



HR Record Retention Requirements – Canada

| CANADA | | | |
|--|--|---|---|
| DOCUMENTS | RETENTION PERIOD (minimum and/or maximum) | BEGINNING OF RETENTION PERIOD | LEGAL REFERENCE |
| EMPLOYMENT RECORDS | | | |
| Contracts (new hire agreements, severance, etc.) | Longer of length of employment plus 3 or 6 years from end of last tax year to which records relate (In most cases, length of employment plus 3 years will be long enough to cover tax period, but not in cases where individual worked for only a few years) | From end of last tax year to which record relates | Canada Labour Code; Canada Labour Standards Regulations; Income Tax Act |
| Time records (work hours, rest periods, vacation/sick/holiday, etc.) | Longer of length of employment plus 3 or 6 years from end of last tax year to which record relates | From end of last tax year to which record relates | Income Tax Act; Canada Labour Code; Canada Labour Standards Regulations |
| Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.) | 3 years | From end of employment | Canada Labour Code; Canada Labour Standards Regulations |
| Data and personnel files | General: 3 years (longer if contains records required for tax purposes) | From end of employment | Canada Labour Code; Canada Labour Standards Regulations |

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|---|--|---------------------------------------|--|
| EMPLOYMENT RECORDS (continued) | | | |
| Government verification records (work papers, immigration, eligibility to work, etc.) | 3 years | From end of employment | Canada Labour Code; Canada Labour Standards Regulations |
| Collective bargaining/union | Permanently (best practice as can be relevant for policy grievances) | From creation | Best practice |
| Background checks and drug tests | Applicants who are hired: Maximum 2 years from date of hire (best practice based on privacy law); Applicants who are not hired: Maximum 2 years from date not to hire (best practice to cover limitation periods under human rights and general limitations acts) | From date of hire or date of decision | Human Rights legislation |
| Acknowledgements, policy agreements and required notices | If contains no personal information, retain based on business need | N/A | N/A |
| Recruitment (interview notes, resumes/CVs, reference checks, etc.) | Applicants who are hired: Maximum 2 years from date of hire (best practice based on privacy law); Applicants who are not hired: Maximum 2 years from date not to hire (best practice to cover limitation periods under human rights and general limitations acts) | From date of hire or date of decision | Human Rights legislation |
| Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.) | Retain only for limited time necessary for the purposes for which data was collected | N/A | Best practice |

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| EMPLOYMENT RECORDS (continued) | | | |
| Miscellaneous 1 | Promotions, Demotions, Transfers: Longer of length of employment plus 2 years; Layoffs: Longer of length of employment plus 2 years or 6 years from end of last tax year to which record relates | From termination | Human Rights Legislation |
| Miscellaneous 2 | Job postings with no personal information: Minimum 2 years from last use, depends on business need | N/A | Best practice |
| Miscellaneous 3 | Banking information: Length of employment | N/A | Best practice |
| BENEFIT/PENSION/EQUITY RECORDS | | | |
| Benefits (plan documents, enrollment records) | 6 years | From end of last tax year to which records relate | Income Tax Act |
| Pension and retirement records | Retain permanently | From creation | Best Practice |
| Equity records | Length of employment plus 2 years or end of period covered by employment equity plan to which records relate | From creation | Federal Employment Equity Act |
| Miscellaneous 1 | Employee Share Ownership Plan Documents: 6 years or permanently (if no personal information) | From end of last tax year to which records relate | Income Tax Act |
| Miscellaneous 2 | Individual Beneficiaries' Records: Until final payment has been made to plan beneficiaries | From final payment | Federal Pension Act |

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| PAYROLL/WAGE/TAX RECORDS | | | |
| Payroll and wage data (payslips, etc.) | 6 years (including Commission reports, earning cards and payroll journals) | From end of last tax year to which record relates | Income Tax Act |
| Tax records | 6 years | From end of last tax year to which record relates | Income Tax Act |
| Miscellaneous 1 | Expense records: 6 years | From end of last tax year to which record relates | Income Tax Act |
| MEDICAL/SAFETY/LEAVE RECORDS | | | |
| Leave (family, medical, etc.) | Longer of length of employment plus 3 years or 6 years | From end of last tax year to which record relates | Income Tax Act; Canada Labour Code; Canada Labour Standards Regulations |
| | Annual report or police reports regarding accident: 10 years; | Reports regarding accident: Following submission of report to Minister; | |
| Injury and illness incident reports | Records of minor injuries, hazardous occurrences and written reports: 10 years; First Aid Records: 2 years from date of entry | Records of minor injuries, hazardous occurrences and written reports: Following hazardous occurrence; First Aid Records: From date of entry | Canada Health and Safety Regulations |

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| MEDICAL/SAFETY/LEAVE RECORDS (continued) | | | |
| Medical records | 3 years | From termination | Canada Labour Standard Regulations |
| Hazardous material and other exposure records | Varies depending on material/exposure record | N/A | N/A |

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