

# **STAFF REPORT**

## ***Consent Agenda Item***

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**DATE:** December 15, 2025

**TO:** Honorable Mayor and Council Members

**FROM:** Siana L. Emmons, Human Resources Director/City Clerk

**THROUGH:** Amy Nilsen, City Manager

**SUBJECT:** **Approval of Personnel Files and Comprehensive Personnel Records Retention Policy**

### **STAFF RECOMMENDATION:**

Approve the Personnel Files and Comprehensive Personnel Records Retention Policy.

### **EXECUTIVE SUMMARY:**

Currently, the City of Fortuna does not have a formalized, organization-wide policy governing personnel file structure, ownership, retention timelines, or access protocols. Without consistent standards, records may be incomplete, improperly stored, or retained longer or shorter than required, which poses legal, operational, and confidentiality risks.

Human resource documentation is subject to federal and state regulations including, but not limited to, requirements under:

- Fair Labor Standards Act (FLSA)
- Equal Employment Opportunity Commission (EEOC)
- Americans with Disabilities Act (ADA)
- Health Insurance Portability and Accountability Act (HIPAA)
- State record retention requirements
- Internal Revenue Service (IRS) guidelines

A formal policy ensures that records are retained for the legally mandated duration and disposed of securely when no longer needed. In addition, this policy will standardize how employee records are managed, stored, accessed, and retained, ensuring compliance with legal requirements and alignment with best practices.

Personnel records contain key documentation related to employment history, including applications, performance evaluations, training certifications, payroll information, benefits enrollment, disciplinary actions, and separation records. These records are vital for decision-making, organizational memory, legal compliance, and supporting employee rights. A retention policy ensures that personnel records are managed uniformly across departments and in accordance with established procedures. Consistency reduces administrative burden, prevents duplication, and ensures information can be retrieved efficiently when needed.

**FISCAL IMPACT:**

While there is no direct financial impact on the City to adopt this policy, it is anticipated that maintaining records based on a legal retention structure will allow the City to mitigate future costs associated with liability and reduce administrative times and costs when responding to Public Records Act requests.

**RECOMMENDED COUNCIL ACTION:**

Motion to approve the Personnel Files and Comprehensive Personnel Records Retention Policy.  
Consent Agenda vote.

**ATTACHMENTS:**

- Draft Personnel Files and Comprehensive Personnel Records Retention Policy