



## LIBRARY OF VIRGINIA

Government Records Services  
800 E. Broad St., Richmond VA 23219  
(804) 692-3600

## RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. GS-103

ALL STATE AGENCIES

Personnel Records

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

APPROVED:

EFFECTIVE SCHEDULE DATE: 9/14/2023

### POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the Code of Virginia for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A completed RM-3 Form must be approved by an agency-designated records officer before records can be destroyed.
4. Any records created prior to 1912 must be offered, in writing, to the Library of Virginia (LVA) before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA.
5. All known audits, requests for records pursuant to the Virginia Freedom of Information Act, § 2.2-3700, et seq., and retention schedule renegotiations regarding the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal and/or operational reformatting processes until all issues are resolved.
6. The retentions and dispositions listed on the attached page(s) apply regardless of format, e.g., paper, microfilm, electronic image, etc. Unless prohibited by law, records may be reformatted at the agency's discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of

the Virginia Administrative Code, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency to do so.

7. Records custodians must ensure that confidential or privacy-protected information contained in records and non-records is ultimately destroyed to prevent unauthorized disclosure. Confidential destruction of paper is accomplished only through shredding, pulping, or burning. For electronic information, it is accomplished by overwriting the data or physically destroying the media. Merely deleting confidential or privacy-protected information is not sufficient. Documents containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.

8. Under the Virginia Public Records Act, § 42.1-79, the Library of Virginia is the official custodian and trustee of all state-agency records transferred to the State Archives, which may purge select records in accordance with professional archival practices in order to ensure efficient preservation and access.

9. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year, as appropriate. Retention periods start at that time. Other event-based filing cutoffs (e.g., "after last action") must be defined and consistently applied by the agency.



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RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Accident/Illness Reports</u>  This series documents occupational injuries and illnesses. This series may include, but is not limited to: reports and logs, but excludes sick leave reports maintained for payroll purposes. 29 CFR 1904(C) and (D); 16 VAC 25-85-1904	100473	5 Years after event	Confidential Destruction
<u>Affirmative Action/Equal Employment Opportunity Commission (EEOC) Plans</u>  This series documents affirmative action, Equal Employment Opportunity Commission (EEOC), and/or Equal Employment Services (EES) plans. This series may include, but is not limited to: plans. 29CFR1608.4	100474	3 Years after superseded, obsolete, or rescinded	Non-confidential Destruction
<u>Affirmative Action/Equal Employment Opportunity Commission (EEOC) Progress Reports</u>  This series documents any affirmative and/or equal employment action taken by an agency. This series may include, but is not limited to: reports. 29 CFR 1602.32	100475	3 Years after submission	Non-confidential Destruction
<u>Applications and Resumes: Unsolicited</u>  This series documents the receipt of unsolicited applications or resumes for which no position has been announced. This series may include, but is not limited to: applications and resumes.	100503	0 Years after no longer administratively useful	Confidential Destruction
<u>Attendance Records: Education/Training</u>  This series documents attendance at classes, meetings, and seminars for training or continuing education purposes. This series may include, but is not limited to: logs, registers, and sign-in sheets, but excludes attendance records maintained for payroll purposes.	100476	0 Years after no longer administratively useful	Non-confidential Destruction



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<u>Criminal History / Background Check Records</u> This series documents the criminal history, if any, of a job applicant for the purposes of making a hiring decision. This series may include, but is not limited to: criminal background investigation reports, fingerprint cards, central registry forms, and other security records.	002349	0 Years after event	Confidential Destruction
<u>Discrimination Complaint Cases</u> This series documents the investigation into any act(s) of discrimination filed by an employee. This series may include, but is not limited to: investigative and interview notes, logs, reports, and Equal Employment Opportunity Commission (EEOC) claims. 29CFR1602.14	100479	3 Years after closed	Confidential Destruction
<u>Drug and Alcohol Screening or Testing Records: Negative Results</u> This series documents the administration and negative results of alcohol and drug screening or testing of job applicants or employees. This series may include, but is not limited to: logs, registers, and reports.	200388	1 Year after event	Confidential Destruction
<u>Drug and Alcohol Screening or Testing Records: Positive Results</u> This series documents the administration and positive results of alcohol and drug screening or testing of job applicants or employees. This series may include, but is not limited to: logs, registers, and reports.	100480	5 Years after event	Confidential Destruction
<u>Education Assistance Program Records</u> This series documents requests for tuition assistance, the approval or denial of the requests, and any required repayment. This series may include, but is not limited to: applications, correspondence, evaluation forms, and reports.	100481	3 Years after closed	Non-confidential Destruction



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<u>Employee Directories, Rosters, or Indexes</u>  This series documents employee work assignments, titles, phone numbers and/or addresses. This series may include, but is not limited to: logs, registers, and reports.	100483	0 Years after superseded, obsolete, or rescinded	Non-confidential Destruction
<u>Employee Health Certificates</u>  This series documents, at the time of hire, an employee's ability to perform a specific task, function or job, and/or that the employee's health meets requirements set by the employer. This series may include, but is not limited to: certificates and reports.	100491	3 Years after event	Confidential Destruction
<u>Employee Health Records</u>  This series documents any long-term health risk, as well as any health treatment or examination given to an employee by a medical professional of the agency or an agent of the agency for exposure to hazardous substances, or on-the-job injuries, or for the employee's general well being. This series may include, but is not limited to: health assessments, medical clearance or release to duty notices, reports, x-rays, and other records related to Series 100473 "Accident/Illness Reports." 29CFR1910.1020(d)(1)(i)	100484	30 Years after separation	Confidential Destruction
<u>Employee Personnel Records: Long Term</u>  This series documents any employee's history. This series should include, but is not limited to: date range employed, contact information, compensation and position history, reason for separation/termination, personnel action notices, and any retirement benefits information.	100485	50 Years after separation	Confidential Destruction



