



Employee Records: Filing Checklist

Purpose and Overview: It is vital to have correct use and completion of new employee forms in compliance with state and federal regulations and employer's personnel policies. Periodic review of personnel file contents should not be overseen. Every time a new employee begins work with your business, complete a New Employee Orientation to get him or her off on the right track. Use the following checklist of forms to help you.

* = Documents required by law.

FORM/DOCUMENT	FILE LOCATION	COMMENTS	Done? Y or N?
Employment application, job resume (if applicable)	Personnel file		
Job reference checks, recommendation letters	Personnel file		
Copy of original job description	Personnel file		
Personal data information and changes (e.g. name, address, education level)	Personnel file		
Recruitment records – writing samples, advertising records, rating sheets, additional job supplemental questionnaires, college transcripts, exam scores, etc. (if applicable)	Personnel file	These records can be placed in a Recruitment File (if one is available)	
New employee orientation checklist	Personnel file		
Acknowledgement of Employee Handbook (if handbook is available)	Personnel file	Be sure to allow the employee ample time to read the Employee Handbook before he or she signs this form	
Employee confidential history	Personnel file		
Performance reviews	Personnel file		
Health and retirement benefit records	Personnel file		
Documentation related to salary increases and promotions	Personnel file		
Documentation related to disciplinary action	Personnel file		
Trainings/class completion certificates or documents i.e. sexual harassment training, conflict resolution course, first aid, CPR, etc.	Personnel file		
Report of New Employee(s) form	Personnel file	Some states require all employers to report information on newly hired	

		employees to the state Registry. All employees must be reported, regardless of age, wages, work schedule, temporary status, or discontinuation of their employment before the specified deadline.	
Everything relating to an employee's medical history	Medical / Injury file		
OSHA records (if applicable)	Medical / Injury file		
COBRA records (if applicable)	Medical / Injury file	Usually, the benefits administrator maintains such records, however based on the business size, employers may need to maintain copies or originals of such records as well.	
FMLA records (if applicable)	Medical / Injury file		
Workers' Compensation claim records	Medical / Injury file	Personnel records for any employee who is injured while on the job	
Injury reports, medical reports	Medical / Injury file		
Vacation records	Payroll records file		
Sick time records	Payroll records file		
Time-off records – leave accrual and usage records, employee leave records	Payroll records file		
Records of additions to or deductions from wages	Payroll records file		
Authorization for extra hours/overtime documentation	Payroll records file		
Authorization for compensating time off	Payroll records file		
Time cards - records of hours worked	Payroll records file		
Work schedules	Payroll records file		
W 4 forms*	Payroll records file	Required by law to have employees fill this form.	
W 2 forms	Payroll records file		
Withholding and deduction documentation	Payroll records file		
Form I-9* (Employment Eligibility Verification)	I-9 file (DO NOT place in personnel records file)	Required by law to have employees fill in this form. Because I-9 files are subject to unique personnel records retention laws, a separate master file or three-ring binder will help ensure that you retain these mandated recordkeeping forms for as long as	

		necessary and can readily discard them after the retention period expires.	
EEOC charge of Discrimination and related documents (if applicable)	Other file	DO NOT place in the personnel record file, create a different file.	
Americans with Disabilities Act claim documentation (if applicable)	Other file	DO NOT place in the personnel record file, create a different file	
HIPAA documentation	Other file	DO NOT place in the personnel record file, create a different file	

Reminders for employers:

Basic personnel file — Keep items that were a factor in the employee’s hiring and employment in the past, and items that will have an impact on his or her employment in the future.

Medical file — Put everything relating to an employee’s medical history in a separate file. Why? You can’t legally base personnel decisions such as who gets promoted and who doesn’t on the medical histories of the people involved. And various privacy laws and the Americans with Disabilities Act (ADA) require that you keep confidential employee medical records separate from basic personnel files.

Injury file — Maintain a third file within your personnel records for any employee who is injured while on the job. That file should contain workers’ compensation claim records and injury reports, and any additional medical records on the injury.

Payroll records file — If you handle payroll for your organization, separate payroll-related records from the other files. Make sure you’re aware of the laws governing payroll records retention. Keep close tabs on vacation, sick time and other time-off records.

I-9 file — Employment law attorneys recommend that you keep all Form I-9s (Employment Eligibility Verification) in either a separate master file or three-ring binder. Because I-9 files are subject to unique personnel records retention laws, a separate master file or three-ring binder will help ensure that you retain these mandated recordkeeping forms for as long as necessary and can readily discard them after the retention period expires.

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