

## ON DEALERSHIPS

# RECORD RETENTION SCHEDULE

### RETAIN FOR A MINIMUM OF:

#### One (1) year:

Daily Service Sales Summary  
Driver/employee traffic violation, etc. records  
Bank Reconciliation papers  
Excise tax returns, schedules and statements  
UST's Leak Detection sampling/testing  
Expense Reports  
Used Car Appraisal Report  
Medical certifications, etc.  
Gross vehicle weight ratings

#### Two (2) years:

Hazardous waste determination list and waste test results/analysis  
Cash Receipts  
Hazardous waste off-site shipment manifests  
Brake inspector qualifications  
IRS Records  
Correspondence - Unimportant Nature  
Inventory Records - internal w/customers or Vendors  
Inventory of Used Vehicles  
Credit applications and notifications - (Keep Journal Voucher 25 months, at least)  
Luxury taxable assets  
Daily driver logs (6 months)  
Minimum wage records of employees - Subject to and/or overtime provisions  
Daily vehicle condition reports  
Drug testing - *negative results*  
Peg Strip Cash Receipts  
Petty Cash Vouchers  
Prepaid and Accrued Expense Journal  
Petty Cash Summary  
Purchase Orders  
Physical Inventory  
Tags and Records  
Reportable accident records  
Ratings, Credit Classifications and Regulation M disclosure statements  
Investigations of customers  
Regulation Z disclosure statements (2 yrs. Salesman's Compensation Report after disclosure or action taken)

Standard Entries Journal  
Repair Order Check Sheet Stock Requisition  
Truth in Lending (*see Regulation Z*)  
Sundry Invoices  
Truth in Lending (*see Regulation M*)  
Time Tickets  
Vehicle inspection and maintenance records  
Tire purchases and Tire ID # Records

**Three (3) years:**

Vehicle Invoice  
Vehicle Inventory Records - new and used  
Air cond. Technician certifications  
Car Deal Envelope

**Four (4) years:**

Car Invoices  
CFC Annual floor stock inventories  
Dealer vehicle reassignment forms  
Daily Parts and Access.  
Counter Sales Summary  
Parts and Accessories  
Sales Invoices

**Five (5) years:**

Cash Reports - Daily or Period  
Form 8300 w/receipts, journal and deposit slips  
Disclosure of Damage to Motor Vehicles  
Drug testing-positive  
Trial Balances-Monthly Odometer Mileage Stmt/Power  
of Attorney documents, issued and received  
Statement Regarding Cash Proceeds  
UST storage system repair documents

**Six (6) years:**

Cash Disbursements Journal  
Claim Register  
Compensation Record  
Correspondence - General  
Credit Memos  
Environmental Protection Records  
Fixed Asset Inventory and Depreciation Record  
"Gray market" vehicle/engine documents  
"Gray market" vehicle/certificates of conformity (8 years)  
New and Used Car Records  
Purchase Journal  
Receiving Reports  
Sales Invoices  
State & Local Sales and Gross Receipts Tax Returns

U.S. & State Unemployment Tax Returns

**Seven (7) years:**

Customer Repair Order - office and hard copy  
Internal Repair Orders - office and hard copy

**Ten (10) years:**

Accounts Payable Trial Balance  
All Customer Files  
Bank Deposit Slips  
Bank Drafts and Paid Notices  
Bank Statements and Reconciliation  
Bills of Lading  
Canceled Checks  
Duplicate Deposit Tickets  
Independent Gray Market  
Certificates of Conformity  
Sublet Repair Invoices  
Vendor's Invoice

**Permanently:**

Accounts Payable and Receivable Ledgers  
After-market catalytic converters: Repair orders and  
signed statements  
for exempt "in warranty" installation  
Airbag switch installation forms  
Airbag disconnect authorization forms  
Audit Reports  
Capital Stock Bonds  
Cash Disbursement Journal  
Cash Received Journal  
Construction Contracts  
Corporate Charter and Minute Books  
Correspondence - Legal and Important Matters Only  
Equipment Records  
Estate records (until estate is closed)  
Expense Ledgers  
Federal Highway Admin. Regulations  
Federal & State Tax Returns  
Financial Statements  
General Inventory with adjustment records  
General Journal and Ledger  
Government Contracts  
Hazardous Waste and Test Results  
Insurance Inspectors' Reports  
Insurance Policies  
Insurance Records - Fidelity Bonds  
Insurance Records of Policies in Force  
Interdepartmental Sales Journal

