



Human Resource Policy Manual

Subject: Record Retention Policy

HR Policy: 340

Effective Date: 05/01/05

Revision: Revision Date: Page 1 of 2

Board of Directors Approval: 03/12/05

MSHS Policy Council Approval: 04/02/05

This Policy has been drafted as a guideline for our employees. Final interpretation of the items discussed will be governed by the applicable procedure statements and the Human Resources Department. It shall not be construed to form a contract between our employees and the operating units of Texas Migrant Council, Inc. Texas Migrant Council, Inc., reserves the right to alter, rescind, or change any part or section of this Policy unilaterally and without prior notice.

1.0 PURPOSE

This policy outlines the general requirements for Human Resources records retention.

2.0 SCOPE

This policy defines the period of time for which employee records are to be retained. Unless employee file maintenance causes severe space problems, it is recommended that records be kept in perpetuity. For Federal statutes, 3 to 5 years is the typical timeframe.

3.0 RESPONSIBILITY

The administration of this policy is the sole responsibility of the Human Resources Department. No employee records should be destroyed without first checking with Human Resources.

4.0 SEPARATE RECORDKEEPING of CERTAIN RECORDS

4.1 Records used to complete Form EEO-1, which refer to an employee's racial or ethnic identity, should be retained in a separate file from an employee's regular personnel file.

4.2 Employee medical records must be kept in a separate location from regular personnel files. Medical records include records obtained as a result of a request for FMLA leave, attempts to reasonably accommodate a disability under the Americans with Disabilities Act, drug testing or investigation and administration of a workers' compensation claim.

4.3 Medical records should be maintained in a highly confidential manner and should be released only when:

4.3.1 supervisors/managers need access for work restriction or accommodation purposes;

4.3.2 first aid or safety personnel need access for emergency treatment; or

4.3.3 government officials request access as part of an official investigation.



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5.0 FEDERAL REQUIREMENTS

<u>RECORD</u>	<u>RETENTION PERIOD</u>
Accident reports and claims (settled cases)	5 years
Correspondence (general)	3 years
Correspondence (legal and important matters)	Permanent
Employee personnel records (after Termination)	Permanent
Employment Applications	1 year
Insurance Policies-Employee Benefit Plans (expired)	6 years
Safety and health records (including accident reports, medical claims and any documentation deemed relevant to the situation)	5 years
Payroll records and summaries, including payments to pensions	4 years
OSHA required health records and exposure records	30 years
Profit-Sharing/Pension records	Permanent
I-9 Immigration Forms	3 years
FMLA Records	3 years