



HR Record Retention Requirements – China

***Note:** Personal information should not be retained for longer than necessary to fulfill the purpose for which it was collected (PRC Personal Information Protection Law).

*China			
DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
EMPLOYMENT RECORDS			
Contracts (new hire agreements, severance, etc.)	Minimum 2 years	From end of employment	Art. 50, Labor Contract Law (中华人民共和国劳动合同法)
Time records (work hours, rest periods, vacation/sick/holiday, etc.)	Minimum 2-3 years	From end of employment	N/A, Best practice in case of labor dispute
Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.)	Minimum 2-3 years	From end of employment	N/A, Best practice in case of labor dispute
Data and personnel files	Minimum 2-3 years	From end of employment	N/A, Best practice in case of labor dispute
Government verification records (work papers, immigration, eligibility to work, etc.)	Foreigners' working permits must be returned and canceled by the employer upon the termination/end of foreigner's employment	N/A	Art. 20, Provisions on Employment of Foreigners in PRC (amended 2017)
Collective bargaining/union	N/A	N/A	N/A
Background checks and drug tests	N/A	N/A	N/A

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DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
EMPLOYMENT RECORDS (continued)			
Acknowledgements, policy agreements and required notices	Minimum 2-3 years	From end of employment	N/A, Best practice in case of labor dispute
Recruitment (interview notes, resumes/CVs, reference checks, etc.)	Minimum 2-3 years	From end of employment	N/A, Best practice in case of labor dispute
Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.)	N/A	N/A	N/A
Miscellaneous 1	Employee List (including each employee's name, gender, identification card number, address of registered domicile, contact information, employment arrangement - (e.g. direct employment or secondment), commencement date of employment, term of employment, etc.): Not specified		The Implementing Regulations of the Labor Contract Law (中华人民共和国劳动合同法实施条例)
BENEFIT/PENSION/EQUITY RECORDS			
Benefits (plan documents, enrollment records)	N/A	N/A	N/A
Pension and retirement records	N/A	N/A	N/A
Equity records	N/A	N/A	N/A

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DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
PAYROLL/WAGE/TAX RECORDS			
Payroll and wage data (payslips, etc.)	Employee Payroll (amount of wages paid, payment time, employee's name and employee's signature confirming receipt of the wage); Minimum 2 years from creation (Best practice minimum 2 years from termination)	From creation	Interim Regulations on Wage Payment (工资支付暂行规定); Best practices in case of labor dispute
Tax records	General: No specified retention period under PRC laws; Accounting books and related original materials: Minimum 30 years	From creation	Tax/finance laws
MEDICAL/SAFETY/LEAVE RECORDS			
Leave (family, medical, etc.)	N/A	N/A	N/A
Injury and illness incident reports	N/A	N/A	N/A
Medical records	N/A	N/A	N/A
Hazardous material and other exposure records	N/A	N/A	N/A

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