Journal Vouchers  
LIFO forms, inventory invoices  
Litigation Papers  
New Car Sales Journal  
Notes Receivable Ledger  
OSHA Asbestos monitoring records  
OSHA Survey Records  
Parts, Accessories and Service Sales Journal  
Price Records of Purchases  
Purchase Journal or Voucher Register  
Real Estate Records  
Sales and Cost of Sales Ledger  
State Annual Reports  
State Franchise Tax Returns  
State Income Tax Returns and Examiners' Reports  
Subsidiary Ledger  
Receivable Trial Balances  
U.S. Tax Returns  
U.S. Revenue Agents' Reports and Related Papers  
UST financial responsibility evidence records  
UST Notification Forms  
UST's Leak Detection Results  
Used car buyers' guides (copies)  
Used car sales contracts and warranty on service contract documents  
Used and Repossessed Car Journal

**Miscellaneous:**

Depreciation Schedules - Life of Asset, plus 3 years  
New Car Get Ready - six (6) months  
Parts Back Order Form - Until filled

**After vehicle leaves dealership control:**

Title Paperwork - 14 or 6 months  
TRP Paperwork - 14 or 6 months  
UST (closed) site investigation results - 14 or 6 months

## EMPLOYMENT DOCUMENTATION

**One (1) year:**

**PERSONNEL RECORDS - TITLE VII:**

Title VII of the Civil Rights Act of 1964 ("Title VII") - Employers with 15 or more employees must retain all personnel record for one year from the date of entry or the personnel action involved, whichever is later, including records pertaining to job applications, hiring, promotion, demotion, transfer, layoff, compensation, training programs, and termination. 29C.F.R. §1602.14(a). Employers with 100 or more employees must keep the latest annual Standard Form 100 ("EEO-1") report at each reporting unit or at company or division headquarters, 29 C.F.R. §1602.7. Employers are also required to preserve all personnel records that are relevant to a charge of discrimination until the matter is fully concluded.

**AMERICANS WITH DISABILITIES ACT (ADA)/TITLE VII**

Employers with 15 or more employees have the same recordkeeping obligations as those imposed by Title VII. The ADA requires employers to keep medical records separate from general personnel files.

**AGE DISCRIMINATION EMPLOYMENT ACT (ADEA):**

The act requires employers with 20 or more employees to retain for one year employment records such as those listed in Title VII (above) and also records of tests, physical examinations, and advertisements or notices regarding employment opportunities. 29 C.F.R. §1627.3(b)(1). The ADEA further requires retention of written employee benefit plans and seniority or merit systems during their effective period and one year after termination of the plan or system. 29 C.F.R. §1627.3(b)(2). Employers are also required to preserve all personnel records that are relevant to a charge of discrimination until the matter is fully concluded.

**FEDERAL ACQUISITION REGULATION SYSTEM RECORDS**

Federal Govt. - records of goods sold or services provided, general, retain one year. However, contracts totaling \$10,000 or more require complete employment records of handicapped applicants and employees, annual reports on number of veterans in the work force and EEO compliance reports.

## **Two (2) years:**

### **THE EQUAL PAY ACT:**

Requires all employers engaged in commerce or in the production of goods for commerce to retain for two years records regarding payments of wages, wage rates, job evaluations and job descriptions, merit and seniority systems, collective bargaining agreements, pay practices, or other records that describe the basis for wage differentials to employees of the opposite sex within the same business establishment. 29 C.F.R. §1620.32

### **THE FAIR LABOR STANDARDS ACT (FLSA):**

Requires employers with employees who are engaged in commerce or the production of goods for commerce to retain the following records for at least two years: wage rate tables; work time schedules, time cards or sheets, and records of amount of work produced by each employee; order, shipping, and billing records; and records of additions to or deductions from wages paid. 29 C.F.R §516.6

## **Three (3) years:**

### **AGE DISCRIMINATION IN EMPLOYMENT ACT:**

Requires employers with 20 or more employees to maintain payroll records for three years from the last date of entry. 29 C.F.R §1627.3(a)

### **THE FAIR LABOR STANDARDS ACT:**

Requires all employers with employees who are engaged in commerce or the production of goods for commerce to maintain payroll record for three years from the last date of entry. 29 C.F.R §516.5(a). The following records are included: each employee's name, as used for Social Security, and the employee's identification number or symbol, if used in place of the name on any payroll record; home address and zip code; date of birth for employees under the age of 19; sex and occupation; time and day of the week when the employee's workweek begins; regular rate of pay for any week when overtime is worked; hours worked each workday, and total hours worked each workweek; total daily or weekly straight-time earnings; and total overtime compensation for the workweek (this requirement applies only to nonexempt employees); total additions to or deductions from wages by each pay period; total wages for each pay period, date

of payment, and pay period covered by the payment; certain collective bargaining agreements, plans, and trusts; employment contracts; notices of the Wage and Hour Administrator; and sales and purchase records for employees who are subject to minimum wage requirements. 29 C.F.R §516.2 and 516.5

