

This is a general list that pertains to most employers in California. Employers should consult with an employment attorney to ensure that they are in compliance with all applicable document retention laws.

Types of Records	Time Period	Governing Law
<u>Payroll Records</u> Name, address, Social Security number, occupation, terms and conditions of employment, the beginning and end of each work period, total daily and period hours, meal periods and split-shift schedules, rates of pay, total wages paid each payroll period, net wages and deductions.	4 years	FLSA, Cal. Unemployment Insurance Code, statute of limitations for various wage and hour claims.
<u>Employee Wage Records</u> Time cards, wage rate calculation tables for straight time and overtime, shift schedules, individual employees' hours and days, piece rates, records explaining wage differentials between sexes.	4 years	FLSA, Cal. Labor Code and the statute of limitations for various wage and hour claims.
<u>Employee Personnel Files</u> Disciplinary notices, promotions and demotions, performance evaluations, discharge, layoff, transfer and recall files, training and testing files.	2 years	Title VII, ADEA, FEHA, ADA
<u>I-9 Forms</u> (employment eligibility forms)	The later of 3 years from hire date or 1 year after termination	Immigration Reform and Control Act
<u>Hiring Records</u> Job applications, resumes, advertisements for open positions, internal postings of open positions.	2 years	Title VII, FEHA, ADA, ADEA
<u>Employee Health Records</u> Records of job injuries, drug and alcohol test records.	5 years	OSHA, Cal-OSHA
<u>Employee Benefits Data</u> COBRA notices, summary plan descriptions and earnings, beneficiary designations.	6 years, but not less than 1 year following a plan termination	ERISA
<u>Workers' Compensation Records</u> Claim file for every work-injury claim containing at least the worker's name, the claim's administrator's claim number, the date of injury, an indication whether the claims is an indemnity or medical-only claim, an entry if there has been a denial, and a Certificate of Consent to Self-Insure (if appropriate).	5 years form the date of injury; 1 year from the date compensation was last provided to the employee; after all compensation due has been paid; if a claim file has been audited, when the audit becomes final.	Cal. Code of Reg.

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