

PERSONNEL FILES	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All employers	Applications, resumes, and other forms of employment inquiries, job advertisements, notices to the public or to employees regarding job openings, training programs and written training agreements, documents related to hiring, firing, transferring, assignment, demotions, promotions, and layoffs, payroll records, rates of pay or other terms of compensation, job descriptions, employment handbooks, notice of and criteria for selection for training or apprenticeship programs, employee evaluations, requests for reasonable accommodation, summaries of applicants' qualifications, lists of job criteria, interview records, identification of minority and female applicants, opportunities for OT. Records should be kept safe and accessible at the place or places of employment, or at an established central record-keeping office. Where records are not maintained at the place of employment, they must be made available upon 72 hours' notice.	4 years recommended	<ul style="list-style-type: none"> • Title VII; 29 C.F.R. §§ 1602.7-1602.14, 1602.20-1602.21 • Civil Rights Act of 1866 ; 42 U.S.C. § 1981 • ADEAA ; 42 U.S.C. § 12117; 29 C.F.R. §§ 1602.7-1602.14 • ADEA ; 29 U.S.C. § 626; 29 C.F.R. §§ 1627.2-1627.6, 1627.10-1627.11 • EO 11246; 41 C.F.R. §§ 60-1.3, 60-1.7, 60-1.12 • DBRA; 40 U.S.C. § 276a; 29 C.F.R. § 5.5(a)(3) • Rehabilitation Act of 1973 ; 29 U.S.C. § 793; 41 C.F.R. § 60-741.80 • VEVRAA; 38 U.S.C. § 4212; 41 C.F.R. § 60-300.80 • FLSA ; 29 U.S.C. § 211; 29 C.F.R. § 516
California	All employers. Does not apply to employees who are covered by a valid collective bargaining agreement that specifies: wages, work hours and working conditions; procedures for reviewing and copying personnel records; premium wage rates for all OT hours worked; and a regular pay rate that is at least 30% higher than CA minimum wage.	Employers must keep a copy of employees' personnel records for at least 3 years after termination from employment. The personnel file provisions do not apply to criminal investigation records; letters of reference; or ratings and records obtained prior to employees' employment, prepared by specific examination committee members or obtained in connection with promotional examinations.	3 years	Cal. Lab. Code §§ 19.8, 79, 244, 1193.5, 1198.5
Connecticut	All employers	Employers that maintain personnel files must keep such files for at least 1 year after employees' termination. The personnel files provisions apply to documents, including e-mails, that employers use or have used to determine employment eligibility, promotions, compensation, transfers, terminations, discipline or other adverse actions. Employers that maintain employees' medical records must keep such records separate and retain the records for at least 3 years after employees' termination of employment.	1 year 3 years for medical records	Conn. Gen. Stat. §§ 31-1 to 31-2, 31-8, 31-69a, 31-128a to 31-128j
Hawaii	All employers	Employers must maintain personnel or employment records for one year from the date of making the record, including records related to hiring, promotion, demotion, layoff or termination, rates of pay or other terms of compensation, labor organization membership, selection for training or apprenticeship, and employment referrals.	1 year	Coverage: Haw. Admin. Rules § 12-46-1, Haw. Rev. Stat. § 378-1 Recordkeeping Requirements: Haw. Admin. Rules § 12-46-21
Kentucky	Employers with at least 8 employees	Employers must maintain personnel or employment records for a period of 1 year, including personnel actions, requests for accommodation, application forms, hiring, promotion, demotion, transfer, layoff, termination, and terms of compensation. An apprenticeship or training program shall maintain a list of applicants according to race, national origin, sex, age, and disability for 2 years.	1 year 2 years for apprentice/training programs	Coverage: Ky. Rev. Stat. §§ 344.030, 344.045 Recordkeeping Requirements: 104 Ky. Admin. Regs. 1:030, 104 Ky. Admin. Regs. 1:070
Maine	All employers	Employers must maintain personnel or employment record (including, but not limited to: employment application forms, applicant and employee rating sheets, tests, and other records having to do with job referral, hiring, promotion, demotion, transfer, lay-off, rates of pay or other terms of compensation, seniority, labor organization memberships or selection for training or apprenticeship) for a period of at least one (1) year from the date of the making of the record or the personnel action involved, whichever occurs later. When an employee has been involuntarily terminated, the personnel records of the individual terminated shall be kept for a period of one (1) year from the date of termination.	1 year	94-348 Me. Code R. § 3.20

Massachusetts	Employers with at least 20 employees	“Personnel record” is a record kept by an employer that identifies an employee, to the extent that the record is used or has been used, or may affect or be used relative to that employee’s qualifications for employment, promotion, transfer, additional compensation or disciplinary action. Includes the name, address, DOB, job title and description; rate of pay and any other compensation paid to the employee; starting date; the job application; resumes or other forms of employment inquiry submitted; performance evaluations, including but not limited to, employee evaluation documents; written warnings of substandard performance; lists of probationary periods; waivers signed by the employee; copies of dated termination notices; any other documents relating to disciplinary action regarding the employee.	3 years	Mass. Gen. Laws ch. 149, § 52C
Minnesota	Employers with 20 or more employees.	Employers must maintain “employee assistance records” separate from employee personnel records and must not become part of an employee’s personnel file. Employee assistance records are records created, collected, or maintained by an employee assistance provider that related to participation by an employee or an employee’s family member in employee assistance services.	N/A	Coverage: Minn. Stat. § 181.960. Recordkeeping Requirement: Minn. Stat. § 181.980
Missouri	Employers with at least 6 employees	Employers shall make and keep personnel or employment records, including but not limited to, application forms submitted by applicants and other records having to do with hiring, promotion, demotion, transfer, layoff or termination, rates of pay or other terms of compensation and selection for training or apprenticeship shall be preserved by the employer for a period of 1 year from the date of the making of the record or the personnel action involved, whichever occurs later.	1 year	Coverage: Mo. Rev. Stat. § 213.010 Recordkeeping Requirements: Mo. Code Regs. Ann. tit. 8, § 60-3.010
Montana	All employers	Employers must keep records of employee race, sex, and age. Records which fulfill the requirements of the EEOC recordkeeping requirements are sufficient to meet the requirements of this rule.	2 years	Coverage: Mont. Code. Ann. § 49-2-101 Recordkeeping Requirements: Mont. Code. Ann. § 49-2-102, Mont. Admin. R. 24.9.805
Nevada	All employers	Upon termination of employment, an employer shall allow an employee to inspect the employee’s records of employment within 60 days after his or her termination of employment and shall, if requested by that former employee within that period, furnish the former employee with a copy of those records.	60 days following termination	Nev. Rev. Stat. § 613.075
Oregon	All employers that pay remuneration for services that are provided under their direction. Employers that use temporary service providers aren’t considered to be employers of temporary workers supplied by these providers.	Employers must keep employees’ personnel records for at least 60 days after their employment is terminated. The personnel file provisions do not apply to records related to convictions, arrests or investigations for criminal misconduct; confidential reports from previous employers; or personnel records maintained in compliance with Oregon education law.	60 days following termination	Coverage: Or. Rev. Stat. §§ 652.750, 656.005 Recordkeeping Requirements: Or. Rev. Stat. § 652.750
Washington	All employers	Employers must keep personnel files and should keep job references for two years.	2 years	Coverage: Wash. Rev. Code § 49.12.005 Recordkeeping Requirements: Wash. Rev. Code § 49.12.250; Wash. Rev. Code § 4.24.730

RECORDS RELATING TO EMPLOYMENT TESTS AND OPPORTUNITIES	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All Employers	Personnel records relating to job orders submitted to employment agency or labor organization, test papers and documents related to employer-administered aptitude tests or other employment tests, physical examination results, interview notes, notices regarding openings, promotions, training programs, and opportunities for OT work.	4 years recommended; for compliance with the statutes listed, records must be retained for 1 year from date of personnel action to which record relates. Government contractors or subcontractors with fewer than 150 employees OR who do not have a government contract of at least \$150,000 must keep records for 1 year. All other covered contractors must keep records for 2 years.	<ul style="list-style-type: none"> • ADEA; 29 C.F.R. § 1627.3(b)(1) • Rehabilitation Act; 41 C.F.R. § 60-741.80(a) • VEVRAA; 41 C.F.R. § 60-300.80(a) • EO 11246; 41 C.F.R. § 60-1.12(a)
ONLINE/ INTERNET APPLICATION RECORDS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Employers with government contracts in excess of \$10,000.	<p>Any and all expressions of interest through the internet or related technologies as to which the employer or government contractor considered the individual for a particular position, such as on-line resumes or internal resume databases, records identifying applicants contacted about their interest in a particular position.</p> <p>If utilizing INTERNAL RESUME DATABASE, must maintain a record of each resume added to the database, the date added, the position for which each search of the database was made, and for each such search, the search criteria and date.</p> <p>If utilizing EXTERNAL RESUME DATABASE, must maintain a record of the position for which each search of the database was made, and for each search, the search criteria, the date of the search, and the resumes of the job seekers who met basic position qualifications.</p>	Government contractors or subcontractors with fewer than 150 employees OR who do not have a government contract of at least \$150,000 must keep records for 1 year. All other covered contractors must keep records for 2 years.	EO 11246; 41 C.F.R. §§ 60-1.3, 60-1.12
APPRENTICESHIP RECRUITMENT, HIRING, AND JOB PLACEMENT RECORDS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All employers	Applicant showing applicants' name, address date of application, sex, and minority status. Or a chronological list showing same test scores and interview. EEO-2 must also be filed.	4 years recommended; Under Title VII, 2 years after receipt or at the period of apprenticeship (whichever is longer).	29 C.F.R. §§ 1602.20-1602.21

APPRENTICESHIP PERSONNEL DATA	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	2 or more employees handling goods that moved in commerce	Apprenticeship agreements, certificates, names of employee covered by apprenticeship agreements, work records as apprentices, selection for apprenticeship, any record made exclusively for completing EEO-2 or similar report. EEO-2 must also be filed.	FLSA/EPA - 2 Years Title VII- 1 Year from date of record or employment action taken (whichever is later)	29 C.F.R. §§ 1602.20-1602.21

PAYROLL RECORDS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Employers covered under the enterprise coverage test or the individual employee coverage test. Some types of employers can be subject to enterprise coverage regardless of sales volume, including hospitals, nursing homes and public or private institutions that care for the sick, aged, mentally ill or disabled; preschools, elementary and secondary schools and institutions of higher education (both public or private), as well as schools for mentally or physically handicapped (or gifted or talented) children; and public agencies.	Employers must maintain records of each employee's name, address, DOB, sex and occupation, regular rate of pay, hours worked, wages paid, OT wages paid, any credits made against the minimum wage, any other documents kept in regular course of business relating to wages, wage rates, evaluations, job descriptions, merit systems, seniority systems, CBAs, description of practices which describe the basis for payment or any wage differential to employees of the opposite sex in the same establishment. The FLSA requires employers to keep records of the beginning and ending hours and days of each employee's regular workweek; payments each received that were excluded from the employee's regular rate of pay; the wage rate basis used to determine straight-time earnings or wages for each pay period; deductions from each employee's wages; additions to wages; retroactive payments employees received because of government enforcements of back payment awards and the dates of each payment and the pay period covered by each payment. The FLSA does not require a particular format for records or method of time keeping. The time-keeping system must be contained in aggregate in at least one location.	3 years	Coverage: FLSA, Title 29 U.S. Code § 205; 29 Code of Federal Regulations § 541 EPA; 29 C.F.R. § 1620.32 Recordkeeping Requirements: 29 CFR § 516
Alaska	All employers are covered, except those specifically exempted by the Alaska Wage and Hour Act	An employer shall keep for a period of at least three years at the place where an employee is employed a record of the name, address, and occupation of each employee, the rate of pay and the amount paid each pay period to each employee, the hours worked each day and each workweek by each employee, and other payroll information that the commissioner may require.	3 years	Alaska Stat. § 23.10.100
Arizona	All employees are covered except those exempt from the AZ Minimum Wage Act, including any person employed performing babysitting services in the employer's home on a casual basis; any person employed by the state or federal government and any person employed in a small business grossing less than \$500,000 in annual revenue, if the small business is not covered by the FLSA.	Employers must keep records of employees' names/addresses; employees' identifying symbols or numbers if used on any time, work or payroll records; DOBs of employees younger than 19; employees' occupations; the time/day of the week on which the workweek begins; the regular hourly rate of pay for any workweek and an explanation of the basis of pay; the hours worked each day and total hours worked each week; total daily or weekly straight-time earnings or wages due for hours worked during the workday or week, exclusive of premium OT pay; total additions to or deductions from wages paid each pay period including employee purchase orders or wage assignments; total wages paid each pay period and date of payment and the pay period covered by that payment. Records also must be kept of the following: all time and earning cards; all wage rate tables or schedules that provide piece rates or other rates used in computing straight-time earnings, wages, commissions, salary or OT pay computations; records of additions to or deductions from wages paid and any written agreements relied on to calculate credits toward the minimum wage. Records must be kept at the place of employment or at one or more established central recordkeeping offices. The commission can waive the recordkeeping requirement for small employers that would be unreasonably burdened by the requirement. Small employers are defined as those that have less than \$500,000 in gross annual revenue.	4 years	Coverage: Ariz. Rev. Stat. § 23-362; Ariz. Admin. Code R20-5-1202; Ariz. H.B. 2579, L. 2016; Ariz. Secretary of State web site, 8/19/16 Recordkeeping Requirements: Ariz. Rev. Stat. § 23-364; Ariz. Admin. Code R20-5-1209, R20-5-1210, R20-5-1220
Arkansas	All employees of employers with at least 4 workers are covered except those specifically exempt by statute.	Employers subject to the wage and hour laws must keep a record for 3 years of each employee's name, address, date of birth if under 19, gender and occupation, time of day/day of week on which the employee's workweek begins; rate of pay and of the amount paid the employee each pay period, total OT compensation total additions or deductions from wages paid; total wages paid each pay period and date of payment and the pay period covered by payment, job classifications, and other terms and conditions of employment.	3 years	Coverage: Ark. Code Ann. § 11-4-203 Recordkeeping Requirements: Ark. Code Ann. §§ 11-4-217, 11-4-218, 11-4-612

