

More Knowledge



File Force International Pty Ltd
 1 300 300 395 (Australia)
 Info@fileforce.com

SUBJECT	Best Practice in Human Resources Filing and Litigation Avoidance
Date	January 2001

While every effort has been made to ensure the accuracy of the attached information it is given to you as an expression of opinion of the author. File Force does not purport to be nor is it an expert on the topic.

There are new requirements and policies established in recent times for the retention of personnel records. These have become World's Best Practice in the retention and storage of personnel records. These satisfy all legal requirements and more. They are particularly based on the retention of records of Australian Federal and State Government agencies.

File arrangement and collection practice should be brought to the new standard for personnel records by retaining two files on each employee as detailed below.

Giving consideration to the greater expectation placed on employers e.g. OH&S, Training, Selection, and potential litigation issues, my recommendation is to create a Working File for all staff, and where necessary create a PERMANENT file (Essential for full-time employees).

FILEforce RECOMMENDATION – Personnel Files

That two files be retained for each permanent employee, and a working file for each part-time employee.

Any part-time or casual employee, who made a substantiated complaint, sustains an injury or is the subject of an admonishment will immediately have a permanent record created.

PERMANENT FILE Retain DOB plus 75 years	Personnel History file containing all personal information, <ul style="list-style-type: none"> • Academic Record, Contract, • Letters of Appointment, • Notices of Advancement, • Leave record (Summary – not applications), • Health record, sick record, • Worker's compensation claims, • Complaints (EEO, Harassment, Discrimination, Affirmative Action) admonishments. • OH&S Induction Training, details required under the Workplace Health and Safety Regulations from 1/2/98. • Copies of attendance receipts at WHS and induction programs.
WORKING FILE Retain 5 years	Contains the daily working records needed to manage an employee. Records include Employer Copy of Group Certificates, Superannuation deduction instructions, other payroll advice; leave applications (Non Medical), Deduction Authorities, and finance-related matters. Minor correspondence. Criteria to be established by the HR Department.

RETENTION RECOMMENDATION

For the permanent File -- Until the employee has reached the age of 75.
 Working File -- Five years from last action

HOW TO KEEP THE RECORDS

Each employee is assigned a Permanent file and a working file.

Place these files on the shelves together. As you can determine the destruction date of the permanent file at any time (DOB +75) you may wish to write the destruction date for the file when it is commenced, rather than waiting for someone to have to dig into the file at a later date.

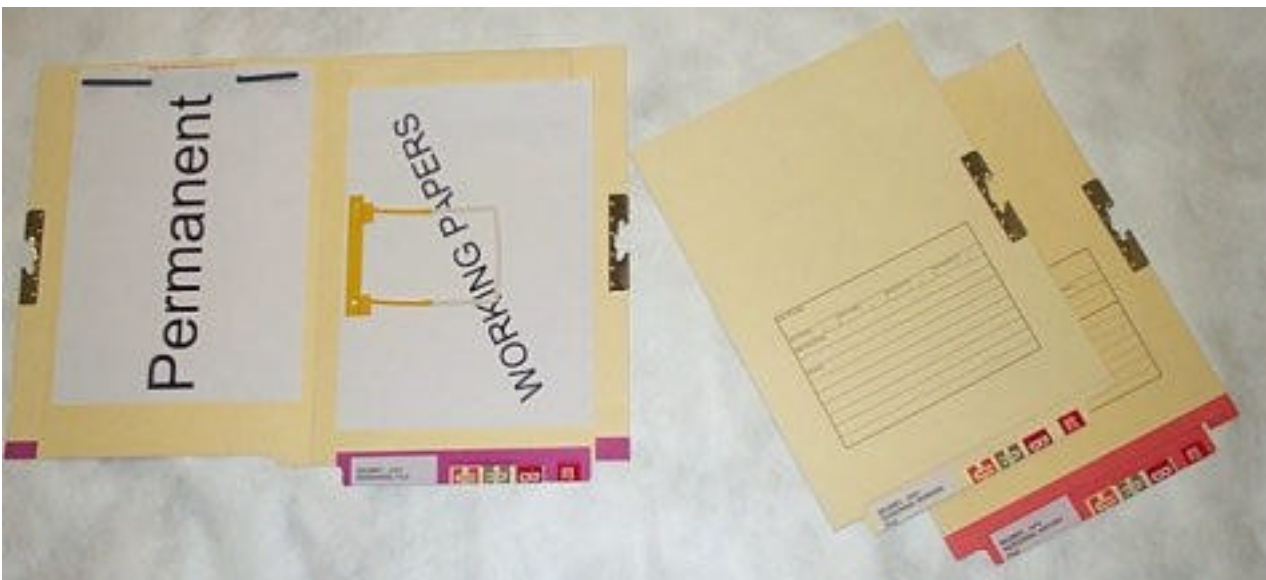
Jones	PERMANENT
Jones	WORKING
KENNEDY	PERMANENT
KENNEDY	WORKING
LIGHTFOOT	PERMANENT
LIGHTFOOT	WORKING
MCCORMACK	PERMANENT
MCCORMACK	WORKING
MENTOR	PERMANENT
MENTOR	WORKING
NATHAN	PERMANENT
NATHAN	WORKING
OLIVER T	PERMANENT
OLIVER T	WORKING
PATTON G	PERMANENT
PATTON G	WORKING

