



1. Background

The Spokane Workforce Council (SWC) is required to maintain and retain records of its fiscal and program activities. With some exceptions, such records shall be available to the public. This Records Retention Policy ("Policy") sets forth the minimum requirements for records retention timeframes, and the extent to which such records may be made available to the public. This Policy was approved by the SWC's Board of Directors ("Board") and represents its policy regarding the retention and disposal of its records.

2. Definitions

- **Contractor** – an entity that receives a contract from the SWC or a subrecipient in order to purchase property or provide services necessary to carry out the operations of the SWC or a grant or program awarded to a subrecipient by the SWC (2 CFR 200.23).
- **State Management Information System (MIS)** – A state-wide, shared electronic database for storing data. A management information system (MIS) provides information that organizations require to manage themselves efficiently and effectively. Management information systems are typically computer systems used for managing five primary components: 1) Hardware, 2) Software, 3) Data (information for decision making), 4) Procedures (design, development, and documentation), and 5) People (individuals, groups, or organizations). Washington State's MIS for WIOA programs is WorkSource System Tools (WST).
- **Subrecipient** – a provider of workforce development services that receives a subaward from the SWC to carry out part of a grant or program, but does not include an individual that is a beneficiary of such grant or program (2 CFR 200.93). The term subrecipient includes entities designated as fiscal agents for delivery of grant funds by the SWC.

3. Policy

The SWC, its subrecipients, and its contractors will comply with applicable records retention and disclosure laws in regard to WIOA records. As recipients of WIOA funds, the SWC, its subrecipients, and its contractors must keep records that are sufficient to permit the preparation of reports required by the Secretary of Labor and the tracing of funds to a level of expenditure adequate to ensure that the funds have been spent lawfully.

a. Records Retention

At the SWC level, in general, unless otherwise noted in the attached Records Retention Schedule (Appendix A), all records shall be retained for eight (8) years, or in accordance with the terms of the specific program, whichever is longer.

With respect to records relating to program funding distributed by the SWC, subrecipients and contractors are required to retain all:

- Records pertinent to grants, grant agreements, interagency agreements, contracts, or any other awards, including financial, statistical, property, and supporting documentation, for a period of at least three (3) years after submittal of the final expenditure report (closeout) for that funding period to the awarding agency.
- Program and data validation records pertinent to applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment for a period of at least three (3) years from the point that the record is no longer included in reportable outcomes (as opposed to the close of the applicant's program year).

- Records of non-expendable property for a period of at least three (3) years after final disposition of the property.
- Records regarding complaints and actions taken on complaints for at least three (3) years from the date of resolution of the complaints.

Records beyond the required six (6) years if any litigation or audit is under way or a claim is instituted involving the grant or agreement covered by the records. The records must be retained for at least six (6) years after the litigation, audit, or claim has been resolved. Upon termination of their relationship with the SWC, should the subrecipient or contractor be unable to maintain and retain their own records, relevant records will be transferred to the SWC, upon which the SWC will be responsible for maintaining the records as applicable.

Copies of records made by microfilming, photocopying, scanning or similar methods may be substituted for original records if they are preserved with integrity and are admissible as evidence.

All records retained beyond the mandatory retention period are subject to audit and/or review.

After files have been retained for the appropriate period cited above, subrecipients should refer to their organization's guidelines for destroying confidential information.

b. Limitation of Public Access to Records

Personal records of WIOA applicants, registrants, and participants will be private and confidential and will not be disclosed to the public. Personal information may be made available to WorkSource system partners or subrecipients within the WorkSource System, State MIS, or on a selective basis consistent with a signed "release of information" form from the registrant. In addition, this information may be made available to persons or entities having responsibilities under WIOA or other fund sources.

Public agencies responsible for financial and/or program activities under WIOA will have public records systems in accordance with RCW 42.17.250.

