



HR Record Retention Requirements – Chile

CHILE			
DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
EMPLOYMENT RECORDS			
Contracts (new hire agreements, severance, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Time records (work hours, rest periods, vacation/sick/holiday, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Data and personnel files	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Government verification records (work papers, immigration, eligibility to work, etc.)	Minimum: 5 years (including copy of identity documents of foreign citizens)	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board; Labor Code, Art. 510; Criminal Code, Art. 94
Collective bargaining/union	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Background checks and drug tests	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Acknowledgements, policy agreements and required notices	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Recruitment (interview notes, resumes/CVs, reference checks, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board

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BENEFIT/PENSION/EQUITY RECORDS			
Benefits (plan documents, enrollment records)	Minimum: 5 years Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Pension and retirement records	Resignation to the pensions system (foreign system): Minimum 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Equity records	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
PAYROLL/WAGE/TAX RECORDS			
Payroll and wage data (payslips, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Tax records	Minimum: 5 years (minimum 6 years from date taxes should have been paid in cases where taxes were not paid or where records were falsified)	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board Tributary Code, Law No. 830, Art. 200
Miscellaneous 1	Discounts authorization: Minimum 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
MEDICAL/SAFETY/LEAVE RECORDS			
Leave (family, medical, etc.)	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Injury and illness incident reports	Minimum: 5 years (15 years if illness is pneumoconiosis)	From end of employment and from date of accident or from diagnosis of the disease.	Ruling. No. 2389 of 05.24.2018 of the Labor Board; Rules on Work Accidents and Professional Diseases, Law No. 16,744, Art. 79

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DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
MEDICAL/SAFETY/LEAVE RECORDS (continued)			
Medical records	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board
Hazardous material and other exposure records	Minimum: 5 years	From end of employment	Ruling. No. 2389 of 05.24.2018 of the Labor Board

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