

EMPLOYEE HR FILE CREATION AND REQUIRED FEDERAL & STATE POSTERS



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Agenda

Creating an HR Employee File

- Personnel File
- Admin File
- I-9 File
- Medical File

Required Federal and State Posters





Introduction

All employees must have HR files created, maintained and secured by the appropriate HR personnel. We will look at 4 types of files that each employee must have; a Personnel file, Admin file, I-9 file and a Medical file.

Please note, all 4 files must be *separate* from each other and some *cannot* be in the same file cabinet.



PERSONNEL FILE

Generally, documents found in the personnel file are official employment-related documents that have been presented to and signed by the employee or provided by the employee to the supervisor.

The personnel file must be maintained in a locked file cabinet in a secure area and maintained by HR.

Personnel records are considered confidential, and each facility shall maintain a current, accurate, and confidential personnel record on each employee. Access to personnel records must be limited to only those employees who need information to properly perform their duties.

DOCUMENTS FOR A PERSONNEL FILE

PRE - EMPLOYMENT / CURRENT EMPLOYMENT SECTION

1. Application for employment
2. Authority to release information
3. Reference Check forms
4. Temporary appointment agreement (if applicable)
5. Copy of driver's license and social security card
6. Verification of education and transcripts
7. Job Posting
8. Coded Register or letter from DOP
9. Offer Letter
10. Hire Above Minimum Letter (if applicable)
11. Certification Memo
12. Personnel Transaction Documents (ESMT)
13. Emergency Contact Information
14. VI / V2 Prior State Employment Form(s)

DOCUMENTS FOR A PERSONNEL FILE

PAYROLL & BENEFITS SECTION

1. Payroll forms, corrections, changes, settlement or buy-backs
2. Attendance records (unless you use UKG for this info)
3. Call-off information
4. Benefit information
5. Tax forms
6. Direct deposit/Pay card forms

DOCUMENTS FOR A PERSONNEL FILE

PERFORMANCE

SECTION

1. Employee Performance Appraisals (EPA)
2. Disciplinary actions
3. Awards

EDUCATION & TRAINING

SECTION

1. Completed course certificates for on-the-job training or seminars
2. Policy acknowledgements (DOP, OT, WV Executive Branch)

ADMINISTRATIVE FILE

Certain employee records should be maintained by HR staff in separate files from the personnel file to protect the employee's privacy rights and to insulate the agency from liability.

These records must also be kept confidential with restricted access or limited disclosure to designated persons on a need-to-know basis only, or as required by law.

TIP: Personnel Files and Administrative Files CAN be in the same file cabinet.

DOCUMENTS FOR ADMINISTRATIVE FILE

1. Background check information, including criminal record checks/history
2. Garnishment orders
3. Consumer reports
4. Discrimination claims and/or reports, including investigative materials regarding Human Rights complaints and EEO complaints
5. Employee grievances
6. EEO complaints and documents
7. Family court documents or orders
8. Investigative reports concerning alleged misconduct

I-9 IMMIGRATION FILE

The following records are NOT acceptable to be maintained in either the Personnel or Administrative files or in the same file cabinet.

These records must be kept in separate files that are confidential, with restricted access maintained by HR.

DOCUMENTS FOR I-9 FILE

1. Immigration records including Employment Eligibility Verification forms (I-9).

This is required by the DOJ to facilitate federal government audits.

TIP: Best if filed in a binder alphabetically for all employees.

NOTE: Audit the file/binder to ensure all employees have an I-9 on file. If not, immediately have them sign and date a new form and notate why.

MEDICAL FILE

The following records are NOT acceptable to be maintained in either the Personnel or Administrative files or in the same file cabinet.

These records must be kept in separate files that are confidential, with restricted access maintained by HR.

TIP: A supervisor should NEVER have access to the employee's medical file.

DOCUMENTS FOR A MEDICAL FILE

1. Medical records and history for employee or family member and those related to ADA, FMLA, Worker's Comp and Rehab Act
2. Fitness for duty exam results
3. Work-related injury or illness claims
4. Employee Assistance Program (EAP) documents and records

Q&A

1. Name the 4 HR files you will create.
2. Match the file to the cabinet (interactive in class)





Summary

Please refer to *DCR Policy 140.00 Personnel Records* for additional information. This presentation and reference sheet are a simplified summary of the DCR Policy.

The reference form can be found on our DAS website at [HR File to Create for Employees](#)





FEDERAL AND STATE
REQUIRED HR POSTERS

FEDERALLY REQUIRED POSTERS

- Equal Employment Opportunity (EEO) Is The Law
- Fair Labor Standards Act (FLSA)
- Family and Medical Leave Act (FMLA)
- Job Safety and Health Protection (OSHA)
- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Posters available on the DAS website and at link [Federal and State Posters](#)

STATE REQUIRED POSTERS

- WV Minimum Wage Requirements (State)
 - WV Wage Payment & Collection Act (State)
 - WV Parental Leave Act (State)
 - WV Human Rights Act (State)
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- Posters available on the DAS website and at link [Federal and State Posters](#)

Thank you

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