

**California State University
RECORDS/INFORMATION RETENTION AND DISPOSITION SCHEDULE**

Record Series Identifier	Record Series Name									
1.0	PERSONNEL/PAYROLL									
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			O	F	L	H	V			
1.1	Personnel Files - Typical Documents*:							29 U.S.C. Section 201-219 29 CFR Section 1627.3 or 28 U.S.C. Section 1658	See 1.1, 1.2 and 1.3 below for retention periods based upon type of separation	
	Employment Applications ¹		X		X			" "	" "	
	Resume/faculty biography		X		X			" "	" "	
	Appointment letters		X		X			" "	" "	
	Required state forms (e.g., Oath of Allegiance, Designation of Person Authorized to Receive Warrants)		X		X			" "	" "	
	Other new hire paperwork		X		X			" "	" "	
	Position descriptions		X		X			" "	" "	
	Personal data information and changes, including name, address, education level (e.g., Request for Nondisclosure of Employee Address)		X		X			" "	" "	
	Employee Personnel transaction forms and supporting documentation for actions such as reclassification, reassignment, promotion/demotion, timebase changes, etc. (e.g., Employee Transaction forms, including CSU Personnel/Payroll Transaction and Student Employment Payroll Transaction forms)		X	X	X			" "	" "	
	Court procedures (e.g., Notice of Judgment Against Wages)			X	X			" "	" "	
	Employee benefit enrollment and change documentation. Benefits include health and welfare programs, voluntary programs, retirement programs, and tax savings programs.		X	X	X			" "	" "	
	Permanent status letters		X		X			" "	" "	
	Memoranda or letters of praise, counseling or reprimand		X		X			" "	" "	
	Notices of training completed		X		X			" "	" "	
	Performance evaluations (e.g., Student Performance Report)		X		X			" "	" "	
	Salary adjustment documentation		X	X	X			" "	" "	
	Separation forms and resignation letters (including FERP/Rehired Annuitant)		X	X	X			" "	" "	
	Emergency contact information		X		X			" "	" "	

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	Other job-related personnel records				X			" "	" "
	Final disciplinary records, in accordance with collective bargaining agreement		X		X			" "	" "
1.2	Personnel Files for Separated Employees for the following Separation Types								
	Deceased			X	X			29 U.S.C. Sections 201-219 29 C.F.R. Section 1627.3	3 years after separation from CSU
	Voluntary resignation (without fault)			X	X			29 U.S.C. Sections 201-219 29 C.F.R. Section 1627.3	3 years after separation from CSU
	Voluntary service retirement			X	X			29 U.S.C. Sections 201-219 29 C.F.R. Section 1627.3	3 years after separation from CSU
	Rejection during probation			X	X			29 U.S.C. Sections 201-219 29 C.F.R. Section 1627.3	3 years after separation from CSU
	End of temporary employment			X	X			29 U.S.C. Sections 201-219 29 C.F.R. Section 1627.3	3 years after separation from CSU
1.3	Personnel Files for Separated Employees for the following Separation Types								
	Disability Retirement			X	X			28 U.S.C. Section 1658	5 years after separation from the CSU or final payment, whichever is later
	Disability Separation			X	X			28 U.S.C. Section 1658	5 years after separation from the CSU or final payment, whichever is later
1.4	Personnel Files for Separated Employees for the following Separation Types								
	AWOL			X	X			28 U.S.C. Section 1658	5 years after separation from CSU
	Layoff			X	X			28 U.S.C. Section 1658	5 years after separation from CSU
	Non-retention (MPP Only)			X	X			28 U.S.C. Section 1658	5 years after separation from CSU
	Resignation with fault			X	X			28 U.S.C. Section 1658	5 years after separation from CSU

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	Involuntary Termination/Dismissal			X	X			28 U.S.C. Section 1658	5 years after separation from CSU
1.5	Employment Records NOT to be Kept in Personnel File								
	The following records should not be kept in the employee's personnel file because of privacy concerns or to prevent claims that others' access to certain information could expose an employee to retaliation:								
1.6	Verification of right to work in the U.S. (e.g., Form I-9, Foreign National Information form)		X		X			8 U.S.C. Section 1324a	3 years or 1 year after termination of employment, whichever is longer
1.7	EEOC Charge of Discrimination and related documents		X		X			29 C.F.R. Section 1602.14	5 years after separation from CSU
1.8	DFEH Charge of Discrimination and related documents		X		X			29 C.F.R. Section 1602.14	5 years after separation from CSU
1.9	Workers' Compensation claims and related documents		X	X	X			8 California Code of Regulations Section 10102	5 years after date of injury or date on which Workers' Compensation benefits were last provided, whichever occurs later. However, cases involving Permanent Disability should be kept permanently.
1.10	Return to Work documentation (May be either NDI (Nonindustrial Disability Insurance) or Workers' Compensation related)		X		X			28 U.S.C. Section 1658	5 years after date of illness/injury or date on which benefits were last provided, whichever occurs later. If NDI converts to a Workers' Compensation claim, defer to Workers' Compensation claims and related documents retention period.
1.11	Unemployment records held by the campus (not the files of the Third-Party Administrator, which serves as the official Custodian of Records)			X	X			26 C.F.R. Section 301.6501(e)-1	Most unemployment tax records should be kept for at least 6 years.
1.12	Social Security, and Medicare Tax Records (e.g., deduction records for Social Security and Medicare)		X	X	X			26 U.S.C. Sections 3101-3128	Most social security and Medicare tax records should be kept for at least 4 years after the tax is due or paid, whichever occurs later.