<p>California</p>	<p>All employees are covered, except those specifically exempt by wage order.</p> <p>Effective Jan. 1, 2016, professional cheerleaders performing more than once in a calendar year at the games and exhibitions of CA baseball, basketball, football, ice hockey or soccer minor or major league professional sports teams are to be classified as employees.</p>	<p>Employers are required to keep a copy of the statement and the record of deductions on file for at least 3 years at the place of employment or at a central location within the state of CA. The term copy includes a duplicate of the itemized statement provided to an employee or a computer-generated record that accurately shows all of the information that existing law requires to be included in the itemized statement.</p>	<p>3 years</p>	<p>Coverage: Cal. Code Regs. tit. 8, § 11010; Cal. Lab. Code §§ 226, 1198, 2810.5</p> <p>Recordkeeping Requirements: Cal. Lab. Code §§ 353, 1174, 1198, 2810.5</p>
<p>Colorado</p>	<p>All employees of employers with at least 4 workers are covered except those specifically exempt by statute. Among those exempt include babysitters and domestic service employees in private residences; students employed by sororities/fraternities; employees working in laundries of charitable institutions that pay no wages to workers and inmates; and bona fide volunteers.</p>	<p>Employers must keep a record for at least 3 years of each employee's name, address, SSN, occupation, date of hire, DOB if the employee is younger than 18, daily hours worked, allowable credits and declared tips, regular rate of pay, gross wages, net pay, all withholdings and deductions, inclusive dates of the pay period, and name and address of employer.</p>	<p>3 years</p>	<p>Coverage: 7 Colo. Code Regs. § 1103-1; Colo. Rev. Stat. § 8-4-101; Minimum Wage Order 32; Department of State news release, 8/11/2016</p> <p>Recordkeeping Requirements: Colo. Rev. Stat. § 8-4-103; 7 Colo. Code Regs. § 1103-1, 1103-7</p>
<p>Connecticut</p>	<p>All employees are covered except those specifically exempt by statute.</p>	<p>Employers must keep at the place of employment for a period of three years a true and accurate record of the hours worked by, and the wages paid by him to, each employee. "True and accurate records" means accurate legible records for each employee showing: (1) name; (2) home address; (3) the occupation in which he or she is employed; (4) the total daily and total weekly hours worked, showing the beginning and ending time of each work period, computed to the nearest unit of fifteen minutes; (5) total hourly, daily or weekly basic wage; (6) overtime wage as a separate item from his basic wage; (7) additions to or deductions from wages each pay period; (8) total wages paid each pay period; (9) such other records as are stipulated in accordance with sections 31-60-1 through 31-60-16; (10) working certificates for minor employees (sixteen to eighteen years).</p>	<p>3 years</p>	<p>Coverage: Conn. Gen. Stat. § 31-58</p> <p>Recordkeeping Requirements: Conn. Gen. Stat. § 31-66, Conn. State Agencies § 31-60-12</p>
<p>Delaware</p>	<p>All employees are covered except those specifically exempt by statute, which includes agricultural and fishing workers, domestic service, bona fide executive, administrative, or professional workers, outside commission salespersons, persons employed by the U.S., workers for nonprofit organizations, camp counselors, inmates.</p>	<p>Employers must make and preserve for a period of not less than 3 years, in or about the premises or place of business or employment, a record of the name, address and occupation of each employee, the rate of pay and the amount paid each pay period to each employee, the hours worked each day and each work week by each employee</p>	<p>3 years</p>	<p>Coverage: 19 Del. C. § 901(3)</p> <p>Recordkeeping Requirements: 19 Del. C. § 907, 19 Del. C. § 1108(6).</p>
<p>District of Columbia</p>	<p>All employees except volunteers, persons employed by a religious organization, and babysitters.</p>	<p>Employers must make and preserve for a period of not less than 3 years or the prevailing federal standard at the time the record is created, whichever is greater, a record of name, address, and occupation of each employee; DOB of any employee under 19 years of age; rate of pay and the amount paid each pay period to each employee; times worked each day and each workweek.</p>	<p>3 years</p>	<p>Coverage: D.C. Code § 32-1002</p> <p>Recordkeeping Requirements: D.C. Code § 32-1008</p>
<p>Florida</p>	<p>All employees</p>	<p>Each employing unit will maintain all records pertaining to remuneration for services performed for five years following the calendar year in which the services were rendered. Records include, name and SSN, place of employment, pay period dates, dates of days worked, amount paid, rate of pay, amount of hours worked (if paid hourly), dates of hire and separation, special payments, the address where the payroll records are stored.</p>	<p>5 years</p>	<p>Coverage: Fla. Stat. §§ 443.036, 443.121</p> <p>Recordkeeping Requirements: Fla. Admin. Code r. 73B-10.032.</p>
<p>Georgia</p>	<p>Employers with more than 8 employees. Agriculture and domestic labor are exempt.</p>	<p>Employers must keep records of the name, address, and occupation of each employee, the daily and weekly hours worked, the wages paid during each pay period. Such records shall be kept on file for at least one year after the date of the record.</p>	<p>1 year</p>	<p>Coverage: Ga. Code § 34-2-2</p> <p>Recordkeeping Requirements: Ga. Code § 34-2-11</p>

Hawaii	All employees, except those earning a guaranteed compensation of \$2,000/month, agricultural workers, domestic service, fishing, golf caddies, persons employed by a family member, bona fide executive, administrative, supervisory, or professional capacity or in the capacity of outside salesperson.	Employers must keep records of the name, address, and occupation of each employee, amount paid each pay period, hours worked each day and workweek, rates of pay and basis thereof.	6 years	Coverage: Haw. Rev. Stat. § 387-1 Recordkeeping Requirements: Haw. Rev. Stat. § 387-6, Haw. Admin. Rules § 12-20-8
Idaho	All employees	Employment records must be maintained for a minimum period of three years from the last date of the employee's service.	3 years	Coverage: Idaho Code § 45-601 Recordkeeping Requirements: Idaho Code § 45-610.
Illinois	All employees 18 and older working for employers with at least 4 employees are covered except those specifically exempt by statute. Effective Jan. 1, 2017, domestic workers are considered employees.	Employers must keep records for at least 3 years of the name, address, occupation, rate of pay, the amount paid each pay period, and the hours worked each day in each workweek by each employee. Day and temporary labor service agencies must keep and maintain for 3 years detailed records relating to every day laborer's work and such records must be open to inspection by the DOL during normal business hours. Records relating to an individual worker and any hours billed to third-party clients for the worker's labor must be available for review/copying by the worker within 5 days after a written request is made. Workers employed at the learner rate must be designated as such on the payroll records. An employee leasing company shall maintain accounting and employment records relating to all employee leasing arrangements for a minimum of 4 calendar years	3 years 4 years for employee leasing companies	Coverage: 820 Ill. Comp. Stat. 105/3, 105/4; Ill. H.B. 1288, L. 2016; Ill. H.B. 3554, L. 2016, 215 Ill. Comp. Stat. 113/15. Recordkeeping Requirements: 820 Ill. Comp. Stat. 105/8, 175/12, 215 Ill. Comp. Stat. 113/25
Indiana	All employees, except for any person employed in a bona fide executive, agricultural, domestic, administrative or professional capacity or in the capacity of an outside salesman.	Every employer shall keep records of the name, address and occupation of each employee, the daily and weekly hours worked, and the wages paid each pay period.	Not specified; 3 years recommended	Ind. Code § 22-1-1-15.
Iowa	All employees, except for certain agricultural positions.	Employers must establish and preserve for three calendar years the payroll records showing the hours worked, wages earned, and deductions made for each employee and any employment agreements entered into between an employer and employee.	3 years	Coverage: Iowa Code § 91A.2 Recordkeeping Requirements: Iowa Code § 91A.6, Iowa Admin. Code r. 875-216.5(91D)
Kansas	All employees are covered except those specifically exempt by statute; among those exempt include but are not limited to agricultural workers; and part-time workers 18 or younger and 60 or older.	Employers must keep for 3 years a record of the name, occupation, the rate of pay, the amount paid each pay period, and the hours worked each day and each workweek by each employee. In lieu of the records required under state law, any employer who is covered under the provisions of the FLSA may keep and maintain the records required under the FLSA.	3 years	Coverage: Kan. Stat. Ann. § 44-1202 Recordkeeping Requirements: Kan. Stat. Ann. § 44-1209
Kentucky	All employees are covered except those specifically exempt by statute. Among those exempt include but are not limited to agricultural workers; employees of retail stores, hotels, motels, and restaurants with average annual sales of less than \$95,000 for the preceding 5 years; individuals employed by a third party or agency that provides in-home companionship services for a sick, convalescing or elderly person and certain emergency employees.	Employers must keep a record of the amount paid each pay period and the hours worked each day and each week by each employee. These records must be kept for at least 1 year and be open to inspection and transcription by the Labor Department.	1 year	Coverage: Ky. Rev. Stat. Ann. § 337.010 Recordkeeping Requirements: Ky. Rev. Stat. Ann. § 337.320
Louisiana	All employers	Employers must keep records of the name, address, and occupation of each person employed by him, of the daily and weekly hours worked by, and of the wages paid each pay period to each employee for at least one year after the date of the record.	1 year	La. Rev. Stat. § 23:14

<p>Maine</p>	<p>All employees except agricultural workers, commission sales workers, taxicab drivers, camp counselors, fishing workers, domestic work, bona fide executive, administrative or professional employees, and inmates</p>	<p>Employer must keep record of the hours worked by each employee and of the wages paid for 3 years.</p>	<p>3 years</p>	<p>Me. Rev. Stat. Ann. tit. 26, § 665</p>
<p>Maryland</p>	<p>All employees are covered except those specifically exempt by statute. Among those exempt include but are not limited to certain agricultural employees, volunteers for educational, charitable, religious and nonprofit organizations, employees younger than 16 working fewer than 20 hours a week, employees enrolled as trainees as part of a public school special education program, nonadministrative employees of organized camps, certain establishments selling food and drink for consumption on the premises grossing less than \$400,000 annually, drive-in theaters and establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry or seafood.</p>	<p>Employers must keep records for 3 years of: the name, address, occupation, the rate of pay, the amount paid each pay period, and the hours that each employee works each day and each workweek. Labor department representatives may enter a place of employment to inspect and copy these records.</p>	<p>3 years</p>	<p>Coverage: Md. Code Ann., Lab. & Empl. § 3-403 Recordkeeping Requirements: Md. Code Ann., Lab. & Empl. §§ 3-424, 3-425</p>
<p>Massachusetts</p>	<p>All employees are covered except those specifically exempt by statute. Among those exempt include but are not limited to agricultural workers and independent contractors.</p>	<p>Employers must keep records of all employees' names, addresses and occupations; the amounts paid each pay period; and the hours worked each day and each week. Records must be kept for at least 3 years and must be available for inspection and copying by authorized state officials.</p>	<p>3 years</p>	<p>Coverage: Mass. Gen. Laws ch. 151, § 2; ch. 149, § 148B Recordkeeping Requirements: Mass. Gen. Laws ch. 151, §§ 2, 15</p>
<p>Michigan</p>	<p>All employees 16 and older of employers with 2 or more employees within a year are covered except those specifically exempt by statute. Effective Feb. 23, 2016, the meaning of employer is amended to specify that a franchisee is considered to be the sole employer of workers for whom the franchisee provides a benefit plan or pays wages, except as otherwise specified in a franchise agreement.</p>	<p>Employers must maintain for 3 years records of each employee's name, address, birth date, classification, rate of pay, total hours worked in each pay period, total wages paid, total compensatory time earned and fringe benefits awarded. Employers must provide each employee with a statement of the hours worked by the employee and of the wages paid to the employee, listing deductions made each pay period. Employers must provide, upon demand, a sworn statement of the wage information.</p>	<p>3 years</p>	<p>Coverage: Mich. Comp. Laws §§ 408.411, 408.412, 408.413, 408.414 Recordkeeping Requirements: Mich. Comp. Laws §§ 408.417, 408.479</p>
<p>Minnesota</p>	<p>All employees are covered except those specifically exempt by statute. Among those exempt include but are not limited to babysitters; seasonal workers in carnivals, circuses, fairs or ski facilities and seasonal workers in some organized resident or day camps; volunteers of nonprofit organizations; individuals younger than 18 working less than 20 hours per workweek for a municipality as part of a recreational program.</p>	<p>Employers must keep a record of the name, address and occupation of each employee; the rate of pay and the amount paid each pay period to each employee; and the hours worked each day and each workweek by each employee. The records must be kept for 3 years at or near the premises where employees work. Minnesota HB 746 requires record-keeping on how an employee is paid, piece rate payments, all personnel policies provided to employees, and copies of notices provided to employees regarding earning statements.</p>	<p>3 years</p>	<p>Coverage: Minn. Stat. § 177.23; Minnesota HB 746 goes into effect July 1, 2019 Recordkeeping Requirements: Minn. Stat. § 177.30</p>

