

Authority: General Government and Licensing Committee
Item GL 6.30, as adopted by City of Toronto Council on
July 16, 17, and 18, 2019

CITY OF TORONTO

BY-LAW 1406-2019

To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), respecting the records retention schedule respecting Human Resources Records relating to City employees and personnel services.

Whereas authority is given to Council under section 201 of the City of Toronto Act, 2006 (the "Act") to establish retention periods during which the records of the City and its local boards must be retained and preserved; and

Whereas under section 200 of the Act the City shall retain and preserve the records of the City and its local boards in a secure and accessible manner; and

Whereas under section 201 of the Act the City may destroy a record of the City or a local board if an established retention period has expired or where the record is a copy of the original record; and

Whereas section 201 of the Act was amended to remove the requirement to have a retention period established subject to the approval of the City auditor; and

Whereas City Council wishes to amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to amend certain retention period for the purpose of establishing a retention period that exceeds a statutory retention requirement by more than five years;

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 217, Records, Corporate (City), is amended by adding the record series listed in Schedule 1 attached to this by-law in alphanumerical order by code number, under the functional category as set out in Schedule 1 for reference purposes to Schedule A of Municipal Code Chapter 217, Records, Corporate (City).

Enacted and passed on October 3, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE 1**SCHEDULE A, RECORDS RETENTION SCHEDULE TO CHAPTER 217**

H	<p>Functional Category: Human Resources</p> <p>Description: Records relating to City employees and personnel services. Includes records relating to training, labour relations, health and safety, staff benefits, salary administration, and professional associations.</p>						
H1201	<p>Employee History Data</p> <p>Records relating to City employees' work history. May also include information on retirements, layoffs, and resignations. Documents may include resumes, successful job call results, previous employment reference checks, criminal record checks, photocopies of degrees and diplomas, educational transcripts, letters of discipline, letters of expectation, employee emergency contact information sheets, skill assessments, development plans, performance ratings and personal contact information sheets.</p>	Human Resources	T	20	T + 20	D	<p>Comments: T = File closed on termination date of employee, or upon resolution of outstanding issues</p> <p>Legislation/Regulation: Employment Standards Act, S.O. 2000, c.41, s. 15(5) s.15.(5) - Retention of records to be kept three years after the employee ceased to be employed.</p>

Retention Legend: A = Active; AP = Archival and Permanent; I = Inactive; AR = Archival Review; C = Current Year; DY = Days; D = Destroy; M = Month(s); OPI = Office of Primary Interest - "The division that has primary interest in and responsibility for the disposal of the master copies of a category or class of records"; P = Permanent; P/AR = Permanent/Archival Review; S = Superseded; T = Termination – based on specific criteria