**Document Retention Policy**

**Reasons for Policy:**

The preservation of corporate information for [COMPANY NAME] and its subsidiaries is essential to its business operations and employee management.

Compliance with federal and state laws requires [COMPANY NAME] to retain certain records for specific periods. Failure to retain these records can lead to severe consequences for [COMPANY NAME] and its employees, including fines, penalties, obstruction of justice charges, and other legal liabilities.

Certain records hold lasting business value, serving as [COMPANY NAME]'s corporate memory, safeguarding legal interests, and ensuring operational continuity. Additionally, records must be kept satisfying legal, accounting, or regulatory requirements.

Inappropriate destruction of any records, files, documents, or information is strictly prohibited. [COMPANY NAME] adheres to the Sarbanes-Oxley Act of 2002, making it a crime to alter, conceal, falsify, or destroy records to obstruct any official proceeding.

**Types of Documents:**

This policy outlines distinctions among records, disposable information, and confidential information belonging to others.

**Records:** Any information created, received, or transmitted during [COMPANY NAME]'s business transactions, regardless of the format, constitutes a record. Examples include appointment books, contracts, emails, invoices, and voicemails. All records listed in the Records Retention Schedule must be retained for the indicated time unless a valid business reason or special situation requires extended retention.

**Disposable Information:** Data that serves a temporary purpose and is safe to discard falls under disposable information. Examples include duplicates of originals, preliminary drafts, and materials obtained from external sources for reference. Spam and junk mail may also be considered disposable information.

**Confidential Information Belonging to Others:** Any confidential information obtained from external sources, such as previous employers, should not be disclosed or used by [COMPANY NAME]. Unsolicited confidential information received should be refused, returned, and deleted if received via the internet.

**Mandatory Compliance:**

Every employee of [COMPANY NAME] is required to comply with this policy, the Records Retention Schedule, and any litigation hold communications. Failure to do so may lead to disciplinary action, including suspension or termination.

**Reporting Policy Violations:**

[COMPANY NAME] encourages employees to report any policy violations promptly. Employees may report incidents to their supervisors or the [Records Management Officer/manager at the next level above]. No employee will face retaliation for reporting violations or cooperating in related investigations.

**Records Management Department and Records Management Officer:**

The Records Management Department, led by the designated Records Management Officer [EMPLOYEE NAME], is responsible for:

* Administering the document management program and implementing best practices.
* Developing document disposal policies and procedures.
* Ensuring compliance across departments and assisting in record management.
* Safeguarding [COMPANY NAME]'s records and efficiently using storage space.
* Establishing disaster plans for operational continuity.
* Preserving historically valuable records.
* Providing document management advice and assistance to all departments.
* Ensuring adherence to state and federal regulations.
* Reporting annually on the implementation of the document management program.

**How to Store and Destroy Records**

All records of [COMPANY NAME] must be stored securely and accessibly. Essential documents should be duplicated and/or backed up off-site for business continuity during emergencies.

The Records Management Officer is responsible for supervising the destruction of records that have met their retention period. Confidential, financial, and personnel-related records must be shredded if possible. Non-confidential records may be recycled. Destruction must halt immediately upon receiving a litigation hold notification and can resume once the hold is lifted.

**Litigation Holds and Other Special Situations:**

If records are relevant to ongoing or potential litigation, government investigation, or other events, employees must preserve and not delete, dispose, or change those records until cleared by the Legal Department. Routine document disposal may be suspended in certain circumstances, such as mergers or system replacements.

**Audits and Employee Questions:**

The Chief Financial Officer and Chief Legal Officer will periodically review the policy with legal counsel to ensure compliance with regulations. Employee files and computer hard drives will be audited regularly to ensure adherence.

For any questions about the policy, employees may contact [NAME], the administrator of this policy.

**Appendix: Record Retention Schedule**

[The Record Retention Schedule is provided in a concise, easy-to-read format. Each category of records is listed along with its corresponding retention period.]

**Acknowledgment of Receipt and Review**

[Employees must acknowledge receipt and understanding of the policy by signing the acknowledgment form. The form has been modified to be clear and concise.]

