



CITY OF PROVIDENCE

3.1 PERSONNEL RECORDS RETENTION AND DISPOSITION

Purpose

The purpose of this Records Retention Policy is to establish clear guidelines for the management, retention, and disposal of records created and maintained by the Department of People and Culture (DPC) of the City of Providence. This policy ensures compliance with applicable federal and state laws, including the Rhode Island Municipal Records Retention Schedule and relevant privacy regulations, while promoting efficient and secure management of Department of People & Culture records.

This policy is designed to safeguard sensitive employee data, ensure appropriate retention periods for various types of records, and facilitate the proper disposal of records that are no longer required.

Scope

This policy applies to all records created, received, or maintained by the Department of People and Culture, including those related to recruitment, employment, benefits, payroll, training, performance evaluations, and employee separation. It covers records in any format, including paper, electronic, and audio-visual.

Definitions

Record: Any document, file, form, or piece of information created or received by the HR department in the course of its operations, including but not limited to personnel files, applications, resumes, disciplinary records, benefits information, payroll records, and training materials.

Retention Period: The designated time period during which a record must be retained before it can be destroyed or archived.

Disposition: The process of either retaining, archiving, or destroying records when their retention period expires.

Confidential Records: Records that contain sensitive information, such as Social Security numbers, medical information, performance evaluations, or other personal data, which are subject to privacy laws and must be handled with heightened security.

Policy

This Records Retention Schedule has been developed in line with the Rhode Island Local Government Records Program of the State Archives, updated to incorporate evolving standards in data privacy, cybersecurity, and compliance with state, federal, and international regulations.

1. Retention Guidelines

Employee Administrative Services

Personnel Files	a) Vital information such as hire and separation date, salary and position history, accrued hours reports, and summaries, pension contributions/returned contribution summaries/reports Retention: Retain fifty (50) years after separation. b) All other records Retention: Retain ten (10) years after separation. c) Per diem employees Retention: Retain seven (7) years after separation
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Employment Eligibility Verification Forms	Retain three (3) years after the date of hire or one (1) year after the date employment ends whichever is later (8 C.F.R. 274a.2).
Wage Verification	Retain three (3) years
Quarterly Tax and Wage Reports	Retain data or copies of reports three (3) years.
Calculation Worksheets	Retain three (3) years.

Employee Benefits

Employee Benefit Plans	Retain six (6) years after termination or enrollment or termination of plan.
COBRA Records	Retain seven (7) years.
Family Medical Leave Act Files	Retain three (3) years per 29 C.F.R. 825.500.
Savings Bond Authorization Records	Retain three (3) years or until termination of savings bond deduction, whichever is sooner.
Waiver of Insurance Benefits	Retain three (3) years or until updated or superseded or obsolete, whichever is longer.
Employee Award Program	Retain three (3) years after presentation of award.

Examination and Testing Records

Examination Materials	Retain three (3) years.
Exam Records/Lists	Retain three (3) years.
Exam Booklets	Retain until superseded (Retain one (1) copy permanently).

Classification

Classification Records	Retain five (5) years.
Job Specifications	Retain five (5) years after updated, superseded, or obsolete.

EEO/ADA

Affirmative Action Plans and EEO Reports	<ul style="list-style-type: none"> a) Plans, policies, annual and semi-annual reports Retention: Permanent. b) EEO reports Retention: Retain three (3) years. c) All other records Retention: Retain three (3) years.
ADA Accommodation Records	Retain three (3) years from the date of making the record or personnel action involved. In cases of termination, retain three (3) years from date of termination (29 C.F.R. 1602.31).

Training and Education Records

Employee Training Records	Retain until employee separates. Maintain summary information in personnel folder.
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Recruitment and Hiring

Employee Application Files	a) Unsuccessful applications
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	<p>Retention: Retain four (4) years after hiring of successful applicant for position in question (or four (4) years after search concluded is position is left unfilled)</p> <p>b) Unsolicited applications and resumes not in connection with posted job openings Retention: Retain four (4) years.</p> <p>c) Applications/referrals of individuals recruited from protected classes (see Uniform Guidelines on Employee Selection Procedures and Title VII of the Civil Rights Act of 1964) Retention: Retain four (4) years or until individual is hired or is no longer seeking employment with the agency, whichever is longer.</p> <p>d) Confirmation receipt for new hire reporting State and local agencies are required by federal and state law to register all new hires and rehires with RI New Hire Reporting administered by the Department of Human Services – Office of Child Support Services. Confirmation receipts are forwarded to the agency upon receipt of new hire information filed as stipulated in R.I. Gen. Laws Chapter 15-24 (Public Law 1997 Chapter 170 §16). Retention: Retain in employee personnel file. See LG15.1.1 – Personnel Files – Official Copy.</p>
Vacancy Notices and Lists	Retain until resolution of all grievances (if any) and then until of no further administrative value (minimum three (3) years).

