



RESOLUTION NO. 185-2022

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, on May 9, 1989, the Board of Supervisors adopted Policy Number A-9 directing County departments to inventory and establish a records management program; and

WHEREAS, the Department of Human Resources seeks approval from the Board of Supervisors to provide for the proper disposal of County records; and

WHEREAS, the Department of Human Resources finds it necessary to rescind any and all preceding versions of their retention schedules, including but not limited to: Resolutions 002-2006 for Risk Management, 049-2004 and 110-2015 for Human Resources, and create a new El Dorado County Department of Human Resources Records Retention/Disposition Schedule to comply with current State law; and

WHEREAS, any records destroyed pursuant to the El Dorado County Department of Human Resources Records Retention/Disposition Schedule are no longer necessary for County purposes and will not adversely affect the County or the public.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Board of Supervisors for the County of El Dorado adopts the new El Dorado County Department of Human Resources Records Retention/Disposition Schedule, which is attached hereto as Exhibit A and incorporated herein by reference.
2. That the records set forth in the schedule may be destroyed after the designated periods of time pursuant to such schedules as authorized by the laws referenced in Exhibit A, including Government Code sections 12946, 26201, & 26202, Labor Code section 1198.5, 8 CCR 3204(d)(1), 8 CCR 14300.33, 22 CCR 1085-3, 8 CFR 274a.2(b)(2) 29 CFR 516.6(a)(2), 29 CFR 825.500, and 29 CFR 1602 et seq. The Board finds that the records identified in Exhibit A that refer to Government Code section 26202 as justification are no longer necessary for County purposes and may be destroyed after the designated period of time in Exhibit A.
3. That this resolution shall constitute continuing authority for the destruction of such records as authorized by the code sections cited above and this resolution shall remain in force and effect until amended or rescinded.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 13th day of December, 2022, by the following vote of said Board:

Ayes: Parlin, Thomas, Hidahl, Turnboo, Novasel

Noes: None

Absent: None

Attest:

Kim Dawson

Clerk of the Board of Supervisors

Lori Parlin, Chair Board of Supervisors

California Government Code Sections 26200, et seq., applicable to counties, plus other applicable state and federal codes govern retention and destruction of records. Original public records may not be destroyed until the passage of two years and until the other requirements of Section 26200 et seq. have been met. Litigation claims, complaints, audits and/or investigations suspend destruction until they are settled/resolved.

Item #	Record Description	Retention/Disposition			Justification
		Office (Years)	Storage (Years)	Total (Years)	
Human Resources Administration					
	Human Resources' Board of Supervisors' Agenda Items	3	0	3	G.C. 26202
	Human Resources Policies and Procedures	Until superseded +2	2	Until superseded +2	G.C. 26202 until superseded + minimum 2 years
	Subpoenas for records	2	0	2	G.C. 26202
	Grand Jury Inquiries, Reports, Responses, and backup information	2	4	6	G.C. 26202
	Verifications of employment and other general memoranda regarding decisions or directives for human resources administration	3	0	3	G.C. 26202 statute of limitations for FEHA claims is 3 years
Classification					
	Classification Plan	Until superseded +2	Until superseded +4	Until superseded +6	G.C. 26202
	Classification Specifications	Until superseded	Until superseded +10	Until superseded +10	G.C. 26202
	Classification Study	Until superseded	Until superseded +2	Until superseded +2	G.C. 26202
	New Position Requests (requests from departments for new positions & subsequent studies)	2	0	2	G.C. 26202
	Reclassification Requests (original requests, backup information for decision)	2	5	7	G.C. 26022
Compensation					
	Salary Schedules	25	0	25	G.C. 26202; see 29 CFR 516.6(a)(2)
	Salary and Benefit Correspondence and Surveys	3	4	7	G.C. 26202
	Unemployment Insurance Compensation and Claims Records and Reports	3	1	4	22 CCR 1085-2. Employers subject to the UIC code must keep records for a period of at least 4 years after the date the contributions to which they relate become due, or the date the contributions are paid, whichever is the later.
	Compensation Study (and all back-up documentation)	Until superseded	Until superseded +2	Until superseded +2	G.C. 26202
Employee Relations					
	Civil Service Commission Appeals and Decisions. (final/inactive)	2	1	3	G.C. 26202; G.C. 12946, 29 CFR 1602.31; until settled; 3 years after settled. EEOC. * Civil Service Commission Decisions will go in employee personnel file.
	Civil Service Commission Agendas and Business Meeting Minutes	2	0	2	G.C. 26202