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| --- | --- |
| **RECORD** | **RETENTION PERIOD** |
| **Personnel Records** | |
| Benefits descriptions per employee | [Permanent/4 years] |
| Collective bargaining agreements | 3 years |
| Donor records and acknowledgement letters | 7 years |
| EEO-1 Reports (Employer Information Report) | Filed annually with the EEOC and the Department of Labor, Office of Federal Contract Compliance Programs, most recent kept on file |
| Employee applications and resumes | [4 years/1 year] |
| Employee benefit plans subject to ERISA (includes plans regarding health and dental insurance, 401K, long-term disability, and Form 5500) | 6 years from when the record was required to be disclosed |
| Employee offer letters (and other documentation regarding hiring, promotion, demotion, transfer, lay-off, termination or selection for training) | 1 year from date of making record or action involved, whichever is later, or 1 year from date of involuntary termination |
| Records relating to background checks on employees | 5 years from when the background check is conducted |
| Employment contracts; employment and termination agreements | 3 years from their last effective date |
| Employee records with information on pay rate or weekly compensation | 3 years |
| Hazardous material exposures | Duration of employment + 30 years |
| I-9 Forms | [3 years after date of hire or 1 year after employment is terminated, whichever is later/3 years after date of hire] |
| Injury and Illness Incident Reports (OSHA Form 301) and related Annual Summaries (OSHA Form 300A); Logs of work-related injuries and illnesses (OSHA Form 300) | 5 years following the end of the calendar year that these records cover |
| Supplemental record for each occupational injury or illness (OSHA Form 101); Log and Summary of Occupational Injuries and Illnesses (OSHA Form 200) | 5 years following the year to which they relate |
| Job descriptions, performance goals and reviews; garnishment records | [Termination + 7 years/2 years] |
| Employee polygraph test records | 3 years |
| Employee tax records | 4 years from the date tax is due or paid |
| Medical exams required by law | Duration of employment + 30 years |
| Personnel or employment records [made or kept by a contractor or subcontractor with at least 150 employees or at least $150,000 in federal government contracts] | 2 years from the date the record was made, or personnel action was taken, whichever is later |
| Personnel or employment records [made or kept by a contractor or subcontractor with less than 150 employees or less than $150,000 in federal government contracts] | 1 year from the date the record was made, or personnel action was taken, whichever is later |
| Pension plan and retirement records | Permanent |
| Pre-employment tests and test results | 1 year from date of personnel action |
| Salary schedules; ranges for each job description | 2 years |
| Time reports | Termination + 3 years |
| Training agreements, summaries of applicants’ qualifications, job criteria, interview records and identification of minority and female applicants | Duration of training + 4 years |
| Workers’ compensation records | Duration of employment + 30 years |
| Written affirmative action program (AAP) and supporting documents | For immediately preceding AAP year, unless it was not then covered by the AAP year |
| **Payroll Records** | |
| Payroll registers (gross and net) | [Permanent/3 years from the last date of entry] |
| Federal procurement contract and related weekly payroll documents | 4 years from completion of contract |
| Timecards; piece work tickets; wage rate tables; pay rates; work and time schedules; earnings records; records of additions to or deductions from wages; records on which wage computations are based | 2 years |
| W-2 and W-4 Forms and Statements | As long as the document is in effect + 4 years |
| **Corporate Records** | |
| Articles of Incorporation, Bylaws, Corporate Seal | Permanent |
| Annual corporate filings and reports to secretary of state and attorney general | Permanent |
| Board policies, resolutions, meeting minutes and committee meeting minutes | Permanent |
| Contracts | Permanent if current (7 years if expired) |
| Construction documents | Permanent |
| E-mails (business related) | 3 years |
| Fixed Asset Records | Permanent |
| IRS Form 1023 (Application for charitable and/or tax-exempt status) | Permanent |
| IRS Determination Letter | Permanent |
| Sales and purchase records | 3 years |
| State sales tax exemption documents | Permanent |
| Records and reports on investigational drugs [for sponsors of clinical trials, usually pharmaceutical companies] | 2 years from when marketing application is approved for the drug. If marketing application is not approved for the drug, retain until 2 years after shipment and delivery of the drug for investigational use is discontinued and FDA has been so notified |
| Resolutions | Permanent |
| **Securities Records** | |
| Audit and review workpapers | 5 years from the end of the fiscal period in which the audit or review was concluded |
| Blotters or other records of original entry containing the itemized daily record of all purchases and sales of securities [applicable to broker-dealers] | 6 years (for first 2 years, records must be kept in an easily accessible place) |
| Documents supporting management’s assessment of internal controls over financial reporting | Permanent |
| List of clients that are covered associates and government entities | 5 years (but not prior to September 13, 2010) |
| Order tickets for brokerage orders; customer complaints; compensation records | 3 years (the first 2 years in an easily accessible place) |
| Original signature pages or other documents showing the signatures of certifying officers in SEC filings | 5 years from date of filing |
| Records related to political contributions to officials and candidates and payments to state or local political parties and political action committees [applicable to investment advisers] | 5 years (but not prior to September 13, 2010) |
| Records relevant to an audit or review, including memoranda, correspondence, and other communications | 7 years after conclusion of audit or review |
| **Accounting and Finance** | |
| Accounts Payable and Receivables ledgers and schedules | 7 years |
| Annual audit reports and financial statements | Permanent |
| Annual plans and budgets | 2 years |
| Bank statements, cancelled checks, deposit slips | 7 years |
| Business expense records | 7 years |
| Cash receipts | 3 years |
| Check registers | Permanent |
| Electronic fund transfer documents | 7 years |
| Employee expense reports | 7 years |
| General ledgers | Permanent |
| Journal entries | 7 years |
| Invoices | 7 years |
| Petty cash vouchers | 3 years |
| **Tax Records** | |
| Annual tax filing for the organization (IRS Form 990 in the US) | [Permanent/7 years] |
| Filings of fees paid to professionals (IRS Form 1099 in the US) | 7 years |
| Payroll tax withholdings | 7 years |
| Earnings records | 7 years |
| Payroll tax returns | 7 years |
| State unemployment tax records | Permanent |
| **Legal and Insurance Records** | |
| Appraisals | Permanent |
| Copyright registrations | Permanent |
| Environmental studies | Permanent |
| Insurance claims/ applications | Permanent |
| Insurance disbursements and denials | Permanent |
| Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers’ Compensation) | Permanent |
| Leases | 6 years after expiration |
| Patents, patent applications, supporting documents. | Permanent |
| Real estate documents (including loan and mortgage contracts, deeds) | Permanent |
| Stock and bond records | Permanent |
| Trademark registrations, evidence of use documents | Permanent |
| Warranties | Duration of warranty + 7 years |