Missouri	All employees are covered except those specifically exempt by statute. Effective Aug. 28, 2016, a taxicab driver is not to be considered to be an employee of the company that leases the taxicab to the driver unless it is shown that the driver is an employee of that company by application of the IRS's 20-factor right-to-control test.	Employers must keep records of each employee's name, address, occupation and pay rate; the amount paid each employee each pay period; the hours worked each day and each workweek by each employee and any goods or services provided by the employer to employees. The records must be kept for at least 3 years and must be open for inspection by the Department of Labor and Industrial Relations by appointment.	3 years	Coverage: Mo. Rev. Stat. §§ 290.500, 290.507; Mo. S.B. 702, L. 2016 Recordkeeping Requirements: Mo. Rev. Stat. § 290.520, Mo. Code Regs Ann. tit. 8, §30-4.060
Montana	All employees except those specifically excluded by statute.	Every employer shall maintain and preserve payroll or other records containing the following information and data with respect to each and every employee to whom the wage and hour law apply, including name, address, DOB, sex, rate of pay, hours worked, total earnings, deductions, dates of payment.	3 years	Coverage: Mont. Code Ann. § 39-3-406 Recordkeeping Requirements: Mont. Admin. R. 24.16.6102
Nevada	All employees except those specifically excluded by statute.	Employers shall establish and maintain records of wages, showing for each pay period the following information for each employee: gross wage or salary, deductions, net wage or salary, hours worked, date of payment.	2 years	Nev. Rev. Stat. § 608.115
New Hampshire	All employees except those exempted by FLSA	Every employer shall keep a record of hours worked by all of its employees except for employees who are exempt under 29 U.S.C. section 213 (a) of the Fair Labor Standards Act for a period of no less than 4 years.	4 years	N.H. Code Admin. R. Lab 803.03
New Jersey	All employees except those specifically excluded by statute	Every employer must shall keep records of the hours worked and the wages paid and shall furnish to the commissioner or the director or their authorized representative upon demand a sworn statement of the same.	6 years	N.J. Stat. Ann. § 34-11-56a20, N.J. Admin. Code § 12:56-4.4
New Mexico	All employees except for domestic labor and livestock/agriculture labor	Every employer shall keep a true and accurate record of hours worked and wages paid to each employee. The employer shall keep such records on file for at least one year after the entry of the record.	1 year	Coverage: N. M. Stat. Ann. § 50-4-1 Recordkeeping Requirements: N. M. Stat. Ann. § 50-4-9
New York	All employees are covered except those specifically excluded by statute.	Every employer must keep records for 6 years of the hours worked by and the wages paid to each employee. Employers must keep the records on an ongoing basis and may not make up the records after the fact or at the end of the week, month or year. Employers must keep the records open to inspection by the Labor Department and must permit the department to question any employee about wages paid to and the hours worked by the employee or other employees. For each week worked, payroll records must contain regular and OT hours worked, regular and OT pay rates, how the employee is paid, gross and net wages, itemized deductions and itemized allowances and credits claimed by the employer. Piece rate pay must show what rates apply and the number of pieces at each rate.	6 years	Recordkeeping Requirements: N.Y. Lab. Law § 195, 661, 663; N.Y. Gen. Bus. Law § 399-H; N.Y. Comp. Codes R. & Regs. tit. 12, § 142-2.6
North Carolina	All employees are covered except those specifically exempt by statute.	All records, posted notices and writings required by the Wage and Hour Act and the rules and regulations promulgated thereunder must be retained by employers for three years	3 years	Coverage: N.C. Gen. Stat. § 95-25 et. al. Recordkeeping Requirements: 13 N.C. Admin. Code 12.0802
North Dakota	All employers	Employers shall maintain records for five years after the calendar year in which the remuneration to which they relate was paid, or if not paid, was due for each employee's name, SSN, state where services performed, dates of hire and separation, remuneration paid, allowances and reimbursements paid, hours worked, dates of pay periods.	5 years	Coverage: N.D. Cent. Code § 52-01-01 Recordkeeping Requirements: N.D. Cent. Code § 52-01-02; N.D. Admin. Code § 27-02-02-01
Ohio	All employers	Employers shall make and keep for a period of not less than three years a record of the name, address, and occupation of each of the employer's employees, the rate of pay and the amount paid each pay period to each employee, the hours worked each day and each work week by the employee.	3 years	Ohio Rev. Code Ann. § 4111.08
Oklahoma	All employers	Employers shall maintain records for 4 years of payroll records, pay periods, total wages paid, name, SSN, wages each pay period for every employees, cash value of all remuneration, hire and separation dates, circumstances of separation, state of performed services.	4 years	Coverage: Okl. St. 40 § 1-208 Recordkeeping Requirements: Okla. Admin. Code 240:10-5-90

Oregon	All employees are covered except those specifically exempt by statute.	Employers must maintain and preserve for at least 2 years payroll or other records containing the following information about each employee: name in full; address; DOB if younger than 19; occupation; time of day and day of week on which the employee's workweek begins; regular hourly rate of pay for any workweek in which OT is due, and an explanation of the basis of pay; hours worked each workday and hours worked each workweek; total daily or weekly straight-time earnings or wages due, exclusive of OT payments; total premium pay for OT hours; total additions to or deductions from wages paid each pay period, including wage assignments; total wages paid each pay period and date of payment and pay period covered.	2 years	Coverage: Or. Rev. Stat. §§ 651.060; 653.010; 653.020; 653.025; 653.040; O.A.R. 839-020-0004; Ore. H.B. 3059, L. 2015; Ore. S.B. 1532, L. 2016 Recordkeeping Requirements: Or. Rev. Stat. § 653.045; Or. Admin. Code § 839-020-0080
Pennsylvania	All employees are covered except those specifically exempt by statute; among those exempt include but are not limited to farm laborers (other than seasonal farm workers).	Every employer must keep a record for at least 3 years of the hours worked by each employee and the wages paid to each. The records must be open for inspection by the Department of Labor at any reasonable time.	3 years	Coverage: 43 Pa. Stat. § 333.105 Recordkeeping Requirements: 43 Pa. Stat. § 333.108, 34 Pa. Code § 231.31
Rhode Island	All employees are covered except those specifically exempt by statute.	Employers must keep for 3 years a record of the name, address and occupation of all employees; the rate of pay and the amount paid each pay period to all employees; and the hours worked each day and each work week by all employees. The records must be open for inspection or transcription by the Department of Labor and Training at any reasonable time.	3 years	Coverage: R.I. Gen. Laws § 28-12-2 Recordkeeping Requirements: R.I. Gen. Laws § 28-12-12
South Carolina	All employers with 5 or more employees, except for employers of domestic labor in private homes.	Every employer shall keep records of names and addresses of all employees and of wages paid each payday and deductions made for three years.	3 years	Coverage: S.C. Code Ann. § 41-10-20 Recordkeeping Requirements: S.C. Code Ann. § 41-10-30
South Dakota	All employers	Employers shall keep work records of employee names and SSNs, hours worked, wages paid, dates of hire and separation, reason for separation, total wages, remuneration, and deductions for four years.	4 years	S.D. Codified Laws § 61-3-2, S.D. Admin. R. 47:06:02:01
Texas	All employers	Employers must keep employment and payroll records, that shall include, the name and correct address of the employing unit, and the name and address of each branch or division or establishment operated, owned, or maintained by the employing unit in Texas, and information of employees' name, address, SSN, dates of work, amounts paid, hours worked.	4 years	40 Tex. Admin. Code § 815.106
Utah	All employees are covered except those specifically exempt by statute. Effective May 10, 2016, a franchisor will not be considered to be an employer of a franchisee or a franchisee's employees unless the franchisor exercises a type or degree of control over the franchisee or its employees not customarily exercised by a franchisor.	Employers must keep payroll records of employees showing names, addresses, and dates of birth, as well as hours worked and wages paid. Records must be maintained for 3 years.	3 years	Coverage: Utah Code Ann. §§ 34-40-104, 34-20-14 Recordkeeping Requirements: Utah Code Ann. § 34-40-201
Vermont	All employees	Employers must keep accounts and records with respect to workers dates of and total remuneration paid, pay periods, name, address, and SSN, place of employment, rate of pay, dates of hire and separation, dates of work.	4 years	Vt. Admin. Code 13-1-100:4
Virginia	All employees of employers with at least 4 workers (including the employer's spouse, parent, or child) are covered except those specifically exempt by statute.	Each employing unit must maintain and keep for 4 years employee records that include names; employee SSN; the state or states in which services are performed; DOB, rehire, or return to work after a temporary lay off; the date when work ceased and the reason for cessation; scheduled hours (except for workers without a fixed schedule); total wages paid each pay period and total wages payable for all pay periods in each quarter, showing separately money wages, including tips and dismissal or severance pay, and the cash value of other remuneration; any special payments for service such as annual bonuses, gifts, or prizes; amounts paid employees as advances, allowances, or reimbursements for traveling or other business expenses, dates of payment, and the amount of expenditures actually incurred and accounted for by employees; and the location in which services are performed.	4 years	Coverage: Va. Code Ann. § 40.1-28.9 Recordkeeping Requirements: 16 Va. Admin. Code § 5-32-10

Washington	All employees except those specifically exempt by statute.	Employers must keep a record of the name, address, and occupation of each employee, the rate of pay, and the amount paid each pay period, the hours worked each day and each workweek.	3 years	Coverage: Wash. Rev. Code § 49.46.010 Recordkeeping Requirements: Wash. Rev. Code § 49.46.070; Wash. Admin. Code § 296-126-050
West Virginia	All employees of employers with six or more workers in one location or establishment (unless 80 % of the workers are covered under the FLSA) are covered except those specifically exempt by statute.	Every employer must keep records for 5 years of employee names and addresses, employee job title or classification, rates of pay, employee date of birth if younger than 18, documentation of employee legal status or authorization to work, hours of employment, payroll deductions and total amounts paid each employee each pay period.	5 years	Coverage: W.Va. Code § 21-5C-1; W.Va. Code St. R. § 42-8-8 Recordkeeping Requirements: W.Va. Code St. R. § 42-5-5
Wisconsin	All employees are covered with the exception of outside salespersons who are exempt from the state's minimum wage law.	Employers must keep permanent records for at least 3 years available for inspection and transcription by the Department of Workforce Development showing the names and addresses of all employees and their work hours and wages. Employers are exempt from the requirement to keep records of the number of hours worked by salaried employees who are not eligible to receive OT payments.	3 years	Wis. Stat. Ann. §§ 104.001 to 104.04 Recordkeeping Requirements: Wis. Admin. Code § 274.06; Wis. Admin. Code § 272.11
Wyoming	All employees are covered except those specifically exempt by statute.	Employers must keep for at least 2 years a record of the name, address and occupation; the rate of pay and the amount paid each pay period to each employee and the hours worked each day and each work week by each employee.	2 years	Coverage: Wyo. Stat. Ann. § 27-4-201 Recordkeeping Requirements: Wyo. Stat. Ann. § 27-4-203