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1.13	American with Disabilities Act claim documentation		X		X			29 C.F.R. Section 1602.14	5 years after separation from CSU
1.14	Medical information protected by the California Confidentiality of Medical Information Act				X			28 U.S.C. Section 1658	At least 4 years from the date of the document
1.15	Survey of ethnic or disabled or veteran status for reporting and recordkeeping purposes (e.g., data CSU is required to collect from the employee for state/federal agencies)		X		X			28 U.S.C. Section 1658	At least 4 years from the date of the document
1.16	Any information that may be alleged to be defamatory (Campuses may consult with their campus counsel when determining whether a document contains defamatory information).		X	X	X			28 U.S.C. Section 1658	At least 4 years from the date of the document
1.17	Any information that is not job-related				X			28 U.S.C. Section 1658	At least 4 years from the date of the document
1.18	Any documents related to grievances, faculty status disputes, litigation or complaints, both formal and informal (e.g., non-litigation settlement agreements)		X		X			28 U.S.C. Section 1658	Keep at least 5 years after separation from the CSU, or 5 years after resolution of matter, whichever is later.
1.19	Health Insurance Portability and Accountability Act (HIPAA) documentation (e.g., forms CSU is required to have employees sign regarding privacy, disclosure of personal health information)		X		X			45 C.F.R. 164.530(j)(2)	At least 6 years from the date the document was created or was last in effect.
1.20	Whistleblower documentation				X			By analogy to the provisions of the Sarbanes-Oxley Act of 2002 (Section 802) regarding records retention (17 CFR 210)	7 years after the conclusion of the investigation
1.21	Pay Related Records - Typical Documents*:								
	Records of hours worked (e.g., Time and Attendance Report, Monthly Attendance Summary, Student Assistant Attendance Report, Student Time Voucher and timesheets, Student Attendance Reporting Spreadsheet, Miscellaneous Payroll/Leave Actions)		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years

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	Leave accrual and usage records		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years
	Employee leave records		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years
	Authorization for compensating time off		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years
	Authorization for extra hours/Overtime documentation (e.g., Report of Extra Hours to be Paid)		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658 CA Business & Profession Code Section 17200	4 years
	Records of additions to or deductions from wages (e.g., Pay Adjustment Request, Payroll Adjustment Notice, Report of Extra Hours to be Paid, Salary Garnishment, Dock)		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years
	Work schedules		X		X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years

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	Withholding documentation, (e.g., Employee Action Request form, Student Payroll Action Request form, Statement Concerning Your Employment in a Job Not Covered by Social Security)		X	X	X			29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years
	W-4 forms		X	X	X			Continuing Education of the Bar, <u>Advising California Employers</u> (2d ed. 2004), Section 8.77 26 C.F.R. Sections 31.6001-1 to 31.6001-6	As long as the documents are in effect plus 4 years
	W-2 forms returned by Post Office (can also order from the State Controller's Office)		X	X	X			Revenue and Taxation Code Section 19704	Most income tax documents should be kept for at least 6 years.
	Income tax records (e.g., fee waiver tax liability and domestic tax liability forms, including Nonresident Alien Employee Federal Income Tax Withholding Authorization)			X	X			Revenue and Taxation Code Section 19704 26 C.F.R. Section 301.6501	Most income tax documents should be kept for at least 6 years. A 15-year records retention period may be necessary in cases where the Internal Revenue Service will undertake a collection action.
	Miscellaneous pay related documents (e.g., Proof of Lost or Destroyed Payroll Warrant and Request for Issuance of Duplicate Warrant, Request for Duplicate Controller's Warrant/Stop Payment, Request for University Check (State Revolving Fund), Payroll Exceptions Report)		X		X			Miscellaneous statutes including, but not limited to, 29 U.S.C. Sections 201-219 Unemployment Insurance Code Section 1085 (22 California Code of Regulations Section 1085-2) 28 U.S.C. Section 1658	4 years
1.22	Conflict of Interest Statements (Form 700)				X			Government Code Section 81009	7 years
1.23	Family Medical Leave Act (FMLA) Records		X	X	X			29 C.F.R. Section 825.500	At least 3 years from the date of the document or the event, whichever is later.
1.24	Recruitment Records								

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	A recruitment file typically includes applications, resumes, reference checks, writing samples, advertising records, rating sheets and recommendations		X		X			29 C.F.R. Section 1602.48	When an applicant has been solicited, recruitment documents should be kept for 3 years (recruitment documents for the applicant hired should be transitioned to the Personnel File).
1.25	Fee Waiver Records		X	X	X			28 U.S.C. Section 1658	5 years after completion of the classes) for which the fee was waived.
1.26	Employment Retirement Income Security Act Records (ERISA) e.g., Qualified Medical Child Support Orders		X		X			29 U.S.C. Sections 1001-1381 29 U.S.C. Section 1059	These records should be kept at least 6 years. However, records sufficient in detail to determine benefits due, or that may become due to employees, must be held an indefinite period of time.

Notes: * Typical documents may include a variation of standard State forms.

When "Campus" is referenced as the Custodian of Records, it may also include the Chancellor's Office acting in its "campus" capacity. When "Chancellor's Office" is referenced as the Custodian of Records, it is being referenced in its CSU systemwide capacity.

¹ Please refer to Coded Memorandum HR 2007-11 (<http://www.calstate.edu/HRAdm/pdf2007/HR2007-11.pdf>) for further information regarding the "Internet Applicant Rule." CSU's Record Retention policy of 3 or 5 years, depending upon the type of separation, exceeds the 2-year period required by the Office of Federal Contract Compliance Programs (OFCCP) regulations. Accordingly, these records should be retained pursuant to CSU's Record Retention policy.