with access limited to those who have a business-related need for such access. Personal employee information used in school system applications will be safeguarded under school proprietary electronic transmission and intranet policies and security systems. Participants in school benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

School-assigned information, which may include organizational charts, department titles and staff charts, job titles, department budgets, school coding and recording systems, telephone directories, e-mail lists, company facility or location information and addresses, is considered by the school to be proprietary school information to be used for internal purposes only. The school maintains the right to communicate and distribute such school information as it deems necessary to conduct business operations.

The human resources department retains and destroys personnel records in accordance with School policies on Confidential Documents and Records Disposal as well as federal and state laws governing records retention. The following outlines the Human Resources Department's operating procedures for personnel records retention and destruction of documents when such retention periods have passed. If the School's retention procedure is not of sufficient duration for federal or state laws, this procedure will be superseded by the federal or state requirements. It is the responsibility of the director of human resources to ensure compliance with this policy and the procedures outlines below.

The human resources department maintains candidate and employee record information, payroll audit reports, and government compliance reports. All are subject to the retention requirements and destruction policies which follow:

Procedure:

1. Employee information records are maintained in segregated personnel files as noted:
 - a. Pre-employment information
 - b. I-9 forms
 - c. Benefit plan and employee medical records
 - d. Health and safety records
 - e. Employee general personnel records
2. Payroll audit reports are maintained in reverse chronological sequence and filed independent of employee information.
3. Government compliance reports are maintained in reverse chronological sequence and filed independent of employee information.

4. All paper personnel records and confidential employee data maintained by human resources will be destroyed by shredding after retention dates have passed; this pertains to all personnel records, not just those governed by the Fair and Accurate Credit Transactions Act (FACTA).
5. Paper application materials submitted by applicants for employment who were never employed are also to be shredded.
6. Personnel records and confidential employee data will not be discarded and any employee found negligent in protecting these records will be subject to the School's disciplinary action policy.
7. Personnel records include electronic as well as paper records. The human resources director will interface with the IT department periodically but no less than annually to review and ensure that human resources electronic records relating to employee information and compliance reports are properly purged.
8. If an electronic system used in processing or storing employee personal information is compromised, the Human Resources Director is responsible for coordinating efforts with the Information Technology department to segregate that system from the Internet and protect the employee personal information.
9. If an employee becomes aware of a material breach in maintaining the confidentiality of his or her personal information, the employee should report the incident to the Human Resources Director. The Human Resources Director has the responsibility to investigate the incident and take corrective action.
 - a. Note that a standard of reasonableness will apply in these circumstances. Examples of the release of personal employee information that will not be considered a breach include the following:
 - i. Release of partial employee birth dates (i.e., day and month) is not considered confidential and will be shared with department heads who elect to recognize employees on such dates.
 - ii. Personal telephone numbers or e-mail addresses may be distributed to department heads in order to facilitate school work schedules, business operations, or emergency notification procedures.
 - iii. Employee identification numbers used in salary or budget planning, review processes and for timekeeping purposes will be shared with department heads.
 - iv. Employee's school anniversary or service recognition information will be distributed to appropriate department heads periodically and may be recognized publicly.
 - v. Employee and dependent information may be distributed in accordance with open enrollment processes for periodic benefit plan changes or periodic benefits statement updates.

The following sets forth the retention periods of records related to terminated employees and applicants, as well as compliance reports:

Original Policy 03/09/07
Revised Policy 09/10/09

Record Type	Specific Records	Conditions	Retention Period
Pre-employment Records	Resumes/applications and related employment materials including interview records/ notes	For applicants not hired	2 years from submission
		For employees	4 years after date of termination
	Background checks, drug test results, driving records, employment verifications, letters of reference, and related documents	For applicants not hired	2 years from submission
		For employees	4 years after date of termination
Employee Records	I-9 Forms		The later of three years from date of hire or one year following termination of employment.
	Compensation, job history and timekeeping records		4 years after termination*
	FMLA/USERRA and related leave records		4 years after termination*
	Performance appraisal/ disciplinary action records		4 years after termination*
Benefit records	All		6 years after termination*
Employee safety records	OSHA or CalOSHA		5 years after termination*
Workers' Compensation Claims			30 years after date of injury/illness*
*Records related to disputed issues	Disputes involving external agencies or parties	Wage claim; lawsuit; DOL investigation or charges, including the EEOC; DFEH investigation or charges; arbitrations, court actions, etc.	2 years after resolution of dispute.
Compliance Reports/Records	State New Hire reports		1 year after report is filed
	EEO-1/VETS-100	If applicable	4 years after report is filed
	Annual Affirmative Action plans	If applicable	2 years after close of AAP year
	OSHA 300/300A	If applicable	5 years after posting
	Federal/State tax reports		4 years after report is filed
Payroll Audit Reports			Retained until no longer required by the business/accounting manager.