WAGE DIFFERENTIAL	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All employers	Records that explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment.	2 Years	29 C.F.R. § 1620.32; 29 C.F.R. § 516.6
Alabama	All employers	Employers must adopt the rules for record keeping established by the FLSA, 29 C.F.R. Part 516	3 years	Ala. Code § 25-1-30
Arkansas	All employers	Employers must maintain wage records for every employee, including salary, wage rate, job classification, and other terms and conditions of employment.	3 years	Ark. Code Ann. § 11-4-612
California	All employers	Every employer shall maintain records of the wages and wage rates, job classifications, and other terms and conditions of employment of the persons employed by the employer for three years.	3 years	Cal. Labor Code §§ 1174, 1197.5(e)
Colorado	All employers	An employer must keep records of job descriptions and wage rate history for each employee for the duration of the employment plus two years after the end of the employment.	Duration of employment plus 2 years	Colorado House Bill 19-085 goes into effect on January 1, 2021.
Illinois	All employers	An employer subject to any provision of the Equal Pay Act must preserve records that document the name, address, and occupation of each employee, the wages paid to each employee, and any other information the Director may by rule deem necessary and appropriate for enforcement of the Act for a period of not less than 5 years.	5 years	Coverage: 820 Ill. Comp. Stat. 112/5 Recordkeeping Requirements: 820 Ill. Comp. Stat. 112/20.
Louisiana	All employers	Employers subject to the Louisiana Equal Pay for Women Act must keep records reflecting the name, address, and position of each employee, and all wages paid to each employee. These records shall be preserved for a period of not less than three years from the employee's last date of employment with the employer.	3 years	La. Rev. Stat. § 23:668
Maryland	All employers	Each employer shall keep each record that the Commissioner requires on wages, job classifications, and other conditions of employment.	Unspecified; Recommended 3 years	Coverage: Md. Lab & Empl. § 3-301 Recordkeeping Requirements: Md. Lab & Empl. § 3-305
New York	All employers, except governmental agencies	Employers must provide a notice to each employee upon hiring and containing the following information: the rates of pay and basis thereof; allowances, if any, claimed as part of the minimum wage, including tip, meal, or lodging allowances; the regular pay day designated by the employer; name of the employer; any "doing business as" names used by the employer; physical address of the employer's main office or principal place of business, a mailing address if different; telephone number of the employer. The employer shall obtain from the employee a signed and dated written acknowledgement of receipt of this notice, which the employer shall preserve and maintain for six years.	6 years	Coverage: N.Y. Lab. Law § 190 Recordingkeeping Requirements: N.Y. Lab. Law §§ 194, 195

North Dakota	All employers	An employer subject to this chapter shall make, keep, and maintain records of the wages and wage rates, job classifications, and other terms and conditions of employment of the individuals employed by the employer; shall preserve such records for as long as the employee is employed and two years thereafter.	2 years	Coverage: N.D. Cent. Code § 34-06.1 (Equal Pay for Men and Women) Recordkeeping Requirements: N.D. Cent. Code § 34-06.1-07
Pennsylvania	All employers; except that employees subject to § 6 of FLSA are not protected by the PA Equal Pay Law.	Employers shall keep records of the name and address of each employee and the rate of wage paid to each employee for 1 years unless an action is pending in which the records are relevant.	1 year	Coverage: 43 Pa. Stat. § 3336.2 Recordkeeping Requirements: 34 Pa. Code § 9.62
GENERAL BUSINESS RECORDS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Employers subject to the FLSA	Records showing total dollar volume of sales or business, and total volume of goods purchased or received during such periods as maintained in the ordinary course of business.	3 Years	29 C.F.R. § 516.5 (c)
	Employers subject to the FLSA	Records of customer orders or invoices received, incoming or outgoing shipping or delivery records, as well as all bills of lading and all billings to customers (not including individual sales slips, cash register tapes or the like) which the employer retains or makes in the usual course of business operations.	2 Years	29 C.F.R. § 516.6 (b)
MINOR EMPLOYEES	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Employers subject to the FLSA	Certificates of age that include name, address, date of birth, place of birth, signature, and gender of minor, name and address of employer, industry of employer, occupation of minor, signature of issuing officer, date and place of issuance, and name and address of minor's parent or person standing in that position should be preserved.	3 years from termination of employment	FLSA; 29 C.F.R. §§ 516, 570.5
Alabama	The law covers employment of minors ages 14 to 18.	Employers must keep a completed employee information form, proof of age, electronic or photocopy of time records on the premises where minors are employed going back 60 days before the last day each minor employee worked showing the hours worked each day, starting and ending times, and break times. These records must be kept either on the premises or at a central location for at least one year after the last day worked by minor employees.	1 year from last day worked	Coverage: Ala. Code §§ 25-8-33, 25-8-35 Recordkeeping Requirements: Ala. Code §§ 25-8-38, 25-8-45
Alaska	The law covers employment of minors under age 18. Minors under age 14 can be employed in only certain jobs such as newspaper delivery and babysitting.	Employers must keep for at least 3 years records containing each employee's name, address, occupation, work hours (daily and weekly), and wage rates. Employers must also retain proof of age for all minor employees.	3 years	Coverage: Alaska Stat. § 23.10.335; Alaska Admin. Code, tit. 8, § 05.010 Recordkeeping Requirements: Alaska Stat. § 23.10.100; § 23.10.350; Alaska Admin. Code, tit. 8, § 05.280
Arkansas	The law covers employment of minors ages 14 to 18. Minors are prohibited from working in certain occupations. Minors ages 16 to 18 are exempt from the child labor provisions if: they are graduates of high schools, vocational schools or technical schools, they are married or they are parents.	Employers must maintain records for workers younger than 18 that include their full name, address, date of birth, occupation, rate of payment, days and hours worked and copies of employment certificates or entertainment work permits. Records must be retained for 3 years. All records must be open for inspection or transcription by the Labor Director during normal business hours at the place of employment.	3 years	Coverage: Ark. Code §§ 11-6-102, 11-6-104, 11-6-105, 11-12-104; Child Labor Administrative Regulations 2.101 Recordkeeping Requirements: Child Labor Administrative Regulations 2.600, 2.601, 2.602
California	The law covers employment of minors younger than 18 who are required to attend school and all minors younger than six.	Employers must keep records of all minor employees containing names, addresses, and dates of birth, as well as time and payroll records. When requested, employers must give this information to the Division of Labor Standards Enforcement. Employers that employ student-learners must keep copies of written agreements with the other employment records. Employers must keep on file all work permits and certificates.	3 years recommended	Coverage: Cal. Lab. Code § 1286 Recordkeeping Requirements: Cal. Lab. Code § 1174, 1175, 1295, 1299, 1174, 1175; Cal. Educ. Code §§ 49161, 49164, 49181

<p>Colorado</p>	<p>The law covers employment of minors younger than 18, except those who have a high school diploma or GED. Exemptions for school work, chores, work for a parent, newspaper carriers, actors/models/performers.</p>	<p>Employer must keep an age certificate for the duration of the minor's employment where they may be readily examined. Upon termination of employment and upon request, the certificate shall be returned to the minor.</p> <p>If it has been requested by the employer, the employer shall maintain a record of the high school diploma, proof of a passing score on the general educational development examination, or completion of a career and technical education program.</p>	<p>Duration of employment</p>	<p>Coverage: C.R.S. §§ 8-12-103-104</p> <p>Recordkeeping Requirements: C.R.S. §§ 8-12-111-112</p>
<p>Delaware</p>	<p>The law covers employment of minors younger than 18 and older than 13, except those engaged in work exempted from the statute.</p>	<p>A minor shall not engage in employment unless the employer has in the employer's possession a verified and validated employment certificate for the minor. The employer shall keep the certificate on file at all times and make it accessible to the Department of Labor upon request.</p>	<p>Duration of employment</p>	<p>Coverage: 19 Del. §§ 502, 505</p> <p>Recordkeeping Requirements: 19 Del. C. § 504(a)</p>
<p>District of Columbia</p>	<p>The law covers employment of minors younger than 18.</p>	<p>No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work or vacation permit</p>	<p>Duration of employment</p>	<p>Recordkeeping Requirement: D.C. Code § 32-207.</p>
<p>Florida</p>	<p>The law covers employment of minors younger than 18, unless they are or were married; their disability of nonage has been removed by a court; they are serving or have served in the United States Armed Forces, a court has found that it is in the minor's best interest to work or they have graduated from an accredited high school or hold a high school equivalency diploma.</p>	<p>Employers must keep for the duration of their employment proof of age for all minor employees. This requirement is satisfied by the following: a photocopy of the child's birth certificate, a photocopy of the child's driver's license, a photocopy of the child's identification card issued by the Florida Department of Highway Safety and Motor Vehicles, an age certificate issued by the district school board or a photocopy of a passport or visa.</p>	<p>Duration of employment</p>	<p>Coverage: Fla. Stat. §§450.012, 450.021, 562.13; Fla. Admin. Code Ann. r. 61L-2.002, -2.005, -2.006</p> <p>Recordkeeping Requirements: Fla. Stat. § 450.045; Fla. Admin. Code Ann. r. 61L-2.003</p>
<p>Georgia</p>	<p>The law covers employment of minors under age 18. Minors under age 12 cannot be employed, except for certain industries such as agriculture or domestic service in private homes.</p>	<p>Employers must keep copies of employment certificates and letters.</p>	<p>For minors between 12 and 16, employers must return employment certificates to the issuing officer within 5 days of the date of termination. When employment of minors between ages 12 and 16 has not been terminated, but the minors have failed to appear for work for a period of 30 days, employers must return the employment certificate to the issuing officer within 5 days of the date of the expiration of the 30-day period.</p>	<p>Coverage: Ga. Code Ann. §§ 39-1-1, 39-2-1, 39-2-2, 39-2-9</p> <p>Recordkeeping Requirements: Ga. Code Ann. §§ 39-2-11, 39-2-13</p>
<p>Hawaii</p>	<p>The law covers employment of minors under age 18, except for minors employed by their parents or legal guardians; in connection with the sale or distribution of newspapers; in domestic service in or about a private home; as golf caddies; or by any religious, charitable, or nonprofit organization.</p>	<p>Employers must keep on file employment and age certificates for all employees under age 18.</p>	<p>On termination of employment, employers must return age certificates to the department immediately.</p>	<p>Coverage: Haw. Rev. Stat. § 390-2; Haw. Admin. Rules §§ 12-25-33 to 58</p> <p>Recordkeeping Requirements: Haw. Rev. Stat. §§ 390-2, 390-3</p>
<p>Idaho</p>	<p>The law covers employment of minors younger than 16 and older than 14.</p>	<p>Every employer permitting minors under sixteen (16) years of age and over fourteen (14) years of age to work in any mine, factory, workshop, mercantile establishment, store, telegraph or telephone office, laundry, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, shall keep a record of the names, ages, and place of residence of such minors.</p>	<p>Duration of employment</p>	<p>Idaho Code § 44-1303</p>

