

Personnel Data That Must Be Retained

	Title VII ₁	FLSA ₂	ADEA ₃	FEHA ₄	ADA ₅	EDD ₆	IRCA ₇
Job applications, resumes, other job inquiries sent to employer (FEHA: personnel and employment records including applications, employment referral records and applicant identification records)	1		1	2	1		
All payroll records, including individual employee wage records, name, employee number, address, age, sex, occupation, time and day work week begins, regular hourly rate, hours worked each day and total weekly hours, daily or weekly straight-time earnings, weekly overtime earnings, deductions from or additions to wages, wages paid each pay period, date of payment and period covered by payment	1	3	3	2	1	4	
Employee wage records (including time cards, wage rate tables used in computing straight-time and overtime, shift schedules, hours and days of individual employees, records explaining wage differentials between sexes)		2		2			
Child labor certificates and notices		3		2			
Employee personnel files (including disciplinary notices, promotions, demotions, discharge, training, tests, physicals, transfer, layoff and recall, job evaluations)	1		1	3	1		
Help wanted ads, job opening notices for opportunities for training, promotion, overtime, job opening notices sent to employment agencies or labor unions			1	2			
Employment Eligibility Verification (INS I-9 Forms)							3
Pension and welfare plan information			6	2			
First aid records of job injuries causing loss of work time <i>(Chemical safety and toxic exposure records - term of employment +30 years OSHA & Cal/OSHA)</i>			5				
Union contracts, individual employee contracts			3	2			
Business records, including yearly total sales volume, total goods purchased			3	2			

- Federal Equal Pay Act mandates that records required under FLSA be retained for 3 years.
- California Equal Pay Law requires employees wages, wage rates, job classifications, and other terms of employment to be retained for 2 years.
- California Administrative Code, Title 22, Section 70723(c) and 70725 require employee health records and personnel records to be retained for 3 years after termination of employment.

-
1. Title VII, Federal Discrimination Laws
 2. Fair Labor Standards Act (*FLSA*)
 3. Age Discrimination in Employment Act of 1967 (*ADEA*)
 4. California Fair Employment Housing Administration (*FEHA*)
 5. Americans with Disabilities Act (*ADA*)
 6. Employment Development Department - Unemployment Insurance Code Section 1085, 22 CCR 1085-2(c)
 7. Immigration Reform and Control Act of 1986 (*IRCA*)



Courtesy Pacific Employers

July 28, 2014

LAWSIZE.WPO