4 Practical Tips for Labor Code Requests

1 Remove nonresponsive documents

Any documents related to pre-employment such as references, interview notes, background information and so on should be removed.

2 Ensure all personnel records are included.

Often, personnel records may be kept in other places. It is important to do your due diligence and ensure all responsive personnel records have been located, even if they are maintained outside the personnel file. This may include signed documents or hiring records such as an I-9 form or a background check.

3 Redact contact information and the names of any nonsupervisory employee.

Before making records available for inspection or providing a copy of those records, the employer may redact the name of any nonsupervisory employee contained therein. Further, to protect third-party privacy rights of your employees, employers should redact contact information found within the personnel file, including email addresses, physical addresses, phone numbers, and fax numbers.

4 Document your response

It is good practice to keep a copy of what was turned over, even if you have the records in their original form. Further, include a cover letter with an explicit response date. These small steps will help dispute a claim of non-compliance should one arise down the line.