<p>Illinois</p>	<p>The law covers employment of minors younger than 16, except for minors working in agricultural pursuits, selling and distributing magazines and newspapers when school is not in session, working in private homes outside school hours so long as that work is not connected with the work of their employers, caddying at a golf course if they are older than 12 or 14 or 15-year-olds working in federally funded work experience career education programs directed by the state board of education.</p>	<p>Employers must keep on file employment certificates for all employees younger than 16 and a register containing names, addresses and ages of all employees 14 to 16.</p> <p>Employers must maintain a time record on each minor employee for three years.</p>	<p>Upon termination of employment, employers must immediately return employment certificates to the issuing official.</p> <p>3 years for time records</p>	<p>Coverage: 820 Ill. Comp. Stat. 205/1, 205/2, 205/7</p> <p>Recordkeeping Requirements: 820 Ill. Comp. Stat. 205/6, 205/13, Ill. Admin. Code. tit. 56, § 250.500</p>
<p>Indiana</p>	<p>All employees age 14 to 18</p>	<p>Employers must keep on file employment certificates for all employees younger than 18 and at least 14.</p>	<p>Duration of employment</p>	<p>Ind. Code § 20-33-3-5</p>
<p>Iowa</p>	<p>The law covers employment of minors under age 18, except for working in the home, agricultural work, working in a parent's business, models, and per court order.</p>	<p>Employers employing persons under age 16 must receive and keep on file a work permit and keep a complete list of the names and ages of all such persons.</p>	<p>Duration of employment</p>	<p>Iowa Code § 92.10</p>
<p>Kansas</p>	<p>The law covers employment of minors under age 18, except for those employed by their parents in nonhazardous occupations; in domestic service; in casual labor in or around a private home; in delivery/messenger work; in delivery of newspapers or shopping news; in agricultural, horticultural, livestock, or dairying pursuits; and as actors.</p>	<p>Employers must keep work permits on file for employees under age 16. If minors are enrolled in or attending secondary school within the state, work permits are not required.</p>	<p>On termination of the employment of a minor whose work permit is on file, the employer must return the permit within 2 days to the issuing official.</p>	<p>Coverage: Kan. Stat. Ann. §§ 38-601, 38-602, 38-614; Kan. Admin. Regs. §§ 49-1-50, 49-1-51</p> <p>Recordkeeping Requirements: Kan. Stat. Ann. § 38-604</p>
<p>Kentucky</p>	<p>The law covers employment of minors under age 18.</p>	<p>Employers of minors under eighteen (18) years of age must keep a separate register containing the names, ages, and addresses of such employees, and the time of commencing and stopping of work for each day, and the time of the beginning and ending of the daily meal period</p>	<p>Duration of employment</p>	<p>Recordkeeping requirements: Ky. Rev. Stat. § 339.400</p>
<p>Louisiana</p>	<p>The law covers employment of minors younger than 18. Minors younger than 14 cannot be employed, except for certain occupations.</p>	<p>Employers must keep on file employment certificates for all minors they employ. Certificates must be accessible on the job site or in the immediate area of the work location. Employers must return employment certificates to the issuing officer within 3 days after the termination of a minor's employment.</p>	<p>Employers must keep on file employment certificates for all minors they employ. Employers must return employment certificates to the issuing officer within 3 days after the termination of a minor's employment.</p>	<p>Coverage: La. Rev. Stat. Ann. §§ 23:151, 23:161, 23:162, 23:163; La. Admin. Code tit. 40, §§ VII.101 to VII.535</p> <p>Recordkeeping Requirements: La. Rev. Stat. Ann. §§ 23:182, 23:187</p>
<p>Maine</p>	<p>The law covers employment of minors younger than 18.</p>	<p>A minor under 16 years of age may not be employed without a work permit signed by the superintendent of schools of the school administrative unit in which the minor resides and issued to the minor by the bureau. The employer shall keep all work permits issued for the employer's minor employees on file.</p>	<p>Duration of employment</p>	<p>Me. Rev. Stat. tit. 26, § 775</p>
<p>Maryland</p>	<p>The law covers employment of minors younger than 18.</p>	<p>Employers must obtain and keep a work permit for any employed person younger than 18.</p>	<p>Duration of employment</p>	<p>Md. Code. Lab. & Employ. §§ 3-201, 3-204, 3-205</p>
<p>Massachusetts</p>	<p>The law covers employment of minors younger than 18. Minors younger than age 14 generally cannot be employed, except for certain occupations.</p>	<p>Employers must keep a list of all minor employees and post their schedules. Employers must keep on file employment permits from all employees ages 14 to 18.</p>	<p>No set duration after employment. Recommended 3 years</p>	<p>Coverage: Mass. Gen. Laws ch. 149, §§ 61, 62, 86</p> <p>Recordkeeping Requirements: Mass. Gen. Laws ch. 149, §§ 86</p>

<p>Michigan</p>	<p>The law covers employment of minors younger than 18. The child labor laws do not apply to minors age 16 or older who have graduated high school or have obtained high school equivalency certificates, minors age 17 or older who have passed the general educational development test and minors who have been emancipated. Before hiring such minors, employers must obtain verification of the certification from the school attended confirming completion of graduation or certification requirements and keep this documentation on file.</p>	<p>Employers must keep on file work permits for all minor employees. Employers must keep on file records containing the number of hours worked by minors each day of the week, daily starting and ending times and other information required by the department. Employers that employ minors age 16 or older who have graduated high school or obtained a high school equivalency certificate must keep on file school certifications verifying that minors have graduated. Employers that employ minors age 17 or older who have passed the general educational development test must keep on file proof that the test was passed. Employers that employ emancipated minors also must keep on file proof of emancipation.</p>	<p>1 year</p>	<p>Coverage: Mich. Comp. Laws §§ 409.102, 409.103, 409.116, 409.117; Mich. Admin. Code r. 408.6201 to 408.6209</p> <p>Recordkeeping Requirements: Mich. Comp. Laws §§ 409.113, 409.116, 409.117</p>
<p>Minnesota</p>	<p>The law covers employment of minors under 18, except agricultural operations, entertainers, newspaper carriers, home chores, babysitting, youth referees.</p>	<p>Employers shall keep an age certificate for the duration of the minor's employment and shall keep on file all age certificates, copies of birth records or copies of drivers' licenses presented to the employer, where they may be readily examined by an agent of the Division of Labor Standards.</p>	<p>Duration of employment</p>	<p>Coverage: Minn. Stat. § 181A.07</p> <p>Recordkeeping Requirements: Minn. Stat. § 181A.06</p>
<p>Mississippi</p>	<p>The law covers employment of minors under 16</p>	<p>For employees under 16, employers must keep affidavits of the school of the district in which such child or children reside or in which they last attended school, stating the place and date of the birth of such child, the last school attendance of such child, the grade of study pursued, the name of the school, and the name of the teacher in charge.</p>	<p>Duration of employment</p>	<p>Miss. Code § 71-1-19</p>
<p>Missouri</p>	<p>The law covers employment of minors under age 16. Minors under age 16 however cannot be employed, except for certain occupations.</p>	<p>Employers must keep for 2 years a record of the names, addresses, ages of minor employees, and times/hours worked by minors each day.</p> <p>Employers must keep work permits or work certificates on file for minor employees. Work certificates must be kept on file for 2 years. On termination of employment, employers must send work certificates or work permits to the issuing officer.</p>	<p>2 years</p>	<p>Coverage: Mo. Rev. Stat. §§ 294.005, 294.021, 294.040, 294.043</p> <p>Recordkeeping Requirements: Mo. Rev. Stat. §§ 294.060, 294.090</p>
<p>Nebraska</p>	<p>The law covers employment of minors under 18.</p>	<p>No employer shall employ or contract for the services or time of such child between ages 15 to 18 until the child presents a written permit therefor from the attendance officer or board of trustees. The permit must be kept on file by the employer and, upon the termination of employment, must be returned by the employer to the board of trustees or other authority issuing it.</p>	<p>Duration of employment</p>	<p>Nev. Stat. § 392.110</p>
<p>New Hampshire</p>	<p>The law covers employment of minors under 18.</p>	<p>No youth 16 or 17 years of age, except a youth 16 or 17 years of age who has graduated from high school or obtained a general equivalency diploma, shall be employed unless the employer obtains and maintains on file a signed written document from the youth's parent or legal guardian permitting the youth's employment.</p>	<p>Duration of employment</p>	<p>N.H. Rev. Stat. §§ 276-A:4, 276-A:5</p>
<p>New Jersey</p>	<p>The law covers all employees under age 19. Minors under age 14 cannot be employed, except for certain occupations.</p>	<p>Employers must keep records for 1 year of all employees under age 19 on a form approved by the Department of Labor that includes: names and addresses, dates of birth, amount of wages paid, number of hours worked each day, beginning and ending work hours for each week, and beginning and ending times for meal or break periods. Employers must keep on file employment certificates, vacation certificates, or special work permits for all minor employees under age 18.</p> <p>For minor newspaper carriers, the employer shall keep a record of the name, address and DOB of each newspaper carrier to whom such special permit is issued for a period of two years following termination of employment.</p>	<p>1 year</p>	<p>Coverage: N.J. Stat. Ann. §§ 34:2-21.2, 34:2-21.17</p> <p>Recordkeeping Requirements: N.J. Stat. Ann. §§ 34:2-21.6, 34:2-21.14</p>
<p>New Mexico</p>	<p>The law covers all employees under age 18, except employment by a parent, actors/performers, newspaper carriers.</p>	<p>The employer of the child shall preserve on file the work permit of the child and shall keep posted in a conspicuous place about the premises where the child is employed a list of all children there at work by virtue of work permits.</p>	<p>Duration of employment</p>	<p>Coverage: N. M. Stat. Ann. § 50-6-17</p> <p>Recordkeeping Requirements: N. M. Stat. Ann. § 50-6-9</p>
<p>New York</p>	<p>The law covers employment of minors younger than 18, except for those assisting family in agriculture and bridge caddies, along with various restrictions at various age brackets.</p>	<p>Employers must maintain an employment certificate for employed minors and return the certificate at the termination of the employment.</p>	<p>Duration of employment</p>	<p>Coverage: N.Y. Lab. Law § 130</p> <p>Recordkeeping Requirements: N.Y. Lab. Law § 135</p>

<p>North Carolina</p>	<p>The law covers employment of minors younger than 18. Minors younger than 14 cannot be employed, except for certain occupations.</p> <p>The law does not apply to employers and employees subject to the FLSA, except for the certificate requirements and the prohibition from working in hazardous occupations.</p>	<p>Employers must maintain and keep records for all minor employees that include wages paid and dates and hours worked. Employers must keep employment certificates on file for all minors while employed and for 2 years after termination of employment.</p>	<p>2 years</p>	<p>N.C. Gen. Stat. § 95-25.5; N.C. Admin. Code tit. 13, r. 12.0401, 12.0403</p> <p>Mandatory Poster: N.C. Gen. Stat. § 95-25.15</p> <p>Administration/Enforcement: N.C. Gen. Stat. §§ 95-25.15, 95-25.16</p> <p>Penalties/Remedies: N.C. Gen. Stat. §§ 14-3, 95-25.21, 95-25.23, 95-25.23A</p>
<p>North Dakota</p>	<p>The law covers employment of minors younger than 15, except those employed in farm labor, domestic service, or under supervision of a parent or guardian.</p>	<p>Employers employing a minor must keep on file a completed employment certificate for each minor.</p>	<p>Duration of employment</p>	<p>Recordkeeping Requirements: N.D. Cent. Code § 34-07-02</p>
<p>Ohio</p>	<p>The law covers employment of minors younger than 18, except those specified in the statute.</p>	<p>Every employer shall keep written records which shall state the name, address, and occupation of each minor employed, the number of hours worked by such minor on each day of the week, the hours of beginning and ending work, the hours of beginning and ending meal periods, and the amount of wages paid each pay period to each minor for a period of two years.</p>	<p>2 years</p>	<p>Coverage: Ohio Rev. Code Ann. §§ 4109.01, 4109.06</p> <p>Recordkeeping Requirements: Ohio Rev. Code Ann. § 4109.11</p>
<p>Oklahoma</p>	<p>The law covers employment of minors younger than 16.</p>	<p>Employers shall keep on file an age and schooling certificate for every child under sixteen (16) years of age employed in such occupation, a complete list of children under sixteen (16) years of age so employed, the time of opening and closing of such factory or other establishment, the number of hours of labor required or permitted in such establishment, the hours of commencing and stopping work, and the time allowed for meals, and, if there be two or more shifts in such establishment, the number of hours in each shift during which the employees are required or permitted to work.</p>	<p>Duration of employment</p>	<p>Okl. St. Ann. 40 § 77</p>
<p>Oregon</p>	<p>The law covers employment of minors younger than 18.</p>	<p>Employers must keep for at least 2 years records of the following: names of all minor employees, identifying symbols or numbers for minor employees if used in place of their names on any time, work, or payroll records, home addresses, dates of birth, sexes and occupations of minor employees, time of day and day of week on which workweek begins for minor employees, hours worked each workday and total hours worked each workweek, and dates minors became employed and dates employment terminates. Employers must keep on file annual employment certificates and a complete list of all minors employed.</p>	<p>2 years</p>	<p>Or. Rev. Stat. § 653.310; Or. Admin. R. 839-021-0170, -0175</p>
<p>Pennsylvania</p>	<p>The law covers employment of minors younger than 18, except domestic service and agricultural work.</p>	<p>Employers must maintain records including a list of all minors employed in the establishment, a schedule of the hours of labor, and a copy of the minor's work permit. Records must be maintained in compliance with the recordkeeping requirements of the Minimum Wage Act of 1968 (43 Pa. Stat. § 333.101 et seq.).</p>	<p>3 years</p>	<p>Coverage: 43 Pa. Stat. §§ 40.2, 40.13</p> <p>Recordkeeping Requirements: 43 Pa. Stat. § 40.8</p>
<p>Rhode Island</p>	<p>The law covers employment of minors younger than 16, except those specified in the statute.</p>	<p>All certificates of age and permits required by this chapter relating to the qualification of children employed in any factory, or manufacturing, or business establishment, shall be kept by the employer at the place where the child is employed.</p>	<p>Duration of employment</p>	<p>Coverage: R.I. Gen. Laws § 28-3-8</p> <p>Recordkeeping Requirements: R.I. Gen. Laws § 28-3-6</p>
<p>South Dakota</p>	<p>If it appears upon investigation that the labor of a minor who would otherwise be barred from employment by law is necessary for the minor's support or that of the family to which the minor belongs, the Department of Labor and Regulation may issue a permit authorizing employment within certain hours to be fixed therein.</p>	<p>Every employer shall keep a list of all persons employed under the provisions of § 60-12-5 and shall keep the required certificates and permits filed therewith and open to inspection at all times by any person interested or any public official.</p>	<p>Duration of employment</p>	<p>Coverage: S.D. Codified Laws § 60-12-5</p> <p>Recordkeeping Requirements: S.D. Codified Laws § 60-12-6</p>
<p>Tennessee</p>	<p>The law covers employment of minors younger than 18, except those exempted by the statute.</p>	<p>Employers must maintain an independent files for each minor to include the employment application, evidence of the minor's age, time records, and any records required under § 50-5-107(8)-(14).</p>	<p>Duration of employment</p>	<p>Coverage: Tenn. Code Ann. §§ 50-5-102, 50-5-107-8</p> <p>Recordkeeping Requirements: Tenn. Code Ann. § 50-5-111</p>