The way the file can look on the shelving.

TRAINING RECORDS should similarly be retained in a permanent file and we would suggest that you continue with the use of the red folder for the retention of the long term storage records. Thus if you see a red file cover in the bin, you can quickly haul it out to be retained.

Also Red folders on the wrong persons desk are a complete give a way.

Some possible layout options for your personnel files, illustrating to the right the use of two files and to the left a smaller system for small organizations where both are retained in one file. (Every few years you would cull the working papers to archive boxes and retain the permanent on the file.) Note the of unusual file cover colours such as purple and red to make them stand out in the crowd.





FILEforce RECOMMENDATION - TRAINING RECORDS

Training records that should be retained by your organisation with a particular emphasis on any training in Workplace Health and safety, Harassment, Equal opportunity and affirmative action.

COURSE CONSTRUCTION

All Syllabuses for each course

All teaching aides and teaching notes for each course

One copy of any handouts at any lecture

One copy of any audio visual or PowerPoint presentations made (paper copy preferable)

ATTENDANCE

All roll or attendance registers

Attendance registers should be signed by attendees

Retain for 50 years at minimum

OTHER CRITICAL RECORDS

Dangerous Goods Registers (Workplace Health and Safety Regulations)

Materials Safety Data Sheets

(1) The employer shall maintain, as a record, in a suitable form:

(a) Assessment reports indicating a need for monitoring and/or health surveillance and the results of any monitoring and/or health surveillance for at least 30 years from the date of the last entry in them;

Registers

(7) In respect of registers, an employer shall ensure that:

(a) a register is kept and maintained for all hazardous substances used or produced in the workplace;

(b) the register contains, as a minimum, a list of all hazardous substances used or produced at the workplace and the MSDS for all hazardous substances for which MSDS are required by these national model regulations; and

(c) The register is readily accessible to all employees with the potential for exposure to hazardous substances.

Work Place Health and Safety Policy Documents, Committees, Committee Minutes, Appointments, certification of qualifications and returns.

If a risk assessment shows a hazardous substance's use at a workplace causes a significant degree of risk to health, the employer or self-employed person must keep the following documents for 30 years from the day the particular document was made-

(a) the risk assessment record

(b) a monitoring result

(c) a health surveillance report

Retain for a period of 30 Years (Workplace Health and Safety Act)

Equal Opportunity and Affirmative Action Management Plans, Committee Minutes, Appointments, training courses attended, consultant's reports.



Some useful sites to visit which can act as a preliminary guideline for the retention and disposal of records and give you a very good idea regarding the retention of state and federal records of a like nature.

Most retention authorities are based on the government lead, as they have done all the expensive research and have the lawyers and historians to consult.

www.whs.qld.gov.au for Queensland Government Work Place Health and Safety

Incident Forms at <http://www.whs.qld.gov.au/form/form03.htm>

<http://www.workplace.gov.au/> for Federal Government Acts and Forms

www.worksafe.com.au for help on Workplace Safety Australia - interesting site

http://www.archives.qld.gov.au/index_publications.html for a copy of the Queensland Government Retention Schedule which can be downloaded for free.

<http://www.naa.gov.au/recordkeeping/disposal/authorities/rda.html> for Australia Archives disposal authorities for commonwealth records.