Investigation Record Retention Standards

Purpose

The purpose of this standard is to establish consistent practices for the retention, storage, preservation, and destruction of employee relations investigation records and related documentation.

These standards are intended to:

- support legal and regulatory compliance,
- ensure investigation consistency,
- preserve relevant evidence,
- protect confidential information,
- and reduce organizational risk.

Scope

This standard applies to:

- Human Resources
- HRBPs
- HR Representatives
- HR Leadership
- Operations Leadership involved in investigations
- Any employee responsible for maintaining investigation-related documentation

This standard applies to all employee relations investigations, complaints, corrective actions, and related records regardless of format.

General Standards

All investigation-related documentation must:

- be stored securely,
- remain confidential,
- be limited to individuals with a business need to know,
- and be maintained in accordance with these retention standards.

Investigation records should generally be maintained separately from personnel files unless otherwise required by Company policy or applicable law.

Investigation Record Categories

Category 1 — Routine ER Matters

Examples:

- attendance coaching,
- interpersonal conflict,
- minor conduct concerns,
- operational coaching,
- basic performance discussions.

Examples of Records

- intake forms,
- interview notes,
- corrective actions,
- findings summaries,
- witness statements.

Retention Standard

Retain for:

3 years following closure of the investigation or termination of employment, whichever is later.

Category 2 — Elevated ER Matters

Examples:

- harassment allegations,
- discrimination concerns,
- retaliation allegations,
- leadership misconduct,
- ethics complaints,
- workplace threats,
- wage & hour concerns.

Retention Standard
Retain for:
7 years following closure of the investigation or termination of employment, whichever is later.

Category 3 — Litigation / Agency / Legal Hold Matters
Examples:

- EEOC charges,
- lawsuits,
- attorney demands,
- agency complaints,
- preservation notices,
- serious injury claims,
- workplace violence incidents,
- matters subject to litigation hold.

Retention Standard
Retain:
indefinitely until Legal or HR Leadership authorizes release of the litigation hold and approves destruction.
No records subject to litigation hold may be deleted, altered, overwritten, or destroyed.

Corrective Action Documentation

Record Type	Retention Standard
Verbal / documented coaching	3 years
Written warnings	5 years
Final warnings	7 years
Leadership corrective action	7 years
Performance improvement plans	5 years
Termination documentation	7 years

Retention periods may be extended if:

- litigation is anticipated,
- a pattern issue exists,
- or HR Leadership determines extended retention is appropriate.

AI Transcripts & Recordings
Approved Use
AI-assisted transcription may only be conducted through Company-approved systems.
Personal AI platforms or unauthorized recording methods are prohibited.

Audio Recordings
If interviews are audio recorded:

- recordings should be retained only as long as operationally necessary,
- and should generally be deleted after final investigative documentation is completed unless:

- litigation is anticipated,
- a litigation hold exists,
- legal review is pending,
- or HR Leadership directs otherwise.

Standard Retention
Recommended retention:
90 days after investigation closure unless otherwise directed.

AI Transcripts
AI-generated transcripts:

- are considered working investigation documents,
- must be reviewed for accuracy,
- and should be securely stored with investigation records if relied upon in findings.

Storage Standards
Investigation records must only be stored in:

- approved HR drives,
- secure case management systems,
- restricted-access folders,
- or approved HR documentation platforms.

Investigation records should never be stored:

- on personal devices,
- in personal email,
- in unauthorized cloud storage,
- or in unsecured shared drives.

Access Restrictions
Access to investigation documentation should be limited to:

- HR personnel with a business need,
- HR Leadership,
- Legal (when applicable),
- and approved executive leadership when operationally necessary.

Managers should only receive:

- operationally necessary information,
- corrective action documentation,
- or investigation outcome information relevant to their role.

Destruction Standards
At the conclusion of the applicable retention period:

- records should be securely destroyed,
- permanently deleted,
- or archived in accordance with Company standards.

Destruction must be suspended immediately if:

- litigation is anticipated,
- an agency complaint exists,
- a preservation request is received,
- or a litigation hold has been issued.

Litigation Hold Override
If a litigation hold is issued:

- all normal retention and destruction schedules are suspended,
- all relevant materials must be preserved,

- and no related documentation may be altered or destroyed until released by Legal or HR Leadership.

Audit & Compliance
HR Leadership may periodically audit:
- investigation files,
- storage practices,
- access permissions,
- retention timelines,
- and destruction compliance

to ensure adherence to Company standards.

Final Guidance
When uncertainty exists regarding:
- retention timelines,
- litigation risk,
- destruction approval,
- or preservation obligations,

employees should consult HR Leadership or Legal before deleting or destroying any records.