

**Retention Requirements for Interview Notes
and Hiring Documents
EEOC Regulations on Hiring Documentation**

a. The organization is required by EEOC regulations to retain “documents and materials reviewed, prepared or considered in the hiring process” (as well as documents generated during employment).

b. Documents relating to the hiring process include applications, resumes, interview notes, questionnaires, tests, requests for accommodation during the application process and any other documents that the organization makes or generates during the hiring process.

c. Such documents must be retained by the organization for a period of one (1) year from the date of the making of the record or the personnel action involved, whichever occurs later.

d. Where a charge of discrimination is filed or a lawsuit brought against the organization, it is required to preserve all personnel records relevant to the charge or action until final disposition of the charge or the action.

(1) The term “personnel records relevant to the charge” includes personnel or employment records relating to the aggrieved person and to all other employees holding positions similar to that held or sought by the aggrieved person and application forms or test papers completed by an unsuccessful applicant and by all other candidates for the same position as that for which the aggrieved person applied and was rejected.

(2) The date of final disposition of the charge or the action means the date of expiration of the statutory period within which the aggrieved person may bring an action in a U.S. District Court or, where an action is brought against an organization either by the aggrieved person, the Commission;, the date on which such litigation is terminated. 29 C.F.R. § 1602.14.