### **THE EQUAL PAY ACT:**

Requires all employers engaged in commerce or in the production of goods for commerce to maintain payroll records for three years from the last date of entry and requires retention of collective bargaining agreements and employment contracts for three years from the last effective date. 29 C.F.R §1620.32(a)

### **THE FAMILY AND MEDICAL LEAVE ACT (FMLA):**

Employers with 50 or more employees must keep FMLA-related records for three years, including; dates of FMLA leave taken by employees; hours of FMLA leave (if leave taken is less than a full day); copies of employee notification to the employer of the need for leave; copies of employer notices regarding employees' rights and obligations when taking FMLA leave; copies of employer policies and practices describing benefits and leaves; premium payments for employee benefits; records relating to disputes about the designation of leave as FMLA leave. All medical information must be maintained in separate, confidential medical files. 29 C.F.R §825.500

### **EMPLOYEE POLYGRAPH PROTECTION ACT:**

All employers engaged in or affecting commerce that request polygraph examinations in connection with an ongoing investigation involving economic loss must retain a copy of the statement that describes the specific incident or activity under investigation and the basis for testing a particular employee. Employers who request a polygraph examination must retain the following records for each exam requested: (i) a copy of the written statement that shows the time and place of the exam and the examinee's right to consult with legal counsel; (ii) a copy of the written statement to the polygraph examiner identifying the persons to be examined' and (iii) copies of all opinions, reports, or other records provided to the employer by the examiner relating to the examinations. All these records must be retained for at least three years from the date of the exam, or if no exam was conducted, from the date the exam was requested. 29 C.F.R §901.30

**THE IMMIGRATION REFORM AND CONTROL ACT:**

The Act applies to all employers and requires the retention of each employee's I-9 form (verifying employment eligibility) for three years from the date of hire or one year from the employee's termination, whichever is later. 8 C.F.R. §274a.2(b)(2)(i)(B)

**Four (4) years:**

**THE FEDERAL INSURANCE CONTRIBUTION ACT (FICA):**

Any employer who uses the services of an employee within the U.S. or the services of a U.S. citizen outside of the U.S. must retain records of all wages paid to their employees for at least four years from the later of either the date the tax was due or the date the tax was paid. These records should include the following information concerning each employee: name; Social Security number; address; total amount of wages paid in each pay period; the period of service covered by each pay period; date of each payment; the portion of the payment subject to FICA taxation; the amount of the employee's tax contribution and the date it was withheld or collected from the payment; and any explanation for any difference between the amount of tax collected and the amount owed. 26 C.F.R. §31.6001.2(a)

**THE FEDERAL UNEMPLOYMENT ACT (FUTA):**

Employers with one or more employees that have a payroll of \$1,500 or more in a calendar quarter must maintain records of wage payments to each employee for at least four years from the later of either the date the tax was due or the date the tax was paid. These records should include the following information concerning each employee: total amount of wage payments to the employee, including the amount withheld; the amount of the payments taxable under FUTA; the amount contributed to state unemployment insurance funds, including amounts deducted from the employee's pay; all information required on the prescribed tax return and the extent of tax liability; any difference between total wage payments to an employee and wage payments taxable under FUTA; and if material to tax liability, dates of services and amount of cash paid for services not in the course of the employee's trade or business. 26 C.F.R. §31.6001.4(a)

**Five (5) years:**

**THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA):**

Employers with 10 or more employees must maintain records of reports of employee job-related illnesses and injuries resulting in medical treatment (other than basic first-aid) loss of consciousness, restriction of movement, lost workdays, transfer, restriction of work, termination, or fatalities (OSHA Form 200) and supplementary records with additional detailed information confirming the reported illnesses and injuries (OSHA Form 101) for five years following the end of the year to which they relate. 29 C.F.R. §1904.2 and 1904.6

**Six(6) years:**

**THE EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA):**

Employers whose benefit plans are regulated by ERISA must keep records supporting and verifying any plan descriptions, annual reports, summary plan description, and any material modifications of the plan that they must file with the Department of Labor. In addition, employers must keep records that identify current employees who participate in the plan, and terminated employees who should receive benefits under the plan, for the purposes of determining what benefits are due and for what period of time. 29 U.S.C. §1059(a)(1)

**Thirty (30) years:**

**THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA):**

Employers with 10 or more employees must retain medical records of employees exposed to toxic substances for at least the duration of employment plus 30 years. (This requirement does not apply to separately maintained health records.) In addition, records that OSHA requires regarding employee exposure must be retained for at least 30 years. Analysis using exposure or medical records must also be retained for at least 30 years. 29 C.F.R. §1910.20(d)(1)(iii)