RECORDS KEEPING

[Organization Name] is committed to ensuring that it retains employee records in accordance with the Ontario Occupational Health and Safety Act (OHSA), Ontario’s Employment Standards Act (ESA), and any other applicable legislation.

POLICY

[Organization Name] will ensure that it retains the required information for its employees, specifically their records of employment, records of health and safety activity, and any other records as required. [Organization Name] will follow the principles of the *Personal Information Protection and Electronic Documents* *Act* (PIPEDA) and will ensure that access is limited and that only the necessary private information is collected.

Employee records will be kept in a secure location and this location will only be accessed by the (Insert titles of those with access). In the event of a request from a government agency, [Organization Name] will provide access as requested.

Employee Access

Employees may request to view their files by speaking to (Insert title). If an employee requests a correction to their file (e.g., a change of address, etc.), their request will be responded to within a minimum of 30 days from the date it was made.

Employees will not be permitted to view documents that would infringe on the private information of any other person. This information will be omitted so that the employee is only viewing their own private information.

Records

[Organization Name] will ensure that it retains the following employment information for each employee, as per the ESA:

* The employee’s name and address;
* The employee’s date of birth (if the employee is a student and is under 18 years of age);
* The employee’s date of hire;
* The dates and times that the employee worked;
* In any cases when an employee has two or more regular rates of pay for work performed in a work week, for example if they worked overtime, the records of the hours worked (including the dates and times) at each rate of pay (and the rates of pay) must be retained; and
* The number of hours the employee worked each day and each week.

Wage and Pay Statements

Employees will be provided with the following information with regards to their wages and pay:

* The pay period for which they are being paid;
* Their wage rate, if there is one;
* Their gross amount of wages and how that gross amount is calculated;
* The amount and purpose for any deductions from their gross wages;
* As necessary, any amount tied to room or board if it is paid to the employee; and
* The employee’s total net wages.

This information may be provided electronically and employees will have the opportunity to receive a hard copy upon demand. At [Organization Name], pay stubs are provided (Insert method, e.g., hard copy bi-weekly, or by email bi-weekly, etc.).

Wages Paid Upon Termination

In the event that the employment relationship is terminated, either voluntarily or involuntarily, the employee will be provided with a final written statement which includes:

* The gross amount of termination and/or severance pay being paid to the employee;
* The gross amount of any vacation pay being paid to the employee;
  + This information will include how the amounts were calculated;
* Which pay periods are being included in the final pay if there are more pay periods involved than the usual;
* The employee’s wage rate;
* The amount and purpose of any deduction from wages;
* As necessary, any amount paid for room or board required to be paid to the employee; and
* The net amount of wages paid to the employee.

Records for Working on a Public Holiday

[Organization Name] will retain all records of written or electronic agreements when an employee and the organization agree that an employee will work on a public holiday that would ordinarily be a working day for that employee.

If a different day is substituted for the public holiday, [Organization Name] will provide the employee with a written statement (prior to the public holiday) that establishes:

* The public holiday that the employee is to work;
* The date of the day that will be substituted for the public holiday; and
* The date on which the statement is provided to the employee.

In the case when a public holiday falls on a day that is not usually a working day for the employee, or on a day that the employee is on vacation, [Organization Name] will substitute another day that is normally a work day for the employee to take off from work and for which they will be paid public holiday pay. In this case, the employee is to be provided with a written statement that outlines:

* The public holiday that is being substituted;
* The date of the day that is substituted for the public holiday; and
* The date on which the statement is provided to the employee.

Vacation Pay

[Organization Name] will provide records of the vacation pay that it pays to employees on their pay statements and will keep the records of the vacation pay that has been paid out.

Leaves of Absence

[Organization Name] will keep records of any leaves of absence requested by the employee, including any medical documentation or letters.

Written Agreements for Excess Hours or Averaging Overtime

[Organization Name] will retain written agreements relating to any agreements for excess hours and overtime averaging agreements.

Additional Records

Pre-Employment

[Organization Name] will safely retain all pre-employment information, including an employee’s resume, references, any records of police checks, etc. Their signed offer of employment and job description will also be retained.

Emergency Contact Information

[Organization Name] will ensure that it has an emergency contact for each employee in their employee file in the event that an emergency occurs. Employees are asked to update this contact information if a relationship change occurs or their emergency contact’s information changes.

Records of Progressive Discipline

[Organization Name] will retain all records involved in the progressive discipline process, including:

* Verbal warnings;
* Written warnings;
* Written complaints from other employees and/or customers; and
* Written reports of investigations conducted involving the employee.

Training, Development, and Performance Records

[Organization Name] will retain a record of all training completed by employees. Additionally, all records of yearly performance appraisals will be retained, as well as any compliments or commendations from customers or supervisors.

Health-Related Information

[Organization Name] will safely retain information that is provided to it by the employee involving their medical state. This will include any doctors’ notes, any benefit plan agreements, any records of workplace incidents or accidents, any records involving first aid, and any WSIB communications.

Record-Keeping Duration

The following information will be kept for a period of three years from the date it was created:

* Documents related to an employee’s leave of absence;
* Vacation time and vacation pay (including how the vacation pay was calculated);
* Information included in an employee’s wage statement;
* Written agreements for excess hours or overtime averaging agreements;
* The date of birth for any students under the age of 18 until they turn 21 or for three years after they cease to be employed with [Organization Name]; and
* Upon termination, records of the employee’s name, address, and employment start date.

[Organization Name] will ensure that any records that need to be disposed of are destroyed so that the private information cannot be accessed. This will be done by shredding documents and ensuring that soft-copies are erased from computer storage.