

France			
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 contract termination	Art. 2224, French Civil Code; No legal obligation but rule of prevention in regard to prescription period (prescription for discrimination litigation can reach 20 years maximum, Art. 2232, French Civil Code)
Time records (work hours, rest periods, vacation/sick/holiday, etc.)	<p>Data on working hours, accounting and on-call duties: Minimum 1 year;</p> <p>Data on working days for flat-rate pay agreements ("convention de forfait"): Minimum 3 years;</p> <p>Registration of work and rest periods: Duration of employment</p>	From date of drafting or record	Art. D3171-16, French Labour Code; CNIL recommendation n°2005-002 (Simplified Norm n°46)
Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.)	Maximum duration of employment	From date of collection	CNIL recommendation n°2005-002 (Simplified Norm n°46)
Data and personnel files	Minimum 5 years	From date of record	Art. 2224, French Civil Code. No legal obligation but rule of prevention in regard to prescription period
Government verification records (work papers, immigration, eligibility to work, etc.)	Minimum 5 years	From date of departure	Art. R1221-26, French Labour Code

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EMPLOYMENT RECORDS (continued)			
Collective bargaining/union	Maximum 6 months after the date when the legal mandate for the union/staff representative ceases to exist	From start of period where union/staff representative exists	Art. L. 2411-5, French Labour Code
Background checks and drug tests	<p>Background checks: Only until purpose of data collection is fulfilled;</p> <p>Drug tests: Tests which don't lead to disciplinary sanction: Only for duration required by purpose of test (investigations); Tests which lead to disciplinary sanction (other than dismissal): Maximum 3 years after notification of sanction; Tests which lead to dismissal: Minimum 1 year from termination notice (if termination challenged retain through period of litigation)</p>	From creation of record	<p>Art. 5, GDPR;</p> <p>Art. L. 1471-1, French Labour Code;</p> <p>Art. L. 1332-5, French Labour Code</p>
Acknowledgements, policy agreements and required notices	Varies depending on context	n/a	n/a
Recruitment (interview notes, resumes/CVs, reference checks, etc.)	Applicants and hired employees: Maximum 2 years	From the last contact with the person involved	CNIL recommendation n° 02-017

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EMPLOYMENT RECORDS (continued)			
Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.)	Biometric data: Maximum duration of employment contract;		CNIL unique authorizations n°AU-007, AU-008, AU-019;
	On-line traffic data and identification data of specific website's users: 1 year (minimum and maximum);	General: From date of collection;	Art. L34-1, French Post and Electronic Communications Code;
	Camera recordings: Maximum 1 month (for data processing). Can be archived for unlimited period in the event of criminal prosecution	Camera recordings: From date of access or transfer of the recordings	Art. 6 II LCEN (Act for confidence in the digital economy n°2004-575 21/06/2004); Art. L252-3, French Internal Security Code CNIL guidelines
Miscellaneous 1	Data relating to employee or temporary worker in regard to identification, administration, organization, social activities and staff representation: Maximum duration of employment	From date of collection	CNIL recommendation n°2005-002 (Simplified Norm n°46)
Miscellaneous 2	Data related to the use of the Internet of the Company (connection log): Maximum 6 months	From connection to a website	CNIL Guidelines ("Les outils informatiques au travail")
BENEFIT/PENSION/EQUITY RECORDS			
Benefits (plan documents, enrollment records)	Social and cultural benefits: Maximum 2 years	Following the provision of the benefit	CNIL recommendation n°2006-230 (Exoneration n°10)
Pension records	Minimum 5 years (including proof of pension affiliation and contributions "ARRCO" and "AGIRC")	From date of drafting	Art. 2224, French Civil Code. No legal obligation but rule of prescription period
Equity records	-	-	-
PAYROLL/WAGE/TAX RECORDS			
Payroll and wage data (payslips, etc.)	Electronic pay slips: Minimum 5 years and duty to ensure availability for minimum of 50 years or until employee has reached age 68		Art. L. 3243-4, French Labour Code;
		From pay date	Art. D. 3243-8, French Labour Code; El Khomri Law

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PAYROLL/WAGE/TAX RECORDS (continued)			
Tax records	Minimum 3 years	From the end of the year the tax is due	Art. L. 169, Tax Procedure Book
Miscellaneous 1	Social charges owed to French Administration based on salary: Minimum 3 years	Day after end of civil year to which records relate	Art. L. 244-3, French Social Security Code
MEDICAL/SAFETY/LEAVE RECORDS			
Leave (family, medical, etc.)	Sick leave: Maximum duration of employment; Family leave: Maximum 5 years	From date of collection	CNIL recommendation n°2005-002 (Simplified Norm n°46); CNIL recommendation n°02-001 (Simplified Norm n°42)
Injury and illness incident reports	Data concerning Labour Inspectorate, Health Safety and Working Conditions Committee ("CHSCT"), or industrial accident declarations: Minimum 5 years	From creation of record	Art. D4711-3, French Labour Code
Medical records	Generally not permitted; Work-related medical exams related to hazardous chemical agents: Minimum 50 years; Work-related medical exams related to pathogen biological agents: Minimum 10 years	From date of employees' last exposure	Art. D4624-46 et seq., French Labour Code; No specific retention period but rule of prevention in regard to prescription period: Art. L1142-28, French Public Health Code; Art. R4412-54 et seq., French Labour Code Art. R4426-8 et seq., French Labour Code
Hazardous material and other exposure records	Exposure sheet of employees who worked in dangerous conditions or whose health has been under threat (including asbestos dust, hyperbaric environment, radiation, ionizing radiation and/pr artificial optical radiation): Minimum 2 years; Register of employees exposed to 3rd and 4th category biological agents: Minimum 10 years	From date which occupational disease was first diagnosed or date of employees' last exposure	Arts. L4121-3-1, French Labour Code; No specific retention period but rule of prevention in regard to prescription period: Arts. L431-2, L461-1 et seq., French Social Security Code; Art. D4121-9, French Labour Law; Art. R4426-1 to R4426-4, French Labour Code; Art. R4451-57 to R4451-60, French Labour Code

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MEDICAL/SAFETY/LEAVE RECORDS (continued)			
Miscellaneous 1	Floor plans and directions – “plan particulier de sécurité et de protection de la santé”: Minimum 5 years	From date of work receipt	Art. R4532-74, French Labour Code
Miscellaneous 2	Records of noise levels and mechanical vibration levels: Minimum 10 years	From date of evaluation	Arts. R4433-3 and R4444-3, French Labour Code
Miscellaneous 3	Necessary data for emergency medical care, individual reintegration plans, individual treatment agreements, degree of incapacity for work, required workplace adaptations: Maximum duration of employment	From date of collection	CNIL recommendation n°2005-002 (Simplified Norm n°46)

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