Texas	The law covers employment of minors younger than 18, except those employed in a nonhazardous occupation, under supervision of a custodian, in a business owned by parent/guardian, and other exceptions in the statute.	The Texas Workforce Commission may collect information concerning the employment of a child who works or within the last two years has worked at that place.	2 years	Coverage: Tex. Lab. Code Ann. §§ 51.002-3 Recordkeeping Requirements: Tex. Lab. Code Ann. § 51.021
Vermont	The law covers employment of minors younger than 18.	The Commissioner may inquire of the owner or superintendent of any place or establishment as to the employment of children, may request to see the certificate filed with the owner or superintendent, and shall ensure that the provisions of this subchapter have been complied with	Duration of employment	Vt. Stat. Ann. tit. 21, § 446
Virginia	The law covers employment of minors younger than 18.	Employers must keep records on minor employees younger than 16 for 36 months. These records must indicate the minors' names, their starting and ending work times, and the times allowed for meal and rest periods.	36 month	Coverage: Va. Code Ann. §§ 40.1-78, 40.1-79.01, 40.1-89, 40.1-100 to 40.1-100.2; 16 Va. Admin. Code §§ 15-40-10, 15-40-50 Recordkeeping Requirements: Va. Code Ann. § 40.1-81.1
Washington	The law covers employment of minors under age 18, except newspaper carriers, domestic or casual labor in private residences, and agricultural labor.	Employers must create and maintain a file for each minor containing a completed parent/school authorization form and copies of any variances obtained.	3 years	Coverage: Wash. Admin. Code §§ 296-125-010, 296-125-015 Recordkeeping Requirements: Wash. Admin. Code § 296-125-0275
West Virginia	The law covers employment of minors aged 14-15	A child fourteen or fifteen years of age may be employed or permitted to work in any gainful occupation when the employer obtains and keeps on file a work permit issued by the superintendent of schools of the county in which the child resides, or by some person authorized by him or her in writing	Duration of employment	W. Va. Code R. § 31-6-3
Wisconsin	The law covers employment of minors under age 18.	Employers must keep for at least 3 years records of minor employees that include: their names, addresses, and DOB; their beginning and ending employment dates; their beginning and ending work and meal times; their total daily and weekly hours worked; each employee's output if paid on other than an hourly basis; rate of pay and wages paid each payroll period; and the amounts and reasons for deductions from wages (if applicable).	3 years	Recordkeeping Requirements: Wis. Stat. § 103.74; Wis. Admin. Code § 270.09
Wyoming	The law covers employment of minors under age 16.	The proof of age shall be made available for inspection by any official charged with the enforcement of laws regulating the employment of minors.	Duration of employment	Coverage: Wyo. Stat. Ann. § 27-6-107 Recordkeeping Requirements: Wyo. Stat. Ann. § 27-6-108

FEDERAL CONTRACTORS & SUBCONTRACTORS, FEDERAL SERVICE CONTRACTS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Employers who have entered into contracts with the federal government with the principal purpose of furnishing services in the U.S. through "service employees." Contracts must be in excess of \$2,500.	Records containing any of the following information for each employee: name, address, social security number, work classification, rate of monetary wages and fringe benefits provided (or payments in lieu of benefits), total daily and weekly compensation, deductions, rebates, or refunds from wages, daily and weekly hours worked, list of wages and benefits for those classes of service employees not included in wage determination for each contract, and list of predecessor contractor's employees furnished to the contractor.	3 years from completion of work on the contract	29 C.F.R. § 4.6 (g)

EEO-1 REPORTS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Government contractor that has 50 or more employees, is a prime contractor or first tier subcontractor, has a contract, subcontract or purchase order amounting to \$50,000 or more.	Data relating to gender, race/ethnicity, and pay data in certain job groupings.	1 year (keep the one most recently filed on file)	EO 11246; 41 C.F.R. § 60-1.7
	Every employer with 100+ employees			Title VII; 29 CFR 1602.7

VETS-100A REPORTS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Government contractors with a contract amounting to \$100,000 or more entered on or after December 1, 2003.	Government contractors must complete and submit a Veterans Employment Report to the Secretary of Labor between August 1 and September 30 every year. Contractors can e-file at http://www.dol.gov/vets/ . Contractors with more than 10 locations have special filing instructions under 41 C.F.R. § 60-300.1. Records containing protected veteran status should be kept separate from basic personnel records that are available to those responsible for personnel decisions	1 year	VEVRAA; 41 C.F.R. § 60-300.1 & 41 C.F.R. § 60-300.2; 38 U.S.C.A. 4212(d)
SELF-IDENTIFICATION OF APPLICANTS AND EMPLOYEES BY FEDERAL CONTRACTORS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	EEO 11246 and the Rehab. Act applies to employers with government contracts in excess of \$10,000. VEVRAA applies to employers with a government contract of \$100,000 or more entered after December 1, 2003.	Contractor must invite employees or applicants to identify the gender, race, and ethnicity and must supply this information to the Office of Federal Compliance Programs upon request; Contractor must invite employees and applicants to inform the contractor if the applicant believes that he has a disability using the language and manner prescribed by the Director and published on the OFCCP web site. Contractor must invite applicant to inform contractor if applicant believes that he is a protected veteran who may be covered by the Act. Contractor must invite applicant to inform contractor if believes that he is in a more specific category of protected veteran under 41 CFR part 61-300. The invitation shall state that the contractor is a contractor required to take affirmative action to employ and advance in employment protected veterans pursuant to the Act and must summarize relevant portions of the Act and the contractor's affirmative action program. Invitation must state that the information requested is being requested on a voluntary basis, will be kept confidential, and refusal to provide it will not subject the applicant to adverse treatment. Contractor must invite applicant to state if accommodation is necessary if he is a disabled veteran. Government contractors must invite their employees to voluntarily self-identify as an individual with a disability every 5 years and, between the five-year invitations, remind them that they may voluntarily update their disability status. Records containing gender, racial, or ethnic identity and disability or protected veteran status should be kept separate from employee's basic personnel records that are available to those responsible for personnel decisions.	2 years from the date of the making of the record or personnel action 1 year for contractors with fewer than 150 employees or contract of less than \$150,000	EO 11246; 41 C.F.R. §§ 60-1.3, 60-1.12(c) Rehabilitation Act; 41 C.F.R. §§ 60-741.42, 60-741.80(a) VEVRAA; 41 C.F.R. §§ 60-300.42, 60-300.80(a)
MISC. DOCUMENTS, INCLUDING AGREEMENTS, CONTRACTS, CERTIFICATES, BENEFITS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All Employers	Employer must keep certificates, agreements, plans, notices, collective bargaining agreements, trust, employment contracts, individual contracts, and summaries of oral contracts. Any documents kept in regular course of business relating to wages, wage rates, job evaluations, job descriptions, merit systems, seniority systems, collective bargaining agreements, description of practices or other matters which describe or explain the basis for payment or any wage differential to employees of the opposite sex in the same establishment.	3 years from end of plan or system	FLSA; 29 C.F.R. § 516.5 EPA; 29 C.F.R. § 1620.32

AAP	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	<p>These requirements under EO 11246 and the Rehabilitation Act apply to government contractors or subcontractors with more than 50 employees and a single contract in the amount of \$50,000 or more.</p> <p>These requirements under VEVRAA apply to government contractors or subcontractors with more than 50 employees and a single contractor in the amount of \$100,000 or more. Any financial institution that serves as a federal depository is also subject to these requirements.</p>	<ul style="list-style-type: none"> Written affirmative action plan for each establishment for Females & Minorities including supporting documentation and all required components, such as organizational profile, job group analysis, availability determination, comparison of incumbents to availability, placement goals, designation of responsibility, identification of problem areas, action-oriented programs, and internal auditing and reporting system. Written affirmative action plan for each establishment for Individuals with a Disability and Protected Veterans, including supporting documentation and all required components, such as policy statement, review of personnel processes, review of physical and mental qualifications, reasonable accommodation practice, harassment policy, internal dissemination of policy, responsibility for implementation, and training. Analysis of employment activity <p>Required outreach and recruitment efforts for individuals with a disability and protected veterans, assessment of outreach and recruitment efforts, data collection analyses, hiring benchmarks for protected veterans</p>	<p>For all other records, 2 years from the date of the making of the record or personnel action OR</p> <p>1 year for contractors with fewer than 150 employees or contract of less than \$150,000</p> <p>3 years from the date of the marking of the record</p>	<p>EO 11246; 41 C.F.R. §§ 60-1.12(c), 60-2.10 through 60-2.17 Rehabilitation Act; 41 C.F.R. §§ 60-741.44, 60-741.80(a)-(b) VEVRAA; 41 C.F.R. §§ 60-300.44, 60-300.80(a)-(b)</p>
FMLA	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	<p>Employers: Employers are subject to the FMLA if they are engaged in commerce or in an industry affecting commerce and employ 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year. Employers are considered to be engaged in commerce or in an industry affecting commerce if they have at least 50 employees.</p>	<p>Employers that have FMLA-eligible employees must maintain records that include: basic payroll and identifying data, including employees' names, addresses and occupations; rates or bases of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid; the dates eligible employees take FMLA leave; leave must be designated in records as FMLA leave and cannot include leave required under state law or other employer plans that is not covered by the FMLA; the number of hours of FMLA leave taken if employees take leave in increments of less than one day; copies of employee notices of FMLA leave given to employers, if in writing, and copies of all written notices given to employees as required under the FMLA (employers can maintain these copies in employee personnel files); copies of documents describing employees' benefits and employers' policies and practices regarding the taking of paid and unpaid leaves; premium payments of employees' benefits; and records of any disputes regarding FMLA leave, including any written statement from employers or employees of reasons for designation and for disagreement.</p>	<p>3 years from the date the leave ended</p>	<p>Coverage: 29 U.S.C. § 2611; 29 C.F.R. §§ 825.104, 825.110, 825.126 to 825.127</p> <p>Recordkeeping Requirements 29 C.F.R. § 825.500</p>
Connecticut	All employers	<p>Records and documents relating to medical certifications, recertifications or medical histories of employees or employees' family members, created for purposes of sections 5-248a and 31-51kk to 31-51qq, inclusive, as amended by this act, and sections 2 to 16, inclusive, of this act, shall be maintained as medical records pursuant to chapter 563a</p>	<p>3 years from termination</p>	<p>Connecticut Public Act No. 19-25 has rolling effectness dates. Further regulations may be forthcoming. See also Conn. Gen. Stat § 31-128ac</p>
District of Columbia	Employers with 20 or more employees	<p>Employers must maintain records which document on an annual basis the total number of employees who have taken leave; annual additional cost to the employer incurred to replace an employee during leave time; annual additional cost to pay health insurance during leave time; length of leave taken; reason(s) for leave; salary and level of employee; employee's leave request and supporting documents; employer's disposition of leave request.</p>	<p>None stated; Subject to inspection by state regulator.</p>	<p>Coverage: D.C. St. § 32-516</p> <p>Recordkeeping Requirements: 4 DCMR § 1617</p>
Massachusetts	Employers covered under the FMLA are covered under the Massachusetts family and medical leave provisions.	<p>Employers that require employees to provide certification of their need for leave must keep a copy of these certifications for at least 2 years.</p>	<p>2 years</p>	<p>Mass. Gen. Laws ch. 149, §§ 52D, 150, 180</p> <p>Mass. Regs. Code tit. 940, § 20.01 to 20.05</p>

