

## Auditing your Personnel Files

Every employer is going to organize their personnel files a little differently, but no matter how you do it the maintenance, security, and retention requirements are the same. Below is a quick checklist to audit your personnel files.

### **Personnel Files:**

- € Employment Application (as long as it doesn't contain SSN)
- € Job Description
- € Resume
- € Offer letter
- € Confidentiality/non-compete agreement
- € Handbook acknowledgement or other policy acknowledgements
- € Records relating to job offers, promotions, demotion, transfer, layoff, rates of pay, and other forms of compensation
- € Background check consent form
- € Drug Test consent form
- € Performance Evaluation forms
- € Incentive Compensation documents
- € Relevant disciplinary action or individualized memos/letters
- € Training records
- € Documents regarding termination of employment
- € Employee Recognition

### **Medical and/or Confidential Files:**

- € Any documents that include:
  - medical information
  - SSN's
  - Date of Birth
  - protected class information
- € Personal observations, notes or emails of an informal nature about an employee
- € Drug Test Report
- € Background/Credit Check Report
- € Payroll Records with SSN or other protected information
  - W-4's
  - Garnishments
- € Leave of Absence Documentation
- € Insurance Forms (enrollment, beneficiary, change forms, etc.)
- € Workers Compensation paperwork
- € ADA paperwork
- € Requests for employment/payroll verification

### **Separate Files:**

- € Hiring Records:
  - Job Requisitions
  - Job postings

- Interview notes
- Reference checks
- Applications and resumes for individuals who were not hired
- € I-9 and any copies of identification
- € EEO Records
- € Investigation Files
- € Terminated Employees: Once an employee is terminated how you maintain the personnel files does not change, the guidelines are the same for a current and terminated employee.

**Record Retention:** Please see the [Federal Recordkeeping Requirements](#) for a list of the recommended number of years to keep documents.

**Employee Access to personnel files:** The state of Iowa requires:

**91B.1** An employee, shall have access to and shall be permitted to obtain a copy of the employee's personnel file maintained by the employee's employer, as defined in section 91A.2, including but not limited to performance evaluations, disciplinary records, and other information concerning employer-employee relations. However, an employee's access to a personnel file is subject to all of the following: 1. The employer and employee shall agree on the time the employee may have access to the employee's personnel file, and a representative of the employer may be present. 2. An employee shall not have access to employment references written for the employee. 3. An employer may charge a reasonable fee for each page of a copy made by the employer for an employee of an item in the employee's personnel file. For purposes of this subsection, "reasonable fee" means an amount equivalent to an amount charged per page for copies made by a commercial copying business.

**Restricting Access to personnel files:** It is recommended that you restrict access to personnel files; the following chart illustrates categories of employee information and individuals who should be given access.

Personnel	<ul style="list-style-type: none"> <li>· Employee.</li> <li>· Supervisor with a need to know.</li> <li>· Former employee (check your state's provisions).</li> <li>· Human resources.</li> </ul>
Medical/Confidential	<ul style="list-style-type: none"> <li>· Human resources.</li> <li>· Supervisor as needed for reasonable accommodation.</li> <li>· Government/legal agencies conducting investigation relevant to medical issues.</li> </ul>
Payroll	<ul style="list-style-type: none"> <li>· Payroll staff.</li> <li>· Human resources.</li> <li>· Auditing/investigating agencies.</li> </ul>
I-9	<ul style="list-style-type: none"> <li>· Human resources.</li> <li>· Auditing/investigating agencies.</li> </ul>