

FLORIDA AND FEDERAL RECORDKEEPING REQUIREMENTS

The following abbreviations are used:

Title VII: Title VII of the Civil Rights Act of 1964, as amended
 FLSA: Fair Labor Standards Act (Wage and Hour Law)
 ERISA: Employee Retirement Income Security Act
 EO11246: Executive Order 11246 (Affirmative Action)
 VEVRA: Vietnam Era Veterans Readjustment Act
 OFCCP: Office of Federal Contract Compliance Programs
 FMLA: Family and Medical Leave Act of 1993

ADEA: Age Discrimination in Employment Act
 IRCA: Immigration Reform and Control Act
 OSHA: Occupational Safety and Health Act
 VRA: Vocational Rehabilitation Act
 EEOC: Equal Employment Opportunity Commission
 ADA: Americans with Disabilities Act
 IRS: Internal Revenue Service

CATEGORY	DOCUMENTS	MINIMUM PERIOD OF RETENTION
APPLICANTS	<p>Application forms Résumé Background Check Tests (if any)</p> <p>Affirmative Action Logs (Required of federal contractors with 50 or more employees and contracts of \$50,000 or more.)</p>	<p>ONE YEAR from date of personnel action. (ADEA and EEOC regulations on Title VII.) If discrimination charge is filed, retain until final disposition.) (Applicants for apprenticeship programs: TWO YEARS from receipt of application or completion of program.)</p> <p>NO SPECIFIC PERIOD. (Executive Order 11246) However, OFCCP may audit current and last plan year, indicating maximum 2 Year retention of logs. If adverse impact is found in a job group, records relevant to selection process for that group must be retained for 2 Years after adverse impact is eliminated.</p>
CURRENT & FORMER EMPLOYEES	<p>Application form Résumé Background Check Tests Promotion Records Performance Evaluations Disciplinary Records Insurance Records Individual Employment Contracts</p> <p>W-4s</p> <p>Payroll Records (including name, address, date of birth, rate of pay, weekly compensation)</p>	<p>ONE YEAR (ADEA and EEOC regulations on Title VII.)</p> <p>FOUR YEARS (IRS)</p> <p>THREE YEARS (ADEA; FLSA; FMLA)</p>

CATEGORY	DOCUMENTS	MINIMUM PERIOD OF RETENTION
<p>CURRENT & FORMER EMPLOYEES (continued)</p>	<p>INS Form I-9</p> <p>Employers should also retain copies of each employee's supporting documentation establishing identity and employment eligibility as listed on the I-9.</p> <p>Documents concerning employment tests, job order, job advertisements, job postings.</p> <p>Records relevant to a complaint or charge of discrimination.</p> <p>Records of any dispute between the employer and employee regarding the designation of leave as family or medical leave.</p> <p>Workers' compensation</p> <p>Documents relating to medical certifications of employees or family members in connection with family or medical leave. These documents are to be kept in separate files and treated as confidential.</p> <p>Proof of the age of any person 18 years old or younger. (Retain copy of one: birth certificate, driver's license, age certificate issued by school board, passport or visa.)</p>	<p>THREE YEARS from the date of hire or ONE YEAR from date of termination, whichever is longer. (IRCA) (8 U.S.C. § 1101 <i>et seq.</i> and 8 C.F.R. Sections 274a.1-a.14.)</p> <p>THREE YEARS from the date of hire or ONE YEAR from date of termination, whichever is longer. (IRCA)</p> <p>ONE YEAR from date of personnel action (ADEA).</p> <p>Until final disposition of case. (Title VII; ADEA; FLSA) ONE YEAR (VEVRA)</p> <p>THREE YEARS (FMLA).</p> <p>TWO YEARS (Florida Statutes, § 440.19)</p> <p>THREE YEARS (FMLA)</p> <p>AS LONG AS EMPLOYED: Florida's Child labor Law, Florida Statutes, Chapter 450</p>