

PORTUGAL			
DOCUMENTS	RETENTION PERIOD (minimum and/or maximum)	BEGINNING OF RETENTION PERIOD	LEGAL REFERENCE
EMPLOYMENT RECORDS			
Contracts (new hire agreements, severance, etc.)	Minimum 1 to 5 years (statute of limitations varies depending on type of claim)	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009
Time records (work hours, rest periods, vacation/sick/holiday, etc.)	Minimum 5 years	From termination	Art. 202 and 231, Portuguese Labour Code
Performance records (performance reviews, promotions/demotions, licenses/certifications, investigations, disciplinary actions, etc.)	Minimum 5 years	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009
Data and personnel files	Minimum 1 to 5 years	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009
Government verification records (work papers, immigration, eligibility to work, etc.)	Foreign employees ID and foreign employee records: 10 years	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009
Collective bargaining/union	Minimum 1 to 5 years	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009
Background checks and drug tests	Where allowed, retain only as long as necessary to complete hiring process (delete after recruitment process unless relevant to on-going employment; if relevant, retain only if conviction unspent and delete once conviction spent)	From creation	Best practice based on GDPR, Art. 10
Acknowledgements, policy agreements and required notices	Minimum 1 to 5 years	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009
Recruitment (interview notes, resumes/CVs, reference checks, etc.)	Minimum 5 years	From the date to which they relate	Art. 32, Portuguese Labour Code

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EMPLOYMENT RECORDS (continued...)			
Tracking/recordings (biometric, geo-location, online tracking, camera recordings, etc.)	Maximum 1 to 5 years	From termination	Art. 337, Portuguese Labour Code; Art. 52, Law n.º 107/2009; Art. 31, of Law n.º 34/2013 on Private Security Activity
	*Specific recommendation from National Data Protection Commission to keep vehicles geo-location data for 1 week Maximum CCTV Recordings: Maximum 30 days	CCTV Recordings: From date of recording	
BENEFIT/PENSION/EQUITY RECORDS			
Benefits (plan documents, enrollment records)	Minimum 10 years	From the date to which they relate	Art. 19, Decree-Law 28/2019
Pension records	Minimum 10 years	From the date to which they relate	Art. 19, Decree-Law 28/2019
Equity records	Minimum 10 years	From the date to which they relate	Art. 19, Decree-Law 28/2019
PAYROLL/WAGE/TAX RECORDS			
Payroll and wage data (payslips, etc.)	Minimum 10 years	From the date to which they relate	Art. 19, Decree-Law 28/2019
Tax records	Minimum 10 years	From end of fiscal year to which records relate	Art. 19, Decree-Law 28/2019
MEDICAL/SAFETY/LEAVE RECORDS			
Leave (family, medical, etc.)	Minimum 5 years	From the date to which they relate	Art. 179, Law n.º 98/2009; Art. 73-B, Law n.º 102/2009 of 10 September on Health and Safety at Work
Injury and illness incident reports	Minimum 5 years	From the date to which they relate	Art. 179, Law n.º 98/2009; Art. 73-B, Law n.º 102/2009 of 10 September on Health and Safety at Work

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MEDICAL/SAFETY/LEAVE RECORDS (continued...)			
Medical records	General: Minimum 5 years	From date of last entry in record	Decree-Law n.º 84/97 of April 16 on Exposure of Employees to Biological Agents; Art. 46(3), Law n.º 102/2009 of 10 September on Health and Safety at Work; Art. 73-B, Law n.º 102/2009 of 10 September on Health and Safety at Work
	Exposure to level 3 and 4 biological agents: Minimum 10 years (40 years if exposure to hazardous substances caused latent or persistent infections or with late diagnosis)		
Hazardous material and other exposure records	General: Minimum 5 years	From date of last entry in record	Decree-Law n.º 84/97 of April 16 on Exposure of Employees to Biological Agents; Art. 46(3), Law n.º 102/2009 of 10 September on Health and Safety at Work; Art. 73-B, Law n.º 102/2009 of 10 September on Health and Safety at Work
	Exposure to level 3 and 4 biological agents: Minimum 10 years (40 years if exposure to hazardous substances caused latent or persistent infections or with late diagnosis)		

Last updated December 2019.

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