EMPLOYMENT ELIGIBILITY VERIFICATION	Coverage	Recordkeeping Requirements		Reference Citations
Federal	<p>Public and private employers, employers' agents, recruiters and those who refer applicants for a fee and union hiring halls are covered by IRCA's employment eligibility verification requirements. Employers must verify the employment eligibility of virtually all part-time, full-time and temporary employees. Employees do not include independent contractors or workers engaged in casual domestic employment.</p> <p>*Special exemption for employees who were hired before Nov. 7, 1986.</p>	<p>Employers must retain I-9 forms for 3 years after employees' date of hire or one year after employees' date of termination, whichever is later. Likewise, employers must retain I-9 forms that are updated and reverified for rehired employees for 3 years after the date of the forms' initial execution or one year after employees' date of termination, whichever is later. Employers can retain original paper forms, electronic forms that meet certain requirements, original paper forms scanned into electronic format, a combination of paper and electronic formats that meet certain requirements or microfilm or microfiche copies of original paper forms.</p>	<p>3 years after employees' date of hire or 1 year after employees' date of termination, whichever is later.</p>	<p>Coverage: 8 U.S.C. §§ 1324a to 1324b; 8 C.F.R. §§ 274a.1, 274a.7 Recordkeeping Requirements: 8 U.S.C. § 1324a; 8 C.F.R. § 274a.2</p>
Arizona	<p>All employers. Employers include self-employed persons, independent contractors and employers that do business in Arizona, hold Arizona state-issued licenses or employ one or more employees who work in Arizona. Employees include anyone who provides services or labor to Arizona employers for wages or other remuneration; they do not include independent contractors.</p>	<p>Employers must keep employment eligibility verification records that they receive through the federal E-Verify employment eligibility verification program for at least 3 years or the duration of employees' employment, whichever is longer.</p>	<p>3 years or the duration of employees' employment, whichever is longer.</p>	<p>Coverage: Ariz. Rev. Stat. §§ 13-105, 13-2009, 23-211, 23-214, 23-216, 41-4401 Recordkeeping Requirements: Ariz. Rev. Stat. § 23-214</p>
New Hampshire	<p>All employers</p>	<p>No employer may employ any employee without obtaining documentation showing the employee's eligibility to work in the United States. The employer shall maintain such documentation for the period required by federal law. Acceptable documentation of eligibility to work in the United States shall include documents required by federal law or supporting documentation that satisfies the requirement of federal law.</p>	<p>3 years after employees' date of hire or 1 year after employees' date of termination, whichever is later.</p>	<p>N.H. Rev. Stat. § 275-A:4-a</p>
North Carolina	<p>Employers with 25 or more employees; does not include governmental bodies</p>	<p>Employers must retain the record of employees' work authorization verification. Employers must retain such records for the duration of employees' employment and for one year after separation.</p>	<p>1 year after separation</p>	<p>Coverage: N.C. Gen. Stat. Ann. § 64-25 Recordkeeping Requirements: N.C. Gen. Stat. Ann. § 64-26</p>
Pennsylvania	<p>Construction Industry Employers</p>	<p>Employers shall verify the employment eligibility of the employee through the E-Verify program and shall keep a record of the verification.</p>	<p>Duration of employment or three years, whichever is longer</p>	<p>2019 P.L. 454 goes into effect on October 7, 2020.</p>
South Carolina	<p>All employers</p>	<p>Employers must retain employment verification records for all employees for three years after their hire date</p>	<p>3 years after date of hire</p>	<p>S.C. Code of Regs. 71-10003</p>
Tennessee	<p>Employers with 50 or more employees</p>	<p>If employers verify an employee's work authorization status through the federal E-Verify program, they must keep a record of any results generated by E-Verify for three years after the employee's hire date or one year after employment is terminated, whichever is later.</p>	<p>3 years after the hire date or one year after employment is terminated, whichever is later.</p>	<p>Tenn. Code Ann. § 50-1-703</p>

Utah	Private employers that employ 15 or more employees in Utah for each working day in each of 20 or more calendar weeks in the current or preceding calendar year are covered by the recordkeeping requirements; private employers don't include the federal government, Utah state and local government agencies or Utah higher education institutions. The program's start date is 120 days after Utah's governor finds that Utah has one or more federal waivers, exemptions or authorizations to implement the program or July 1, 2027, whichever occurs first.	On and after the Guest Worker Program's start date: Private employers with 15 or more employees in Utah must keep records of employment eligibility verifications that are required under the employment verification requirements. The records must be kept for the duration of verified employees' employment or at least 3 years after the date of employees' verification, whichever is longer.	Duration of verified employees' employment or at least 3 years after the date of employees' verification, whichever is longer.	Recordkeeping Requirements: Utah Code Ann. §§ 63G-12-102, 63G-12-201 to 63G-12-202, 63G-12-301
West Virginia	All employers that have employees working in West Virginia or seek to employ anyone to work in the state.	Employers must keep documentation required by the employment verification requirements, for at least 2 years after employees separate from employment.	2 years after employees separate from employment.	Recordkeeping Requirements: W. Va. Code §§ 21-1B-2, 21-1B-4, 21-5C-5

Employee Benefit Records	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All Employers	Benefit plan documents, disclosure of plan description, annual reports and summary of annual reports, summary plan descriptions, all recorded information used in compiling required reports (such as vouchers, worksheets, receipts, applicable resolutions, and participants' elections and deferrals), copies of COBRA notices, acknowledgments that COBRA notices were received, documents relating to any instance in which COBRA is not offered due to gross misconduct, and COBRA-related correspondence should be preserved. Employers must maintain records concerning employee benefits that are sufficient to determine the benefits due or which may become due.	Evidence of fiduciary actions should be kept indefinitely. All other documents should be preserved for at least 6 years from the date it was created or the date it was last in effect or filed, whichever is later. Pension, insurance, seniority and merit systems that are in writing should be kept for the duration of the plan and for at least 1 year after its termination.	Employment Retirement Income Security Act (ERISA) ; 29 U.S.C. § 1027; 29 C.F.R. § 2520.107-1; Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA); 29 U.S.C. § 1161; ADEA; 29 C.F.R. § 1627.3

DRUG AND ALCOHOL TESTING	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	Employers covered under DOT drug and alcohol testing regulations, including employers engaged in the following industries: airlines, motor carrier, railroad, transit, pipelines, and maritime transportation.	Records of negative and canceled controlled substances test results and alcohol test results with a concentration of less than 0.02. Must be kept in a secure location with controlled access	1 year from test date (2 years for railroad)	Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301, 31306 ; 14 C.F.R. §§ 121 App. I, 121 App. J; 46 C.F.R. § 16.260; 49 C.F.R. §§ 40, 199.227, 219.901, 219.903, 382.401, 655.71
		Records related to the alcohol and drug collection process, including, but not limited to: random selection process, documents relating to decision to administer reasonable suspicion testing and post-accident testing; test results and other violations of the Act.	2 years	
		Records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers.	Maintain while individual is performing the function plus for 2 years after individual leaves function	
		Records from previous employers concerning drug and alcohol testing results of employees	3 years from receiving records from previous employers	
		Test results indicating an alcohol concentration of 0.02 or greater, verified positive test results for a controlled substance, documentation of refusal to submit to required tests, driver evaluations and referrals, controlled substance testing program administration, calibration documentation, a copy of each required annual calendar year summary (Management Information System (MIS) report).	5 years from making of record	

Arkansas	All employers, including partnerships, associations, and corporations, and their representatives and those serving in a fiduciary capacity are covered by the drug and alcohol testing provisions.	Employers that have written agreements requiring employees to pay the costs of future drug tests or screens following positive tests must keep copies of such agreements for 3 years following termination of employment. If the cost of drug tests is withheld from employees' pay or otherwise reimbursed to employers by employees, employers must maintain records of the actual cost of the tests and records of corresponding withholdings or reimbursements for 3 years. All written agreements and required records must be provided to the Arkansas Department of Labor upon request.	3 years from receiving records from previous employers	Coverage: Ark. Code Ann. § 11-3-203 Recordkeeping Requirements: 010-14-002 Ark. Code R. § 400
California	Public and private employers, including partnerships, associations, and corporations, and their representatives and those serving in a fiduciary capacity are covered by the drug and alcohol testing provisions.	There is no statute or regulation governing drug testing of employees and applicants by private employers. CA law protects private medical information, including drug and alcohol test results, from being disclosed to unauthorized parties. Employers must keep test results confidential and with few exceptions, keep an applicant or employee's test results secret unless a valid authorization is obtained. Drug or alcohol testing information should be maintained in confidential medical files (separate from employee's personnel file) that are only made available to certain entities as allowed by statute. CA's transportation drug and alcohol testing law mirrors the requirements of the DOT Federal Motor Carrier Safety Administration's drug and alcohol testing regulations (49 C.F.R. §§ 382.101 to 382.605 and 392.5(a)(1), (a)(3)).	Recommended 3 years following termination of employment.	California Vehicle Code §§ 34520, 34520.3, 34520.5 (transportation)
Tennessee	"Covered employer" means a person or entity that employs a person, is covered by the Workers' Compensation Law, maintains a drug-free workplace pursuant to this chapter and includes on the posting required by § 50-9-105 a specific statement that the policy is being implemented pursuant to this chapter.	If drug or alcohol testing is conducted based on reasonable suspicion, the "covered employer" shall promptly detail in writing the circumstances that formed the basis of the determination that reasonable suspicion existed to warrant the testing. A copy of this documentation shall be given to the employee upon request shall be retained for at least 1 year.	1 year	Tenn. Code Ann. §§ 50-9-103, 50-9-107

OSHA RECORDS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	<p>All employers excluding: -Self-employed persons; -Farms which employ only immediate members of the farmer's family; -Working conditions for which other Federal agencies, operating under the authority of other Federal laws, regulate worker safety. This category includes most working conditions in mining, nuclear energy and nuclear weapons manufacture, and many aspects of the transportation industries; and -Employees of state and local governments, unless they are in one of the states operating an OSHA-approved state plan.</p> <p>*Employers with 10 or fewer employees and in certain industries have fewer record keeping requirements.</p>	<p>An employer must record every injury, illness, or fatality of covered employees that is work-related, is a new case, and meets one or more of either OSHA's general recording criteria or other recording criteria. General recording criteria include death, days away from work, restricted work or transfer to another job, loss of consciousness, or medical treatment beyond first aid, as well as significant injury or illness diagnosed by a physician or other licensed health care professional (e.g., cracked bones, punctured ear drums, cancer, or chronic irreversible diseases). Employers must record the work-related injuries and illnesses on the following separate forms:</p> <ul style="list-style-type: none"> • OSHA 300 Log: A cumulative chart used to document and classify work-related injuries and illnesses and note the severity of each case. The OSHA 300 Log includes the employer's case number, employee's name (or confidential number), job title, date of injury or onset of illness, description of injury or illness, parts of body affected, object or substance that caused injury or illness, most serious outcome of the case, number of calendar days away from work, and/or on restricted duty, and categories of injury and illness. • OSHA 301 Incident Report Form: For each case recorded on the OSHA 300 Log, an OSHA 301 Form must be completed. The form includes the injured or ill employee's name, address, age, date of hire, gender, name and address of physician or other health care provider who provided treatment, whether employee was treated in an emergency room or hospitalized, the date, time and description of injury or illness and how the injury occurred. • OSHA 300A Summary: A summary of the cases recorded on the OSHA 300 Log. This form must be signed by the highest ranking person of the facility or that person's supervisor, and posted from February 1 through April 30. <p>Employee medical records, or analyses thereof, pertaining to employees exposed to toxic substances or harmful physical agents. Records must be in a Confidential employee record folder.</p>	<p>Present year, plus the 5 following years</p> <p>OSHA regulations require an employer to update 300 Logs to incorporate any newly discovered information or outcome changes during the five-year record-keeping period.</p> <p>Entries must be made on the appropriate OSHA forms within seven calendar days; records may be maintained on a computer.</p> <p>Effective January 1, 2017, covered employers must electronically submit injury/illness records to OSHA through a secure website provided by OSHA.</p> <p>Duration of employment, plus 30 years</p>	<p>Occupational Safety and Health Act, 29 U.S.C. § 651, et seq.; 29 C.F.R. §§ 1904-1904.46</p> <p>29 C.F.R. § 1910.1020</p>

		Employee exposure records, or analyses thereof, pertaining to employees exposed to toxic substances or harmful physical agents (includes records of any personal or area monitoring of occupational exposure to hazardous materials)	30 years, unless a specific occupational safety and health standard provides a different period of time Background data related to environmental, or workplace, monitoring or measuring—such as laboratory reports and worksheets—must only be retained for 1 year.	29 C.F.R. § 1910.1020
California	All employers. Some industries in the retail, service, finance, insurance and real estate sectors are potentially exempt from most recording requirements as are small businesses with 10 or fewer employees. While some employers are partially exempt from recording requirements, all employers in CA are still required to immediately report serious occupational injuries, illnesses or the death of an employee.	Covered employers must keep records of fatalities, injuries, and illnesses that are work-related, new cases, and meet one or more of the general or specific recording criteria in California Code of Regulations, Title 8, Sections 14300.7 or Section 14300.8 through 14300.12 (examples of general criteria include death, days away from work, restricted work, transfer to another job, medical treatment beyond first aid, loss of consciousness, and significant injury or illness diagnosed by physician or other licensed health care profession.) Entries must be recorded on appropriate Cal/OSHA 300, 300A, and 301 forms within 7 calendar days of receiving information that a recordable illness or injury has occurred; records may be maintained on a computer.	Present year, plus the 5 following years	California Labor Code, § 6400, et seq.; California Code of Regulations, Title 8, §§ 14300–14300.48

