

# Department of Finance and Administration

## Office of Personnel Management

Policy Title: **Record Retention**

Policy Number: **20**

Authority: **Ark. Code Ann. § 25-18-601 et seq.**

Revised: **July 1, 2017**

The Arkansas General Records Retention Schedule sets forth the minimum retention requirements of records commonly found in state government.

**Public Records:** Any physical form or material (written, recorded sound, films, tapes, electronic or computer-based information or data compilations) required by law to be kept that constitutes a record of the performance or lack of performance of official functions that are or should be carried out by a public official or employee, a governmental agency, or any other agency wholly or partially supported by public funds or expending public funds. All records maintained in public offices or by public employees within the scope of their employment shall be presumed to be public records.

**State government:** State agencies, boards, and commissions, hereafter referenced simply as agencies. It does not include the following:

1. Local, city, or county government;
2. The General Assembly committee or staff;
3. Public institutions of higher education with respect to academic, research, health care, and existing information and technology applications and under-lying support;
4. Judicial branch; or
5. State constitutional offices

An agency is not required to create such records but rather the law establishes minimum retention requirements for records created or retained by a state agency. This schedule is not intended to govern the retention of records which are unique to individual agencies.

The retention periods established in this schedule are minimum retention periods. They are not intended to prevent individual agencies from establishing longer retention periods for any of their records. Regardless of the minimum retention periods stated within this schedule, an agency may determine any of its records may be of permanent value to agency operations, may have external requirements for perpetual retention, or may be useful for the study of history. Should any differences in retention periods be found between this schedule and state or federal law, the applicable law will take precedence.

The retention periods of this schedule apply only to the official version of a record. Duplicates of the official version have no retention requirements under this schedule, even if the duplicates are found in different media. This retention schedule addresses all record formats and media (i.e. electronic, paper, microfiche, etc.). The minimum retention requirement is determined by content, not by format or media.

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The Arkansas General Records Retention Schedule will be maintained by the Arkansas Records Retention Workgroup. The Workgroup is composed of approximately 80 members from Arkansas state agencies and is facilitated by a member of the Office of Information Technology.

This category includes records of each state agency's employees, showing the name, title, position held, organizational assignment, salary, changes of employment status, attendance, leave, performance evaluations, and such other information or policies as may be necessary for the administration of rules pertaining to this category of records. If a personnel record is the subject of litigation or other official action, the retention period listed within this schedule will be superseded and the record will be retained until such action has been finalized.

This section is not intended to govern compliance with federal employment laws such as Equal Pay Act, Fair Labor Standards Act, Family and Medical Leave Act, etc. The following record categories are supportive of the audit process of the Arkansas Division of Legislative Audit.

The following record retention periods reflect the retention and disposition of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the primary copy or scheduled separately if a different retention is required.

Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

**Personnel Records Retention Schedule**

<b>Record Number &amp; Category Name</b>	<b>Description</b>	<b>Minimum Retention Period</b>
GS 04001 Equal Employment Opportunity Plan	A plan that includes goals and objectives which delineates the steps an agency will take to provide equal opportunity within its workforce.	Until plan is replaced by an up-dated version.
GS 04002 Training and Education Records	Documents classes, meetings, and seminars for training or education purposes.	4 years or as long as administratively necessary to the agency, whichever is greater.

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GS 04003 Discrimination Complaint Case Files—Charges Filed	A charge of discrimination files against the agency including all re-cords of the charge.	3 years or until final disposition of the charge or action, whichever is greater.
GS 04004 Discrimination Complaint Case Files—Charges Not Filed	All allegation of discrimination where a charge has not been filed.	3 years from the incident report
GS0 4005 Eligibility Verification Form and Records (I-9)	Documents that an employer has verified prospective employee/recruit is a U.S. citizen, resident alien, or legal immigrant eligible to work in U.S., as required by the U.S. Immigration and Naturalization Service.	3 years after date of hire or one year after date of separation, whichever is later (required in the Immigration Reform & Control Act of 1986/PL 99-603, section 274).
GS 04006 Employee Benefit Records	Documents pertaining to an employee's personal health information such as medical and dental benefit records.	5 years after separation or until closure of unresolved personnel issues, whichever is greater.
GS 04007 Employee Personnel Records	Records documenting an individual's employment, such as professional certification, promotions, evaluations, disciplinary actions, and security check records.	5 years from the date of separation or until closure of unresolved personnel issues, whichever is longer.
GS 04008 Employment History Records	Documents pertaining to an employee's length of service and pay-grade evidencing proof of service.	Permanent
GS 04009 Employee Wage and Hour Records	Records pertaining to time and leave information.	Until authorized by the legislative auditor
GS 04010 Grievance Records and Re- ports	Documents the proceedings of an employee grievance, including the initial complaint, actions, investigation, summary and disposition.	3 years after closure
GS 04011 Position Classification and Description Files	Documents job description by a position or class of positions	Until superseded plus three years
GS 0412	Documentation of recruitment, selection, hire,	3 years from date position is filled or until final

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Recruitment, Hiring, Interview and Selection Records	and promotion of employees. Includes positions descriptions, job announcements and advertisements, selection criteria, evaluations, rankings, and employment applications of successful and unsuccessful applicants.	disposition of the charge or action, whichever is greater. (U.S. Code C.F.R.§1602.31).
GS 0413 Unemployment Insurance Records and Reports	Documents payment or denial of un-employment claims.	5 years after case closure
GS0414 Workers Compensation Accident Reports	Documents the occurrence of occupational injuries as reported to the Arkansas Workers Compensation Commission.	3 years from date of injury
GS 0415 Workers Compensation Illness Reports	Documents the occurrence of occupational disease or occupational infection as reported to the Arkansas Workers Compensation Commission.	6 years from the date of the incident occurred (Arkansas Code Annotated: § 11-9-702)