



## **4110.2: PERSONNEL RECORDS RETENTION**

### **I. Retention of Personnel Records.**

A. Standardized retention and filing guidelines shall be implemented by the District for the retention and retrieval of personnel records for each District employee and staff member in conformity with applicable state and federal law and the guidelines propounded by the Nebraska Secretary of State, Records Management Division and the District's policies and rules.

B. The Human Resources Office shall maintain the employment file of each employee and staff member of the District. The District shall take steps to ensure that the confidentiality and privacy of staff and personnel records are maintained as provided by state and federal law and the District's policies and rules.

C. The Associate Superintendent for Human Resources shall maintain the Employment History file for each District employee or staff member.

D. The records maintained subject to this Rule may be destroyed immediately after electronic imaging of such records in compliance with the applicable guidelines propounded by the Secretary of State's office, Records Management Division and applicable state and federal statutes.

### **II. Transfer of Supervisory File**

A. Each employee's annual cumulative evaluation shall be sent to the Human Resources Office for inclusion in the Employee History File. A copy shall be retained in the Supervisory File.

B. When an employee transfers to another supervisor, the Supervisory File shall be forwarded to the new supervisor.

C. Upon termination of employment, the Supervisory File shall be forwarded to the Human Resources Office for disposition.

### **III. Guidelines for Maintenance and Retention of Personnel Records.**

A. Personnel records of the District shall be maintained for a minimum of three (3) years.

B. Personnel records shall be stored electronically imaged annually or as often as practicable in accordance with procedures and guidelines established by the Nebraska Secretary of State. Once imaged and indexed, the original documents shall be destroyed. Electronic images and their indexes (or the original documents, if not filmed or imaged) shall be maintained for the minimum number of years listed below:

1. Employment History File: Fifty years following the date of termination of employment for employees in a defined benefit retirement plan. For all other employees, ten years following the date of termination of employment.
2. INS Form I-9 (information to be kept separate from Employment History File): Five years after date of hire or one year after separation or termination, whichever is later.
3. Benefit Enrollment and employee's insurance enrollment: Five years after termination of employment; Salary Deduction, five years after form is superseded or becomes obsolete.
4. First Report of Accident or Occupational Disease, Injury or Illness: Five years after end of year to which they relate; Medical Examinations and Reports of Employee Exposures to Toxic Substances or Blood Borne Pathogens: Thirty years after separation of employment. Worker's Compensation Reports: Four years after date of report.
5. FMLA, Disability, and other leave of time off requests: Five years.
6. Grievances, reports submitted by employees of an alleged grievance: Three years after all actions and appeals or after no longer of reference value, whichever is later.
7. Complaints filed by employees or persons concerning decisions or actions of the District, including unfair or discriminatory employment practices or workplace harassment: One year for complaints by involuntarily terminated employees; Four years for disciplinary records related to workplace harassment Three years for complaints and no action was taken; Three years after action and appeals are complete and final for complaints resulting in action.
8. Materials of those not hired: Four years after date of personnel action to which the record related.

**Date of Adoption**

May 17, 2004

**Date of Revision**

October 17, 2011

April 16, 2018

## **Related Policies and Rules**

[4110.1: Personnel Records](#)

[4115: Access to Personnel Files](#)

[7400: Electronic Records Retention & Disposition](#)

## **Legal Reference**

Neb. Rev. Stat. §84-1201 to 84-1228, The Records Management Act Nebraska Records Management Division Schedules 10 and 24, State Records Administrator, Electronic Imaging Guidelines, March 2003