



HR Record Retention Requirements – Colombia

Colombia			
DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
EMPLOYMENT RECORDS			
Contracts (new hire agreements, severance, etc.)	Minimum 5 years (executive) - debt related, etc.;	From termination	Art. 2536, Civil Code (Statute of Limitations Executive and Ordinary);
	Minimum 10 years (ordinary)		Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Time records (work hours, rest periods, vacation/sick/holiday, etc.)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination, and, if applicable, from date employer receives employee claim	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Data and personnel files	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination, and, if applicable, from date employer receives employee claim	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)

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EMPLOYMENT RECORDS (continued)			
Government verification records (work papers, immigration, eligibility to work, etc.)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Collective bargaining/union	N/A, collective bargaining/union agreements can be requested at any time from the Ministry of Labor	N/A	Art. 469, Labor Code
Background checks and drug tests	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Acknowledgements, policy agreements and required notices	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination, and, if applicable, from date employer receives employee claim	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Recruitment (interview notes, resumes/CVs, reference checks, etc.)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.)	Retain minimum 10 years as best practice in case of a judicial claim	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)

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BENEFIT/PENSION/EQUITY RECORDS			
Benefits (plan documents, enrollment records)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Pension and retirement records	Minimum 20 years; Note: pension rights do not expire	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Equity records	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
PAYROLL/WAGE/TAX RECORDS			
Payroll and wage data (payslips, etc.)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Tax records	Verify with Colombian tax/financial expert		
MEDICAL/SAFETY/LEAVE RECORDS			
Leave (family, medical, etc.)	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)

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MEDICAL/SAFETY/LEAVE RECORDS (continued)			
Injury and illness incident reports	Minimum 3 years; Best practice retain minimum 10 years after termination of employment contract (1 year after expiration of rights)	From termination	Art. 488, Labor Code; Art. 151, Procedural Code of Labor (Decree 2158 of 1948)
Medical records	Generally not permitted; Medical exam performed by company's doctor as part of a periodic exam: Best practice minimum 20 years	From termination	Art. 13, Decree 1443 of 2014
Hazardous material and other exposure records	Best practice minimum 20 years	From termination	Art. 13, Decree 1443 of 2014
Miscellaneous 1	Occupational Safety and Health Management System related records (Employee epidemiological health profiles; measurement and monitoring of work environments for risk and hazard surveillance and control programs; occupational and safety education and training activities; and, records of personal protection supply): Minimum 20 years	From termination	Decree 1072 of 2015, Art. 2.2.4.6.13

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