

# STATE OF VERMONT GENERAL RECORD SCHEDULE

Issued to: All Public Agencies

GRS-1304.1103: Personnel Files

Last Revised: 6/27/2012



Vermont State Archives and Records Administration  
Vermont Office of the Secretary of State

## GRS-1304.1103: Personnel Files

Classification: Employees (Managing)

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This general record schedule applies to any agency, board, department, commission, committee, branch, instrumentality, or authority of the state or any agency, board, committee, department, branch, instrumentality, commission, or authority of any political subdivision of the state that produces or acquires the records listed on this record schedule in the course of public agency business. Record means any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** State agencies MUST have a Notice of Adoption (VSARA-11) acknowledged by the Vermont State Archivist and on file with the Vermont State Archives and Records Administration (VSARA) prior to using any general record schedule. Use of a General Record Schedule (GRS) to destroy records without proper notification is not permitted. In addition, internal policies must be established to assure that the requirements outlined in any GRS are being applied across the agency. General Record Schedule (GRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a. Local public agencies do not have to submit a Notice of Adoption; however, internal policies should clearly cite any general schedules that have been adopted and associated GRS numbers. If a GRS does not meet an agency's legal or administrative needs, the agency should continue to use any applicable disposition orders that have been issued for its records or seek agency specific record schedules through VSARA's Targeted Assistance Program (TAP).
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on GRS-1304.1103 may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** GRS-1304.1103 reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.

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**GRS-1304.1103: Personnel Files**

Classification: Employees (Managing)

*GRS-1304.1103: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the management of a specific employee during the course of his or her employment with a Vermont public agency. Use GRS-1000.1102 for records concerning the formulation or development of policies related to employment.*

**Retention:** Registers or systems that provide for the systematic and regular accounting of all persons employed by a public agency shall be retained until the register is superseded by a new register or system and then appraised by the Vermont State Archives and Records Administration for continuing value.

For specific employees, retain authorizations until superseded, plus an additional three (3) years and then destroy. An employee's most recent performance evaluation report and previous five (5) evaluation reports shall be retained at all times. All other performance evaluation reports may be destroyed if superseded by more recent reports and if more than six (6) years old. Applications, worksheets, and records gathered for reference only shall be retained until no longer needed administratively and then destroyed.

When the employee's employment with a public agency expires, through either resignation or termination, declarations and official statements, including the Federal I-9 form, and all existing records concerning the employee, with the exception of entries in the register, shall be retained for an additional six (6) years and then destroyed.

**Public Access:** Redact

**MINIMUM RECORDKEEPING REQUIREMENTS for Personnel Files (see APPENDIX E for related legal references)**

<b>Record Category/Type:</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Minimum Retention/Disposition:</b>
<b>GRS-1304.1103.8</b> <b>Applications</b> Public Access: <i>Redact</i>	Use for applications and resumes submitted by employees seeking employment. Includes letters of reference and related supporting material concerning employment, education and/or criminal histories.	Temporary (Legal)	RETAIN UNTIL: Obsolete PLUS: 0 Year(s) THEN: Destroy (Shred)
<b>GRS-1304.1103.141</b> <b>Authorizations</b> Public Access: <i>Redact</i>	Use for original requests and approvals for any personnel actions. Retain active authorizations at all times and use this schedule for authorizations that have been superseded.	Temporary (Legal)	RETAIN UNTIL: Superseded PLUS: 3 Year(s) THEN: Destroy (Shred)

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<p><b>GRS-1304.1103.32</b>  <b>Declarations</b>  Public Access: <i>Redact</i></p>	<p>Use for official statements or declarations. Includes the Federal Form I-9 of Homeland Security to verifying eligibility to work in the United States and tax declarations required under Vermont law prior to employment.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired  PLUS: 6 Year(s)  THEN: Destroy (Shred)</p>
<p><b>GRS-1304.1103.50</b>  <b>Notices, Legal</b>  Public Access: <i>Redact</i></p>	<p>Use for formal announcements, notifications, or warnings that are required by law.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>
<p><b>GRS-1304.1103.80</b>  <b>Reference sources</b>  Public Access: <i>Redact</i></p>	<p>Use for documents submitted by either the employee or the employer for reference purposes. Includes copies of certifications and awards in addition to documents relating to corrective or disciplinary actions.</p>	<p>Temporary (Administrative)</p>	<p>RETAIN UNTIL: Obsolete  PLUS: 0 Year(s)  THEN: Destroy (General)</p>
<p><b>GRS-1304.1103.81</b>  <b>Registers</b>  Public Access: <i>Redact</i></p>	<p>Use for registers and similar systems that provide for the systematic and regular accounting of all persons employed by the agency in all categories of employment.</p>	<p>Conditional Archival</p>	<p>RETAIN UNTIL: Superseded  PLUS: 0 Year(s)  THEN: Confirm</p>
<p><b>GRS-1304.1103.144</b>  <b>Reports</b>  Public Access: <i>Redact</i></p>	<p>Use for performance evaluation reports. Retain last six reports at all times and use this schedule for reports that have been superseded.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Superseded  PLUS: 6 Year(s)  THEN: Destroy (Shred)</p>
<p><b>GRS-1304.1103.104</b>  <b>Worksheets</b>  Public Access: <i>Redact</i></p>	<p>Use for worksheets from which information is entered into a formal registry.</p>	<p>Temporary (Administrative)</p>	<p>RETAIN UNTIL: Obsolete  PLUS: 0 Year(s)  THEN: Destroy (Shred)</p>

