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THE CHARTER INSTITUTE AT ERKSINE

Record-Keeping Policy - Record Maintenance, Retention and Destruction

Purpose

The human resources (HR) department retains and destroys personnel records in accordance with the Charter Institute at Erskine's corporate policies on business records retention, as well as federal and state laws governing record retention. Below is an outline of the HR department's operating procedures for personnel record retention and destruction of documents when such retention periods have passed.

The HR department maintains both employee record information and government compliance reports. Both are subject to the following retention requirements and destruction procedures.

Maintenance of Employee Records

The following employee information records are maintained in segregated personnel files:

- 1) Pre-employment testing results and background check information.
- 2) I-9 forms.
- 3) Benefits plan and employee medical records.
- 4) Health and safety records.
- 5) General employee personnel records.

Government compliance reports are maintained in reverse chronological sequence and filed separately from the above employee information records.

Destruction of Employee and Applicant Records

All paper personnel records and confidential employee data maintained by the HR department will be destroyed by shredding after retention dates have passed; this procedure pertains to all personnel records, not just those governed by the Fair and Accurate Credit Transactions Act (FACTA).

Employment application materials submitted by applicants who were never employed should be shredded.

When a confidential record must be discarded or destroyed, it shall be marked as confidential and given to the Human Resources Department to be destroyed in accordance with the record destruction policies. Alternatively, hardcopy confidential records may be shredded using a shredder on the Charter Institute at Erskine's premises. In the case of remote employees, employees are discouraged from printing out or creating hard copies of confidential records where possible. If hard copies must be printed, created or kept, they should be stored in a locked cabinet, drawer or other secure location until they are no longer needed, or until the maximum retention period has ended. Remote employees must then destroy all confidential files by shredding them in a shredder on the Charter Institute at Erskine's premises, or otherwise rendering the documents unusable or unreadable.

Personnel records include electronic as well as paper records. The HR department will work with the IT department periodically but no less than twice annually to review and ensure that the HR department's electronic records relating to employee information and compliance reports are properly purged.

Litigation Hold

When the Charter Institute at Erskine is involved in or anticipates that it may be involved in litigation, the Institute's Attorney will issue a litigation hold. This means that all documents relating to the litigation matter must be kept in order to preserve any potential evidence.

If the Charter Institute at Erskine Attorney announces a litigation hold on any or all Charter Institute at Erskine records as a result of pending or anticipated litigation, all records covered by such litigation hold **MUST NOT** be discarded, deleted or destroyed. Further, the IT department will suspend the automatic deletion of emails for all individuals covered by the litigation hold. Any questions about the litigation should be directed to the Institute's Attorney.

Retention of Terminated Employees' Records

Record Types and Retention Periods are not all applicable to records currently maintained by Institute

Health & Benefits Records

Health & Benefits Beneficiary Forms	Termination + 3 yrs.
Medical, Dental/Vision Plan Elections	Termination + 3 yrs.
Drug Test Results	Termination + 3 yrs.
Education Assistance Program Records	Termination + 3 yrs.
FMLA Leave Reports	Termination + 3 yrs.
USERRA Leave Records	Permanent
Toxic & Bloodborne Pathogens Records	Termination + 30 yrs.
Job Related Injuries & Illnesses Records	Termination + 5 yrs.
Reasonable Accommodation Records	Termination + 3 yrs.

Pre-Employment/Employment Documents*

Job Description	Termination + 3 yrs.
Position Requisition	Termination + 3 yrs.
Recruitment Notice/Job Ads	Termination + 3 yrs.
Employment Application/Resume	Termination + 3 yrs.
Interview Evaluation	Termination + 3 yrs.
Assessment Results	Termination + 3 yrs.
Background Check Information	Termination + 3 yrs.
References/Verifications	Termination + 3 yrs.
New-Hire Action Form	Termination + 3 yrs.
Offer Letter	Termination + 3 yrs.
Form I-9	Termination + 3 yrs.
EEO Data Form	Termination + 3 yrs.
Employee Policy Acknowledgements	Termination + 3 yrs.
Conflict of Interest Statement	Termination + 3 yrs.
Intellectual Property Ownership/Nondisclosure	Termination + 5 yrs.
Employee Change Action Documents	Termination + 3 yrs.
Disciplinary Records	Termination + 3 yrs.

Employee Development Records	Termination + 3 yrs.
Position/Pay History Records	Termination + 3 yrs.
Employee Performance Reviews	Termination + 3 yrs.
International Assignment Documents	Termination + 3 yrs.
Relocation Agreement	Termination + 3 yrs.
Resignation Letter	Termination + 3 yrs.
Termination Action Form	Termination + 3 yrs.
COBRA Election Notice	Termination + 3 yrs.
Separation Agreement	Termination + 5 yrs.
Exit Interview Form	Termination + 3 yrs.
Unemployment Claim Records	Termination + 4 yrs.
* <i>Note:</i> If an applicant is ultimately not hired, the above records should be retained for three (3) years after the no-hire decision is made.	
Retirement	
401(k) Allocation Records	Termination + 4 yrs.
401(k) Loan Payment Forms	Termination + 3 yrs.
Pension Eligibility Records	Termination + 50 yrs.
Request for Calculation	Termination + 4 yrs.
Retirement Beneficiary Form	Termination + 50 yrs.

Payroll/Tax

Paychecks/stubs, W-2s, W-4s 4 yrs.

Earnings Register 4 yrs.

Employee Withholding 4 yrs.

Expense Reports 3 yrs.

Federal & State Payroll Tax Forms 4 yrs.

Federal Forms 1099 4 yrs.

Time Sheets/Cards 4 yrs.

Other Payroll Records

Computer Loan Agreement Termination + 5 yrs.

Direct Deposit Records Termination + 4 yrs.

Garnishment Records Termination + 4 yrs.

Final Payroll Deduction Checklist Termination + 4 yrs.

HR Policies & Reports

EEO-1 Reports Permanent

HR Policies While current + 3 yrs.

State New-Hire Reports 3 yrs.

Affirmative Action Plans/Records	5 yrs.
Form 5500	6 yrs.
OSHA 300/300A	Posting date + 5 yrs.
VETS-4212 Reports	5 yrs.
Charter Institute at Erskine Ethics Hotline Reports*	3 yrs.

* **Note:** If a Charter Institute at Erskine ethics hotline report is related to an employee disciplinary matter or other type of record listed herein, then staff should follow the retention period for that record.