Item #	Record Description	Retention/Disposition			Justification
		Office (Years)	Storage (Years)	Total (Years)	
	Complaints and Related Supporting Documents not involving recruitment (final/inactive)	Term of employment and/or death of Claimant and Accused	4	Term of employment and/or death of Claimant and Accused + 4	29 CFR 1602.31; G.C. 12946; DFEH; ERISA; Term of employment and/or death + 4
	Investigation Files	4	6	10	G.C. 26202
	Litigation Files	4	6	10	29 CFR 1602.31 Duplicate record; County Counsel is the office of permanent record
	General memoranda regarding decisions or directives for employee relations.	2	0	2	G.C. 26202
Labor Relations					
	Disciplinary (correspondence, reports, tapes)	4	6	10	29 CFR 1602.31
	Employee Associations (History of bargaining units, election info, recognition)	Until superseded	Permanent	Permanent	G.C. 26202 permanent for search/historic value
	Grievances (inactive/final)	Term of employment and/or death or Settled	4	Term of employment and/or death or when settled + 4 years	G.C. 12946, Labor Code section 1198.5; 29 CFR 1602 et seq; until settled; 3 years after settled
	Memoranda of Understanding	Until superseded	Permanent	Permanent	G.C. 26202 permanent for search/historic value
	Negotiation Files and Notes	7	8	15	G.C. 26202
	Reduction in Force Files (seniority lists, correspondence, etc.)	4	4	8	29 CFR 1602.31
	General memoranda regarding decisions or directives for labor relations	2	0	2	G.C. 26202
Recruitment, Selection, and Retention					
	Applicant Complaints, Investigations, Appeals of Recruitments & Selections. (inactive/final)	2	2	4	G.C. 26202; G.C. 12946; 29 CFR 1602; EEOC
	Employee Personnel Files - Inactive	Term of employment and/or death	4	Term of employment and/or death - inactive + 4	29 CFR 1602.31 & 1627.3(b)(ii); 5 CCR 3204(d)(1) et seq (medical, 30 yrs); G.C. 12946; Term of employment and/or death + 4; Statute of limitations is 4 yrs on wage issues; EEOC - 2 yrs fraction taken or after final disposition of litigation; DFEH - 2 yrs after employment action
	Equal Employment Opportunity Summary & Background (EEO-4s) and Equal Opportunity Plans (EEOPs)	3	7	10	29 CFR 1602.14
	Federal I-9 Forms	3 after hire or 1 after term, whichever is later	0	3 after hire or 1 after term, whichever is later	8 CFR 274a.2(b)(2).
	Position Recruitment Records (Requisition, notice of recruitment, advertising, applications, pre-employment testing records, selection materials, eligibility lists, certification lists, background checks)	5	0	5	G.C. 26202; EEOC; 29 CFR 1602 et seq; G.C. 12946; DFEH; FCRA
	Restoration, Re-employment, and Transfer Lists	4		4	G.C. Section 12946
	Personnel Allocation List as of 6/30 each fiscal year	25	0	25	G.C. 26202

Item #	Record Description	Retention/Disposition			Justification
		Office (Years)	Storage (Years)	Total (Years)	
	Position Control Reports	3	0	3	G.C. 26202
	Turnover Statistics	10	0	10	G.C. 26202
	General memoranda regarding decisions or directives for recruitment, selection, and/or retention	2	0	2	G.C. 26202
Contracts					
	Expired Contracts - \$10,000 or more	2	4	6	G.C. 26202
	Expired Contracts - Less than \$10,000	2	4	6	G.C. 26202
	Vendor Contracts - Terminated	3	3	6	
Insurance Policies					
	All Insurance Policies		Permanent	Permanent	DO NOT DESTROY
Loss Control					
	Training Records	8	0	8	G.C. 26202
	Accident/Injury OSHA Reports	2	50	52	G.C. 26202; 8 CCR 14300.33
	DMV Reports	2	6	8	G.C. 26202
	Employee Injury/Illness Reports	2	6	8	G.C. 26202; 8 CCR 14300.33 [retain OSHA 300 forms for five years following end of the calendar year that the records cover; retain OSHA 200 forms for 5 years following the year to which the records relate]
	IIPP Materials, including inspections	2	6	8	G.C. 26202; 8 CCR 3203
	Incident Report	2	6	8	G.C. 26202; 8 CCR 14300.33
	Property Loss Records	2	3	5	G.C. 26202
	Safety/Loss Records	2	50	52	G.C. 26202
	Violence in the Workplace Data	2	6	8	G.C. 26202
	Miscellaneous Reports and Files	2	6	8	G.C. 26202
Benefits and Health Records					
	Affiliated Agencies	2	13	15	G.C. 26202
	COBRA Information	2	13	15	G.C. 26202
	Health Plan	2	13	15	G.C. 26202
	Employee Health Benefits, including EAP and billing	3	2	5	G.C. 26202; 29 CFR 1627.3(b)(2), ERISA 107.29 USC 1027; G.C. 12946; DFEH administrative decision
	FMLA Records - Leave policies and benefits - Dates and hours of leave used - Records relating to any dispute regarding designation of leave - Employee benefits relating to the leave	3		3	FMLA; 29 CFR 825.500 (3 years)
	Medical Leave/Disability	3	0	3	29 CFR 825.500; GC 12946
	Employee Medical Records	4	26	30	Duration of employment, + 30 years; 8 CCR 3204(d)(1)
	Employee Exposure Records	4	26	30	8 CCR 3204(d)(1)
	Pre-Employment Medical Testing Records	4	0	4	G.C. 26202
	Retirement Plans and/or CalPERS files, rates, contracts, etc.	2	Permanent	Permanent	G.C. 26202; permanent for historical/research purposes

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		Office (Years)	Storage (Years)	Total (Years)	
	Miscellaneous Insurance Reports and Files	2	13	15	G.C. 26202
Worker's Compensation					
	Closed Workers' Compensation Without Future Medical Award	1 from injury	9	10	G.C. 26201 OSHA; 8 CCR 15400.2 (5 years from date of injury or from the date of provision of compensation benefits occurred, whichever is later)
	Workers' Compensation With Future Medical Award	5	Permanent	Permanent	8 CCR 15400.2 (self-insurance) - DO NOT DESTROY

Records will be kept electronically where appropriate, with hard copies, if they exist, considered to be duplicates that do not need to be retained.