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## Appendix A: Appraisal Values

*An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."*

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value but not always.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special circumstances.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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## Appendix B: Public Access Requirements

*A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records or information within a record are exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.*

<b>Access</b>	<b>Description</b>	<b>Usage</b>
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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## Appendix C: Retention Requirements

*A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.*

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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## Appendix D: Disposition Requirements

*A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.*

Disposition	Description	Usage
Archives	Retain indefinitely. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate temporary records from archival records in accordance with the approved records schedule.	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to the Archives.

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## Appendix E: Legal References

GRS-1304.1103: Personnel Files		<i>Review for Exemption?</i>
1 V.S.A. § 311	Declaration of public policy; short title	No
1 V.S.A. § 312	Right to attend meetings of public agencies	Yes
1 V.S.A. § 313	Executive sessions	Yes
1 V.S.A. § 314	Penalty and enforcement [related to right to attend meetings of public agencies]	No
1 V.S.A. § 315	Statement of policy [related to free and open examination of records]	Yes
1 V.S.A. § 316	Access to public records and documents	No
1 V.S.A. § 317	Definitions; public agency; public records and documents	Yes
1 V.S.A. § 317(c)(7)	[Public record exemption: personal documents]	Yes
1 V.S.A. § 318	Procedure [related to producing records for inspection]	No
1 V.S.A. § 319	Enforcement [related to the denial of a request for public records]	No
1 V.S.A. § 320	Penalties [related to court orders for the production of any public agency records]	No
12 V.S.A. § 1691a	Procedure for production of employee personnel records	Yes
12 V.S.A. § 511	Civil action [related to limitation of time for commencement of actions]	No
20 V.S.A. § 2056c	Dissemination of criminal history records to the public	Yes
28 050 CVR 001	Security of computerized criminal information systems	No
28 CFR 20	Subpart B—State and local criminal history record information systems	Yes
29 CFR 1602	Recordkeeping and reporting requirements under Title VII, the ADA and GINA	No
29 CFR 1607	Uniform guidelines on employee selection procedures	No
29 CFR 1620	Equal Pay Act	No



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<b>29 CFR 1627</b>	Records to be made or kept relating to age: Notices to be posted: Administrative exemptions	No
<b>29 CFR 516</b>	Records to be kept by employers	No
<b>29 CFR 825.500</b>	Recordkeeping requirements [related to the Family Medical Leave Act of 1993]	Yes
<b>29 U.S.C. § 206</b>	Minimum wage [related to equal pay]	No
<b>29 U.S.C. § 211</b>	Collection of data	No
<b>29 U.S.C. § 2619</b>	Notice [related to family and medical leave]	No
<b>29 U.S.C. § 626</b>	Recordkeeping, investigation, and enforcement	No
<b>3 V.S.A. § 207</b>	Assistance and expenditure	No
<b>3 V.S.A. § 309</b>	Duties of commissioner of human resources	No
<b>3 V.S.A. § 322</b>	Rating service forms, completion and disposition	No
<b>3 V.S.A. § 650</b>	Definitions [related to deferred compensation programs]	No
<b>32 V.S.A. § 3113</b>	Requirements for obtaining license or governmental contract	No
<b>42 U.S.C. § 12101</b>	Findings and purpose [related to opportunity for individuals with disabilities]	No
<b>42 U.S.C. § 2000e-2</b>	Unlawful employment practices	No
<b>8 CFR 274a</b>	Control of employment of aliens	No
<b>8 U.S.C. § 1324a(b)</b>	Unlawful employment of aliens	No
<b>State of Vermont Personnel Policies and Procedures Manual</b>	State of Vermont personnel policies and procedures manual	No