



Personnel Files

Proper maintenance of your personnel files can save you from costly litigation. You can learn how to maintain personnel files by reading and implementing these tips from Express Personnel Services. Contact Express Personnel Services for more information on this and other human resource issues or to find out more about having Express conduct an HR audit for your organization.

Contents of a Personnel File

It is sometimes confusing trying to determine what to include in your employees' personnel files. A good rule of thumb is that they should contain any pertinent information relating to hiring, compensation and benefits, performance appraisals, conduct and discipline. These forms may include applications, résumés and references; copies of signed offer letters; hiring criteria; emergency contact information; signed acknowledgments of company policy information, such as sexual harassment policies; performance information, appraisals and other conduct documentation; and training plans and records.

Exclusions from a Personnel File

Personnel files should never include information that violates the Equal Employment Opportunity Commission (EEOC) guidelines, such as documents that reveal an employee's race, religion, age, sex or national origin. Documents containing this type of information should be kept in separate confidential files. This includes documents such as pre-employment or random drug test results; I-9s; medical information (including Family and Medical Leave Act certifications); documentation of workplace injuries; and information regarding reasonable accommodations made under the Americans with Disabilities Act.

Storing Personnel Files

Employers should always keep personnel files in a locked cabinet in a secure location with limited access. Information related to employees' medical information or information revealing protected characteristics should be kept in separate secure files away from general personnel files to ensure compliance with HIPAA and EEOC confidentiality rules.

Policy Regarding Employee Access to Personnel Files

As an employer, you should be aware that some states guarantee employees the right to examine their personnel files, so you need to be cautious when responding to these requests. Express Personnel Services recommends that you have an established procedure for accessing files. This reassures employees of their guaranteed access to personal information and can protect your interests as an employer.

In order to maintain the integrity of your personnel files, it is recommended that you require an HR representative be present while employees view their files to ensure that nothing is removed or tampered with. In an effort to limit administrative burden, you can require your employees to request access to their files in writing and can impose limits on how often they submit requests (be aware that some state laws guarantee employee access at certain intervals).