



## POLICY NO. 123

SUBJECT: MAINTENANCE PERIODS FOR PERSONNEL RECORDS

### I. PURPOSE

- A. To comply with various federal and state laws and regulations concerning retention of employment records;
- B. To establish calendaring procedures concerning disposal of outdated employment records; and
- C. To promote the efficient use of the Cooperative's storage resources and capacities.

### II. POLICY CONTENT

The Cooperative shall retain, preserve and destroy personnel and employment-related records according to the following record retention schedule, except to the extent that further record preservation is required under a Document Hold Notice:

- A. Recruitment
  - 1. Advertisements:
    - a. Job postings and advertisements for job vacancies shall be retained for two (2) years following the selection of a candidate.
    - b. Job postings and advertisements shall be placed in a separate file at the conclusion of the selection process. The file shall be conspicuously marked for destruction after the end of the two (2) year period.
  - 2. Applications and Resumes:
    - a. Except as provided herein, the Cooperative shall retain applications and resumes for a period of one (1) year following a selection for the vacancy. Application forms shall indicate that applications and resumes will be destroyed after twelve (12) months. Unsolicited applications and resumes may be retained for six (6) months.
    - b. The applications and resumes of non-selected candidates shall be placed in a separate file at the conclusion of the selection process.

The file shall be conspicuously marked and dated for destruction after one (1) year.

- c. In the event of a legal challenge to any selection decision, all files relating to the subject position or job category, regardless of date, shall be immediately secured and retained pending further instruction from the Cooperative's legal counsel.

B. Personnel Files

1. The application and/or resume of the selected candidate shall be placed in the new employee's personnel file and retained for the life of the file.
2. Performance reviews and disciplinary records shall be placed in the personnel file. Performance and disciplinary records shall be maintained for the life of the personnel file.
3. Upon separation of an employee, the personnel file shall be conspicuously marked for destruction five (5) years following the date of separation.
4. In the event of any legal challenge by an employee, the entire personnel file and all other records relating to the employee shall be immediately secured and retained for delivery to the Cooperative's employment counsel.

C. I-9 Forms

1. The Cooperative shall maintain and preserve I-9 forms in a separate I-9 file.
2. The Cooperative shall destroy I-9 forms three (3) years after the date of hire or one (1) year after the date of termination, whichever is later.

D. Payroll

1. General payroll records shall be preserved for a period of three (3) years following the date of creating the record.
2. Any records necessary for determining retirement benefits shall be preserved for at least six (6) years following date of lump sum distribution.
3. Specific payroll records shall be preserved indefinitely to the extent they could be necessary for establishing or confirming eligibility for pension benefits, or otherwise calculating the employees' levels of benefits under such Plans.

E. Employee Benefits

1. Employee benefit records for individual employees shall be maintained for the duration of employment, plus three (3) years.
2. Plan documents shall be maintained for the life of the Plan, plus three (3) years.

F. Medical, Worker Injury and Exposure Records

1. All general medical records shall be maintained separately from personnel files. The medical records file shall be conspicuously marked for destruction three (3) years following the date of separation, subject to the specific requirements below.
2. As required by 29 C.F.R. 1910.1020, records of employee exposure to hazardous substances shall be maintained for the duration of employment, plus thirty (30) years.
3. Reports of work-related injury shall be maintained for a period of five (5) years following the date of the incident.
4. In the event of a claim against the Cooperative's Workers' Compensation policy, record maintenance and disposal shall be coordinated with the Cooperative's insurance carrier.

G. Drug and Alcohol Tests

Drug and alcohol testing records, including records relating to the Cooperative's drug and alcohol testing for commercial drivers, shall be maintained for five (5) years from the date the record was created.

H. Affirmative Action

1. The Cooperative shall maintain its current affirmative action plan and its plans from the two (2) preceding years, such that at all times it has a total of three (3) plans in its possession.
2. The Cooperative shall dispose of prior plans on a rotating basis, upon the receipt of the most recent plan.

III. RESPONSIBILITY

The General Manager shall be responsible for administration of this policy.

APPROVED BY THE BOARD OF TRUSTEES

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PRESIDENT

EFFECTIVE DATE: \_\_\_\_\_

REVISED DATE: \_\_\_\_\_