Compensation Records and TDI Records

Workers Compensation Employee Claim Files	<p>a) Investigative reports, attorney notes, and physical therapy records Retention: Retain until of no further administrative value but no less than three (3) years from the date of incident or major impairment.</p> <p>b) First Report of Injury/incident or accident report that does not result in workers compensation claims Retention: Retain three (3) years from date of incident/accident.</p> <p>c) All other records Retention: Retain thirty (30) years.</p>
Unemployment Compensation Claim Files	Retain three (3) years or until all litigation (if any) has been resolved, whichever is later.
Temporary Disability Records (TDI)	Retain three (3) years after employee applies for benefits under the program.

Medical Records and Occupational Safety

Occupational Safety	a) Employee exposure records
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	Retention: Retain thirty (30) years (29 C.F.R. §1910.1020(d)(1)(ii)) or until all litigation is resolved, whichever is later. b) Summary log of occupational injury and illness, annual summary, and supplemental records Retention: Retain five (5) years following the end of the year to which they relate (29 C.F.R. § 1904.33; 29 C.F.R. § 1904.11).
OSHA Compliance Orders and Reports	Retain seven (7) years after final action relating to an inspection or violation.
Employee Medical Files	Retain for duration of employment plus thirty (30) years (29 C.F.R. § 1910.1020 (d)(1)(ii)).

Retirement

Retiree Files/ Disability Retiree Files	Retain until retiree no longer draws funds from the plan due to death and lack of beneficiary.
Beneficiary Designation	Retain current copy. Transfer to Retiree Files (LG15.10.1) or Return of Contributions Files (LG15.10.3) upon separation or retirement.
Return of Contribution Files	Transfer to Personnel Files (LG15.1.1).
Qualified Domestic Relations Orders	Transfer to Retiree Files (LG15.11.1) or Return of Contributions Files (LG15.11.3) upon separation or retirement.
Pension Distribution Tax Reports	Retain four (4) years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is later (26 C.F.R. § 31.6001-1(2)).
Municipal Pension Plan	Permanent.
Transaction Registers	Retain six (6) years after termination of plan.
Trade Confirmation Reports	Retain six (6) years after termination of plan.
Pension Participant Payout Reports	Retain three (3) years.
Actuarial Reports	Retain one (1) copy permanently.
Employment Verification Forms	Retain one (1) year.

Administration

Meeting Minutes	Permanent.
Reports	a) Daily and weekly reports Retention: Retain one (1) year. Note: Reports required in audit must be retained one (1) year after audit is completed. b) Monthly, quarterly, and periodic reports Retention: Retain three (3) years. c) Annual and special reports and studies Retention: Permanent.
Personnel Lists	Retain three (3) years.
Rate and Time Records	Retain four (4) years. See LG2.6.3.



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Sick Bank Records	<p>a) Meeting minutes Retention: Retain three (3) years.</p> <p>b) Employee requests and donation records Retention: Retain three (3) years after separation of employee.</p> <p>c) All other records Retention: Retain three (3) years.</p>
Certificates of Records Destruction	Permanent.
Work Schedules	Retain three (3) years.

2. Disposition of Records

- A. Review and Destruction: When the retention period for a record has expired, the Department of People and Culture (DPC) will review the record for final disposition. Records that are no longer required will be securely destroyed in a manner that protects confidentiality, such as shredding paper documents and permanently deleting electronic files.
- B. Confidential Disposal: Confidential records will be destroyed in a manner that ensures confidentiality, such as shredding, burning, or using secure data-wiping methods for electronic records.
- C. Approval of Disposal: Destruction of records will be authorized by the Chief People Officer (CPO) or a designated records manager. A record of all destroyed records, including the type of record, destruction date, and reason for destruction, will be maintained for audit purposes.
- D. Refer to City Records Management Policy when the record in question for disposition is a non-personnel record

3. Audit, Non-Compliance and Enforcement

- A. Monitoring Compliance: DPC will regularly review its record retention practices to ensure compliance with this policy, applicable laws, and the Rhode Island Municipal Records Retention Schedule.
- B. Audit and Training: DPC staff will receive training on proper handling, retention, and disposal of records. Periodic audits will be conducted to ensure records are being properly maintained and disposed of in accordance with this policy.
- C. Violations: Violations of this policy may result in corrective action, including disciplinary measures for non-compliance with records management procedures.

Related Policies:

- City Records Management Policy
- Hiring Policy
- Discipline Policy



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