

Record Keeping Requirements			
<u>Category</u>	<u>Contents</u>	<u>Federal Requirement</u>	<u>Massachusetts Requirement</u>
Personnel File	Record of: employee name, address, date of birth, job title & description, rate of pay, any compensation terms, start date, job application, resume, performance evaluations, written warnings of substandard performance, list of probationary periods, waivers signed by employee, copies of dated termination notices, records of hiring, promotion, demotion, transfer, layoff.	Title VII of Civil Rights Act of 1964 - Retain for 1 year from the date of making the record or taking the personnel action, whichever is later. Rehabilitation Act of 1973 - 2 years	Retain from date of employment to a date of 3 years after the employee's termination of employment.
Job Applications and/or resumes	Resumes and employment applications; all notes pertaining to the selection process of an applicant	2 years - US Dept of Labor/OFCCP	1 year
Job Orders & Job Advertisements	Submitted by employers to employment agency for recruitment of personnel and notices submitted to public for job openings.	2 years - US Dept of Labor/OFCCP	1 year
Payroll Records	Payroll records for each employee containing name, address, date of birth, gender, occupation, rate of pay, compensation earned each week, hours worked per day, total overtime, additions or deductions from wages, pay period covered, amount of pay.	ADEA - 3 years Equal Pay Act - 3 years FLSA - 3 years	At least 3 years from termination of employment
Social Security Records	Name, address, ssn, total amount of each payroll payment, date of payroll payment, amount subject to FICA tax, amount of each employee FICA contribution	4 years	N/A
Mass Division of Employment Security	Payrolls, working sheets, and other records from which information is assembled for reports filed with the Massachusetts Division of Employment Security.	N/A	4 years
Minimum Wages & OT Pay - Massachusetts	For each employee: names, addresses, occupations, amount paid each pay period, hours worked each day and week.	Child Labor & FLSA - 2 years	3 years

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ERISA	Records regarding employee's health and /or welfare benefit plan, including but not limited to: benefit plans and summary plan descriptions, annual reports, notice of reportable events (such as plan amendments). Also, employee's age, service record, and marital status.	6 years	N/A
Family and Medical Leave Act	Basic payroll data, dates when FMLA leave is taken, hours of FMLA leave when taken in increments of less than one day, copies of written employee leave notices, copies of all leaves taken, benefit premiums paid, documents describing employee benefits or employer policies on paid and unpaid leave, records of disputes over designating leave as FMLA.	3 years	3 years
I-9 Forms	INS Form I-9 signed by employee and employer	3 years after date of hire or one year after termination, whichever is later.	N/A
ADA	Applications and other personnel records (e.g. promotions, transfers, demotions, layoffs, terminations) requests for reasonable accommodation.	1 year from making the record or taking the personnel action.	N/A
OSHA	Records of all medical exams required by law, medical records for any employee exposed to hazard	Maintain for duration of employment plus 30 years.	N/A
Affirmation Action Program	Affirmative Action Program along with good faith efforts.	Current year + 1 previous year	N/A
VETS-100	The Form Vets-100 is filed by the Office for Institutional Diversity.	2 years	N/A