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<u>Employee Personnel Records: Short Term</u>  This series documents any employee's work activity and history that is not included in the Long Term series. This series may include, but is not limited to: test results; professional certification and qualification records; evaluations; disciplinary actions; promotion/demotion, layoff, termination or tenure records; return to work notifications (issued by employer); and any other non-long term record.	012172	5 Years after separation	Confidential Destruction
<u>Employment Eligibility Form and Records (I-9): Employee Employed Less Than Two Years</u>  This series documents the employer's verification at the time of hire that any prospective employee or recruit is a U.S. citizen, resident alien, or legal immigrant eligible to work in the U.S. as required by the U.S. Citizenship and Immigration Services. This series may include, but is not limited to: forms. 8 CFR 274a.2(b)	100482	3 Years after event	Confidential Destruction
<u>Employment Eligibility Form and Records (I-9): Employee Employed More Than Two Years</u>  This series documents the employer's verification at the time of hire that any prospective employee or recruit is a U.S. citizen, resident alien, or legal immigrant eligible to work in the U.S. as required by the U.S. Citizenship and Immigration Services. This series may include, but is not limited to: forms. 8 CFR 274a.2(b)	200034	1 Year after separation	Confidential Destruction
<u>Exit Interview Files</u>  This series documents the interview or survey of employees prior to their departure from the agency. This series may include, but is not limited to: notes, completed surveys, and reports.	100489	3 Years after separation	Confidential Destruction
<u>Grievance Records</u>  This series documents the initial complaint, actions, investigation, summary, and disposition of an employee grievance. This series may include, but is not limited to: investigative and interview notes, logs, and reports.	100490	5 Years after closed	Confidential Destruction



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<u>Incident Reports</u> This series documents the occurrence of an incident, and any subsequent investigation, that involves the employees/facilities of an agency, or the public, and has reasonable possibility of legal consequences. This series may include, but is not limited to: investigative and interview notes, logs, and reports, as well as materials related to Series 100473, "Accident/Illness Reports."	100492	5 Years after event	Non-confidential Destruction
<u>Occupational Safety and Health Administration (OSHA) Records</u> This series documents compliance with federal Occupational Safety and Health Administration (OSHA) regulations, as well as Virginia Department of Labor and Industry's Occupational Safety and Health (VOSH) regulations. This series may include, but is not limited to: reports, logs, and policy and program documentation. 29CFR1904 et seq.	200162	5 Years after end of calendar year	Confidential Destruction
<u>Pay Classification Records</u> This series documents the determination of compensation for an individual, a job, or a group of jobs within the agency. This series may include, but is not limited to: worksheets, requests, studies, and reports. 29CFR1602.31	100493	5 Years after decision	Confidential Destruction
<u>Position Classification and Description Records</u> This series documents the need for a position, the task requirements for performing the job, the job title, and/or agency approval. This series may include, but is not limited to: position descriptions, survey results, worksheets, requests, and studies.	100498	5 Years after superseded, obsolete, or rescinded	Non-confidential Destruction



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<u>Promotion, Demotion, Separation, or Tenure Records</u>  This series documents the decisions made regarding promotion, demotion, separation, layoff, termination, or tenure for a particular employee or group of employees. This series may include, but is not limited to: staffing templates, budget reports, performance and composite data, and position evaluations. 29CFR1602.31	100499	2 Years after decision	Confidential Destruction
<u>Recruitment, Hiring, Interview and Selection Records</u>  This series documents the process and result of recruiting, selecting, and hiring. This series may include, but is not limited to: applications of selected and rejected applicants, position descriptions, copies of announcements and advertisements, selection criteria, evaluations, interview notes, tests, work samples, and rankings.	012185	3 Years after event	Confidential Destruction
<u>Telework Agreements</u>  This series documents arrangements for employees to perform their official duties remotely at a location other than the agency's traditional worksite, such as the employee's residence or other approved location(s). This series includes, but is not limited to: telework agreements.	200786	3 Years after superseded, obsolete, or rescinded	Confidential Destruction
<u>Testing Records</u>  This series documents any test or testing process administered for employee evaluation, retention, or promotion. This series may include, but is not limited to: tests and results.	100500	5 Years after event	Confidential Destruction
<u>Training Records Not Required for Certification or Qualification</u>  This series documents employees' attendance in classes, conferences, courses, meetings, seminars, workshops, and any other training or educational initiative not required for licensing, certification, or qualification. This series may include, but is not limited to: logs, registration forms, attendance approval, attendance records, and reports.	100501	3 Years after event	Non-confidential Destruction



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<u>Unemployment Insurance / Compensation Records</u> This series documents the response made to and the results received from the Virginia Employment Commission in the review of unemployment claims. This series may include, but is not limited to: correspondence, reports, and forms.	100502	5 Years after closed	Confidential Destruction
<u>Verification of Employment</u> This series documents the receipt of and responses to requests for verification of an individual's employment. This series may include, but is not limited to: release, waiver, and correspondence.	100504	3 Years after event	Confidential Destruction
<u>Visa / Immigration Records</u> This series documents an employee's visa, green card, and immigration records. This series may include, but is not limited to: applications, correspondence, required documentation for the employee, and other related records.	200389	10 Years after expiration	Confidential Destruction
<u>Volunteer Records</u> This series documents the recruitment, selection, and work history of volunteers. This series may include, but is not limited to: application, approval, denial, assignment, performance, training, and attendance records.	002351	5 Years after last action	Confidential Destruction