



### Personnel File Checklist

**Purpose and Overview:** It is vital to have correct use and completion of new employee forms in compliance with state and federal regulations and employer’s personnel policies. Periodic review of personnel file contents should not be overseen.

\* = Documents required by law.

FORM/DOCUMENT	FILE LOCATION	COMMENTS	Done? Y or N?
Employment application, resume	Personnel file		
Job reference checks, recommendation letters	Personnel file		
Copy of original job description	Personnel file		
Personal data information and changes (e.g. name, address, education level)	Personnel file		
Recruitment records – writing samples, advertising records, rating sheets, additional job supplemental questionnaires, college transcripts, exam scores, etc.	Personnel file	These records can be placed in a Recruitment File (if one is available)	
New employee orientation checklist	Personnel file		
Acknowledgement of Employee Handbook	Personnel file	Allow the employee ample time to read the Employee Handbook before they sign this	
Employee confidential history	Personnel file		
Performance reviews	Personnel file		
Health and retirement benefit records	Confidential benefits/Medical file		
Documentation related to salary increases and promotions	Personnel file		
Documentation related to disciplinary action	Personnel file		
Trainings/class completion certificates or documents i.e. sexual harassment training, conflict resolution course, first aid, CPR, etc.	Personnel file		
New Hire Reporting (NHR) Form*	Personnel file	Some states require employers to report new employees within a certain time frame	

Form I-9* (Employment Eligibility Verification)	I-9 file (DO NOT place in personnel records file)	Required by law to have employees fill in this form. Because I-9 files are subject to unique personnel records retention laws, a separate master file or three-ring binder will help ensure that you retain these mandated recordkeeping forms for as long as necessary and can readily discard them after the retention period expires.	
EEOC charge of Discrimination and related documents (if applicable)	Other file	DO NOT place in the personnel record file, create a different file.	
Americans with Disabilities Act claim documentation (if applicable)	Confidential benefits/Medical file	DO NOT place in the personnel record file, create a different file	
HIPAA documentation	Other file	DO NOT place in the personnel record file, create a different file	

**Reminders for Employers:**

Basic Personnel File — Keep items that were a factor in the employee’s hiring and employment in the past, and items that will have an impact on his or her employment in the future.

Confidential Benefits/Medical File — This file should have restricted access for those that have a need to know for leave of absence administration, health insurance administration and administration of ADA as noted in the following sentence. Put everything relating to an employee’s medical history in a separate file. Why? You can’t legally base personnel decisions such as who gets promoted and who doesn’t on the medical histories of the people involved. And various privacy laws and the Americans with Disabilities Act (ADA) require that you keep confidential employee medical records separate from basic personnel files. Additionally any information related FMLA leaves, medical leaves of absence, etc. have no bearing on the employment relationship and should be contained in this file.

Injury File — Maintain a third file within your personnel records for any employee who is injured while on the job. That file should contain workers’ compensation claim records and injury reports, and any additional medical records on the injury.

Payroll Records File — If you handle payroll for your organization, separate payroll-related records from the other files. Make sure you’re aware of the laws governing payroll records retention. Keep close tabs on vacation, sick time and other time-off records.

I-9 File — Employment law attorneys recommend that you keep all Form I-9s (Employment Eligibility Verification) in either a separate master file or three-ring binder. Because I-9 files are subject to unique personnel records retention laws, a separate master file or three-ring binder will help ensure that you retain these mandated recordkeeping forms for as long as necessary and can readily discard them after the retention period expires.