

**March
2019**



How Should Employee Files Be Organized?

It is important that you maintain several files that will contain different types of employee information. Below please find examples of an organization system which illustrates "what goes where".

- I-9 file: Keep all Form I-9s in a separate master file or binder
- Medical file: This file should contain everything related to an employee's medical history, including health insurance enrollment forms. It's important to separate this file because you cannot legally base personnel decisions, such as who gets promoted and who doesn't, on an individual's medical history. In addition, various privacy laws and the Americans with Disabilities Act (ADA) require that you keep confidential employee medical records separate from basic personnel files. The retention period will depend on the type of record.
- Personnel file: This file should contain items that were a factor in the employee's hiring and employment in addition to items that will have any impact on their employment in the future. This includes performance reviews and corrective action records.
 - Payroll records file: This file should contain the employee's W-4 and any other payroll-related documents containing the employee's SSN or other protected information, including garnishments.
- Injury file: Keep a file for any employee who is injured while on the job. This file should contain workers' compensation claim records and injury reports, and any additional medical records pertaining to the injury. It's okay to start this file only if an employee suffers an injury on the job.

These files should be kept in a secure location that is only accessible to those in the HR function or with a legitimate need to review the information—for instance, in locked cabinets in a locked HR office. This information can be stored electronically if that makes more sense for your business. Just ensure that it's backed up to prevent data loss, and well-secured



