

CHILD PROTECTION SERVICES
STANDARDS FOR EFFECTIVE PRACTICE
STANDARDS FOR HUMAN RESOURCES

11.15 PERSONNEL RECORDS: REQUIREMENTS AND RETENTION

Council on Accreditation Standards

The Council on Accreditation Standards G4.2 (Personnel Policies and Procedures) and G4.11 (Personnel Records) link to and support Standard 11.5 *Personnel Records: Requirements and Retention*.

Administrative Code

There are no Ohio Administrative Code Rules that directly address Standard 11.15 *Personnel Records: Requirements and Retention*. See Chapter 4000 of the Administrative Procedures Manual (APM).

I. Philosophy

County Public Children Services Agencies can document their agency's commitment to service quality by maintaining personnel files that document the credentials, competence and performance of each staff member in an objective and factual manner. These personnel files may influence the outcome of accreditation reviews and the receipt of licenses and contracts. Properly maintained personnel files serve to validate the work of the agency.

II. Outcome

Personnel files should document the criteria for the selection, hiring, professional development, training, promotion and/or termination of employment of the agency's staff. Personnel files should document the occurrence and outcomes of performance and salary reviews.

III. Evaluation

FACSYS events, CPOE and the Federal Health and Human Services outcomes may be considered when evaluating this standard. In addition, the CFSA may consider the following:

- existence of personnel records maintenance;
- existence of policies and procedures for personnel records maintenance.

IV. Standards for Implementation

Some of the types of information stored in these files are as follows:

- a. personnel actions affecting an employee's employment and required attachments;
- b. employment applications and resumes;
- c. certificates and licenses;
- d. transcripts;
- e. letters of resignation;
- f. disciplinary actions including removals; and/or
- g. evaluations.

All medical and criminal investigations should be maintained in a separate file, as these are not subject to the Public Records and Confidentiality laws of the State of Ohio (see Addendum K, *Minimum Requirements for Retention of Records*).

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ADDENDUM K - MINIMUM REQUIREMENTS FOR RETENTION OF RECORDS

Records to be Retained	Period of Retention	Federal/State Laws
Personnel File	Retain 7 years after an employee leaves employment	Title VII, 1964 Civil Rights Act
Personnel Records relating to a discrimination charge	Maintain records at least until the charge or action is fully resolved and all appeals are exhausted	Title VII, 1964 Civil Rights Act
Vacancy postings and applications, resumes, civil service applications and interview questions from applicants not hired	7 years after position is filled or decision not to fill the position.	Age Discrimination in Employment Act
Employee benefit plans, and written seniority or merit rating systems	Full period of plan or system, plus 1 year	Age Discrimination in Employment Act
Basic payroll records that contain employee information (these records may include employment contracts or collective bargaining agreements; records relating to wages, wage rates, job evaluations, job descriptions; time cards; records of additions to or deductions from wages paid; and documentation of basis of payment of any wage differential to employees of opposite sex in same agency)	3 Years	Fair Labor Standards Act, including Equal Pay Act
All records pertaining to compliance with FMLA, Workers Compensation	7 Years	Family Medical Leave Act of 1993
I-9 Forms and back up documentation	3 years after date of hire or 1 year after employee's termination, whichever is later.	Immigration Reform and Control Act
Logs and summaries of occupational injuries and illnesses	5 years following end of year to which records relate	Occupational Safety and Health Act
Employment and payroll records that reflect employee's name, address, social security, amount of gross earnings, termination dates and cause of termination, time lost due to being unavailable for work, and character of services performed by the individual	5 years after calendar year in which wages are paid	Bureau of Employment Services (Unemployment Compensation)
Employee Discipline and Grievance Records	Retain 7 years after case is closed and then destroy (be aware that some collective contracts specify where such documents can be kept)	Title VII, 1964 Civil Rights Act
Temporary Personnel and Contracts	Retain 7 years after the expiration of contracts	Title VII, 1964 Civil Rights Act
Employee training records, workforce development, tuition reimbursement and other education assistance program records	Retain 2 years	

**Standard adapted from the Marion County Children Services Board*