POLYGRAPH RESULTS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	The Employee Polygraph Protection Act (EPPA) is administered by the Wage and Hour Division (WHD). The EPPA applies to most private employers. The law does not cover federal, state, and local government agencies.	Employers must keep the following polygraph-related records: a copy of the description of the incident or activity that justified testing the employee; copies of all opinions, reports, charts, written questions, lists and other test-related records; the number of examinations conducted each day; and the duration of each test period. Employers must maintain records identifying the loss or injury and the access of the examinee to the loss or injury (if loss or injury is the basis for the employee’s testing), the identity of persons examined, a copy of the written statement of time and place of examination and the examinee’s right to consult counsel, and the notice to examiner of persons to be examined. Records should be kept in a confidential employee record folder and be accessible upon 72 hours’ notice.	3 years from date of exam (or from date examination requested if no exam is conducted)	Employee Polygraph Protection Act of 1988 (EPPA), 29 U.S.C. § 2001, et seq. ; 29 C.F.R. § 801.30
Nevada	All employers	An employer may request an employee to submit to a polygraph test under certain conditions, which includes a requirement that the employer execute a statement, provided to the examinee before the test, that sets forth with particularity the specific incident or activity being investigated that is retained by the employer for at least 3 years; and that identifies the specific economic loss or injury to the business of the employer, indicates that the employee had access to the property that is the subject of the investigation and describes the basis of the employer’s reasonable suspicion that the employee was involved in the incident or activity under investigation.	3 years	Nev. Rev. Stat. § 613.510
Wisconsin	All employers, except the federal government	An employer may request an employee to submit to a polygraph test under certain conditions, which includes a requirement that the employer execute a statement, provided to the examinee before the test, that sets forth with particularity the specific incident or activity being investigated and the basis for testing particular employees; that is signed by a person, other than a polygraph examiner, authorized legally to bind the employer; that is retained by the employer for at least 3 years; and that identifies the specific economic loss or injury to the business of the employer, indicates that the employee had access to the property that is the subject of the investigation and describes the basis of the employer’s reasonable suspicion that the employee was involved in the incident or activity under investigation.	3 years	Wis. Stat. § 111.37

RECORDS RELATING TO CHARGE, COMPLAINT, ENFORCEMENT ACTION OR COMPLIANCE REVIEWS	Coverage	Recordkeeping Requirements	Retention Period	Reference Citations
Federal	All Employers	Personnel or employment records relating to aggrieved person and to all other employees holding positions similar to that held by aggrieved person, including application forms and test papers completed by aggrieved person and all other persons applying for same position as aggrieved person.	Until final disposition of the charge, complaint, review, or action, which means the date of expiration of the statutory period within which the aggrieved person may bring an action in a U.S. District Court or, where an action is brought against an employer either by the aggrieved person, the Commission, or by the Attorney General, the date on which such litigation is terminated.	Title VII; 29 C.F.R. § 1602.14 ADEA; 29 C.F.R. § 1627.3(b)(3) ADAAA; 29 C.F.R. § 1602.14 Rehabilitation Act; 41 C.F.R. § 60-741.80(a) EO 11246; 41 C.F.R. § 60-1.12(a) VEVRAA; 41 C.F.R. § 60-
Alabama	All Employers	Every employer or owner shall furnish to the DOL any information which the DOL is authorized to require, and shall make true and specific answers to all reasonable questions, whether submitted orally or in writing, authorized to be put to him. The Secretary of Labor and any authorized representative of the DOL shall, for the purpose of examination, have access to and the right to copy from any book, account, record, payroll, paper, or documents relating to the employment of workers in such manner as may be reasonable and at reasonable times.	Duration of Inquiry	Ala. Stat. § 25-2-22
Alaska	All Employers	Employers must make and maintain records of the race, age, and sex of its applications for employment and its employees for two years. Any employer who is being investigated under Alaska Stat. § 18.80 must retain all records relevant to the determination of a complaint, including application forms, records of race, age, and sex of applicants, position descriptions, classification studies, payroll data, and personnel files, until the final disposition of the complaint.	2 years	Coverage: Alaska Stat. §§ 18.80.050, 18.80.300(5) Recordkeeping Requirements: Alaska Admin. Code, tit. 6, § 30.810
Arizona	Employers with 15 or more employees	Employers must make and keep records relevant to the determination of whether unlawful employment practices have been or are being committed, preserve such records for such periods and make such reports therefrom as the division shall prescribe by regulation or order, after public hearing, as reasonable, necessary or appropriate for the enforcement. Compliance with reporting and recordkeeping regulations issued by the United States equal employment opportunity commission shall be compliance with this subsection.	Prescribed by regulation or order after public hearing.	Ariz. Rev. Stat. § 41-1482

<p>California</p>	<p>Private employers (and their agents) are covered by the discrimination prohibitions if they regularly employ 5 or more persons on each workday in any 20 consecutive calendar weeks in the current or preceding calendar year.</p> <p>Employers (and their agents) are covered by the sexual harassment training requirements if they regularly employ 50 or more employees or regularly receive services from 50 or more independent contractors. All California state or local government employers are covered by the requirements.</p>	<p>Employers in California with 50 or more employees are required to provide supervisory employees with a minimum of two hours of sexual harassment training. Employers must keep all records relevant to discrimination complaints until the complaints and appeals from related proceedings are resolved. The records that must be retained also include applications, forms or test papers completed by the complainant and by all other candidates for the same position at that facility or other relevant subdivision where the employment practice occurred. Relevant records additionally include an annual California Employer Information Report, where applicable, and any applicant identification records (i.e., data regarding race, sex, national origin of each applicant and for the job for which the applicant applied for.)</p> <p>Employers must keep training-related records including, but not limited to: (a) the names of the participants; (b) the dates of the trainings; (c) sign-in sheets; (d) copies of all certificates of attendance or completion; (e) information regarding the type of training; (f) copies of all written or recorded materials comprising the trainings; and (g) the name of the training provider.</p> <p>If the training is in the form of a webinar, employers must keep a copy of the webinar, all written materials used by the trainer, and all written questions submitted during the webinar. Employers also must document all written responses or guidance the trainer provided during the webinar.</p>	<p>Until such complaint is fully and finally disposed of and all appeals from related proceedings have concluded.</p> <p>Maintain training-related records for at least 2 years.</p>	<p>Coverage: Fair employment practices law: Cal. Gov't Code §§ 12922, 12926 to 12926.2, 12928, 12940, 12950.1</p> <p>Recordkeeping Requirements: Fair employment practices law: Cal. Gov't Code § 12946</p> <p>Cal. Code Regs. tit. 2, §§ 11013(c), 11016, 11024</p> <p>California Government Code § 12950.1</p>
<p>Connecticut</p>	<p>Employers with 3 or more employees.</p>	<p>Maintain documents sufficient to show content of sexual harassment trainings given; names, addresses, and qualifications of personnel conducting the trainings; names and titles of personnel trained and dates of trainings.</p>	<p>1 year, or until complaint is resolved if one is filed.</p>	<p>Conn. State Agencies. § 46a-54-207</p>
<p>District of Columbia</p>	<p>All Employers who are subject to Title VII of the Civil Rights Act of 1964</p>	<p>Employers must preserve records for a period of 6 months from the date of the making of the record, or from the date of the action which is the subject of the record, whichever is longer; such records shall include, but not be limited to, application forms submitted by applicants, sales and rental records, credit and reference reports, personnel records, and any other record pertaining to the status of an individual's enjoyment of the rights and privileges protected or granted under this chapter.</p> <p>Where a charge of discrimination has been filed against a person under this chapter, the respondent shall preserve all records which may be relevant to the charge or action, until a final disposition of the charge</p>	<p>6 months from making; retain until final disposition if charged with a violation</p>	<p>Coverage: D.C. Code. § 2-1402.13</p> <p>Recordingkeeping Requirements: D.C. Code § 2-1402.52</p>
<p>Florida</p>	<p>Employers with 15 or more employees</p>	<p>Once a complaint has been served on a respondent, the respondent shall preserve all records and other evidence which may pertain to the complaint until the matter has been finally determined.</p>	<p>Until final disposition</p>	<p>Coverage: Fla Stat. § 760.02</p> <p>Recordkeeping Requirements: Fla. Admin. Code r. 60Y-5.001</p>
<p>Iowa</p>	<p>All employers</p>	<p>When a complaint or notice of investigation has been served, the respondent shall preserve all records relevant to the investigation until the complaint or investigation is finally adjudicated. The term "relevant to the investigation" shall include, but not be limited to, personnel, employment, or membership records relating to the complainant and to all other employees, applicants or members holding or seeking positions similar to that held or sought by the complainant, and application forms or test papers completed by any unsuccessful applicant and by all other applicants or candidates for the same position or membership as that for which the complainant applied and was not accepted, and any records which are relevant to the scope of the investigation as defined in the notice or complaint.</p>	<p>Until final disposition</p>	<p>Coverage: Iowa Code § 216.2</p> <p>Recordkeeping Requirements: Iowa Admin Code. R. 161-3.7(216)</p>

Kansas	Employers with 4 or more employees	When a complaint or notice of investigation has been served on an employer, labor organization, or employment agency under the Kansas Act Against Discrimination, the respondent shall preserve all personnel records relevant to the investigation until such complaint or investigation is finally adjudicated. Includes, personnel, employment, or membership records relating to the complainant and to all other employees, applicants or members holding or seeking positions similar to that held or sought by the complainant, and application forms or test papers completed by an unsuccessful applicant and by all other applicants or candidates for the same position or membership as that for which the complainant applied and was not accepted, and any records which are relevant to the scope of the investigation as defined in the notice or complaint.	Until final disposition	Coverage: Kan. Stat. § 44-1002 Recordkeeping Requirements: Kan. Admin. Regs. § 21-42-5
Oklahoma	All employers, except Native American tribes or a bona fide membership club	In connection with an investigation of a complaint filed, the Attorney General shall have access at any reasonable time to premises, records, and documents relevant to the complaint.	Comply with requirements of federal law	Coverage: Okl. St. 25 § 1301 Recordkeeping Requirements: Okl. St. 25 § 1507
Pennsylvania	Employers with 4 or more employees	Employers must maintain records relating to the complainant and other employees holding a position similar to that held by the complainant and the application-for-employment forms filed by the complainant and other candidates for the same position as that for which the complainant applied and was rejected.	120 days after separation, and if complaint filed, until final disposition	Coverage: 43 Pa. Stat. § 954 Recordkeeping Requirements: 16 Pa. Code §§ 41.81, 41.82
Tennessee	All employers	Employers shall make available to inspectors of the department specific wage and payroll records of its employees maintained on the premises that are pertinent to a written complaint.	Not specified.	Tenn. Code Ann. § 50-2-103
Texas	Employers with 15 or more employees	Employers under investigation of employment discrimination must keep records relevant to the determination of whether unlawful employment practices have been or are being committed	Period required by commission rule or court order	Coverage: Tex. Lab. Code Ann. § 21.002 Recordkeeping Requirements: Tex. Lab. Code Ann. § 21.301
Utah	Employers with 15 or more employees	Any personnel or employment record made or kept by an employer (including but not necessarily limited to application forms submitted by applicants and other records having to do with hiring, promotion, demotion, transfer, layoff or termination, rates of pay or other terms of compensation, and selection for training or apprenticeship) shall be preserved by the employer for a period of six months from the date of the making of the record and the personnel action involved, whichever occurs later	6 months after termination	Coverage: Utah Code Ann. § 34A-5-102 Recordkeeping Requirements: Utah Admin. Code R606-6
Virginia	All employers	Every employer shall, upon receipt of a written request from a current or former employee or employee's attorney, furnish a copy of all records or papers retained by the employer in any format, reflecting (i) the employee's dates of employment with the employer; (ii) the employee's wages or salary during the employment; (iii) the employee's job description and job title during the employment; and (iv) any injuries sustained by the employee during the course of the employment with the employer. Such records or papers shall be provided within 30 days of receipt of such a written request.	Recommended 3 years	Virginia SB 1724 goes into effect July 1, 2019
West Virginia	Employers with 12 or more employees	When a complaint has been served on an employer, the respondent shall preserve all personnel records relevant to the investigation until such complaint is finally adjudicated; includes, but is not limited to, personnel, employment or membership records relating to the complainant and to all other employees, applicants or members holding or seeking positions similar to that held or sought by the complainant, and application forms or test papers completed by any unsuccessful applicant and by all other applicants or candidates for the same position or membership as that for which the complainant applied and was not accepted and any records which are relevant to the scope of the investigation as defined in the notice or complaint.	Until final disposition	Coverage: W. Va. Code § 5-11-3 Recordkeeping Requirements: W. Va. Code R. § 77-2-3