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Limousine Association of New Jersey

Does Your Company Pass Muster for Employee Record Keeping?



According to Hannah Haverdink of [The LMC Group](#), a Manchester, New Hampshire-based consultancy for chauffeured transportation companies, who spoke on the topic "How to Onboard a New Chauffeur" at a LANJ member meeting earlier this year, there are as many as five different files employers must have for keeping employee records.

Read on to see if your company is passing muster on these requirements.

* **Performance Record** - Initially, this file should include the signed employment application, the employee's resume (if

applicable), the company's offer letter, a signed job description, the background check consent form, the documentation of goals (if applicable) and the signed employee handbook acknowledgement (if applicable).

As time goes by, the following items should be added to the file: letters of recognition, annual review documentation, performance improvement plans, goals, promotions, changes to compensation, changes to position, education and training records and termination record.

Of note, per The LMC Group, there should be no identifying information in this record, i.e. employee's date of birth, social security number, medical information.

The performance record should be retained for no more than seven years after the employee's termination.

Performance record files should be kept locked with access granted to both the employee and his/her manager as requested.

* **Compliance Record** - Compliance records should be kept in a location separate from performance records. Only the company owner and/or human resource manager should be given access.

To begin, the compliance record file should include the completed W-4 form(s) (federal and state), drug test results, background check results, direct deposit form (if any) and the emergency contact form.

Records that should be added, once/if applicable, are any forms that contain the employee's date of birth, social security number such as benefits or insurance records, leave of absence forms, child support/garnishments and workers compensation claims.

The compliance record should be retained for three years after the employee's termination.

* **Chauffeur Compliance Record** - If your company falls under U.S. Department of Transportation (USDOT) regulations, you must keep a separate file for USDOT required information on chauffeurs.

The following items should be placed in this file at the time of hire: copy of current driver's license, motor vehicle report and USDOT medical card and supporting documentation. Once applicable, the employee's annual driving record should be added to the file.

The chauffeur compliance record should be retained for three years after the employee's termination.

* **I-9s** - Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States. All U.S. employers must ensure proper completion of Form I-9 for each individual they hire for work in the U.S. This includes citizens and non-citizens.

In order to be in compliance, I-9s need to be completed in their entirety within three days of a new hire's start date.

The LMC Group recommends that I-9s be kept for all employees in a locked separate location from the company's compliance and performance records.

* **Hiring/Recruitment Record** - The company's human resource and/or recruitment manager should maintain this file and include notes from interview(s) prior to hire, reference check information and pre-employment aptitude and skills testing (if any).

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