The conditions under which information may be released or withheld are as described below:

1. Information may be released to representatives of the U.S. Department of Labor, the Governor of Washington State, WIOA program recipients and public agencies, and local subrecipients.
2. WIOA applicants, registrants, and participants will have access to all information concerning themselves as individuals unless the records or information are exempted from disclosure.
3. The names of SWC staff and subrecipient staff in positions funded by WIOA in part or in whole, will be a matter of public record. Other information pertaining to the SWC staff or subrecipient staff will be made available to the public in the same manner and to the same extent as such information is made available on staff in positions not funded by WIOA.

c. Administration

Attached is Appendix A: Record Retention Schedule ("Schedule") that is approved as the initial maintenance, retention, and disposal schedule for the SWC's general physical records and electronic documents. The Chief Executive is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Schedule is followed. The Chief Executive is also authorized to make modifications to the Schedule from time to time to ensure that it is in compliance with local, state and federal laws and includes the SWC's appropriate document and record categories; monitor local, state, and federal laws affecting record retention.

Note: In the event of a governmental audit, investigation or pending litigation, record disposal shall be suspended upon the direction of the Chief Executive. In addition, he/she should be informed of any situation that might give rise to legal action as soon as the situation becomes apparent and shall thereafter have the discretion to suspend record disposal as he/she may consider appropriate.

d. Applicability

This Policy applies to all physical and electronic records generated in the course of the SWC's operation, including both original documents and reproductions. This policy further applies to records generated by subrecipients and contractors related to funding distributed by the SWC.

4. Action Required

The SWC and its subrecipients are required to implement and comply with the requirements contained within this policy and its attachments within 90 days of publication. Together, the policy and attachments represent the

minimum federal, state, and local requirements.

The SWC and subrecipients of WIOA Title I services must distribute this policy broadly to SWC and WIOA Title I staff so they are familiar with its content and requirements.

5. References

- ESD WIOA Policy 5403, R1 - Records Retention and Public Access
- RCW 42.17.250
- 2 CFR 200

6. Supersedes

- SWC Policy #G108 (Nov 2014)

7. Attachments

- Attachment A – Record Retention Schedule

CERTIFICATE OF ADOPTION

The foregoing Policy was duly adopted by the Board effective as of the 26th day of May 2022.

SPOKANE WORKFORCE COUNCIL



Workforce Innovation and Opportunity Act Policies and Procedures
POLICY #A103

Effective Date: May 2022

For additional clarification of the listed record categories, the Washington State Archives most recent “Local Government Common Records Retention Schedule (CORE)” will be consulted.

| A. | Agency Management | Retention | Archival (State) |
|-----------|---|--|-------------------------|
| 1. | Communications – Governing/Executive/Advisory | 2 yrs. after receiving/sending | Y |
| 2. | Charter and Bylaws - Adopted | Retain until superseded | Y |
| 3. | Awards and Recognitions | Retain until not needed | Y |
| 4. | Citizen Complaints/Requests | 3 yrs. after closed | N |
| 5. | Historical Files of Agency | Retain until not needed | Y |
| 6. | Emergency/Disaster Preparedness and Recovery Plans | 6 yrs. after superseded | N |
| 7. | Emergency/Disaster Response/Recovery- Uncommon or Major | 6 yrs. after matter resolved/complete recovery | Y |
| 8. | Civil Rights Violation Complaints | 6 yrs. After resolved or decision to not proceed | Y |
| 9. | Civil Topical and Working Files | Until no longer needed | Y |
| 10. | Legal Opinions (Agency Attorney) | PERMANENT | Y |
| 11. | Litigation Case Files | 10 yrs. after case closed | Y |
| 12. | Resolutions - Approved | Until no longer needed | Y |
| 13. | Meetings – Governing/Executive | 6 yrs. after end of calendar year | Y |
| 14. | Meetings – Inter-Agency | 6 yrs. after end of calendar year or 6 yrs. after project completion, WIL | Y |
| 15. | Strategic Plans – Final Versions | Until no longer needed | Y |
| 16. | Official Agency Policy and Procedure Directives, Regulations, and Rules | Until no longer needed | Y |
| 17. | Annual Reports Adopted | PERMANENT | Y |
| 18. | Reporting/filing (Mandatory) – Agency (where not covered by more specific guidance) | 6 yrs. After report/document submitted | Y |
| 19. | Accidents/Incidents (Hazardous Materials) – Human Exposure | 100 yrs. after DOB or 30 years after DOD, WIS | N |
| 20. | Accidents/Incidents (Hazardous Materials)- No Human Exposure | 50 yrs. After date of incident | N |
| 21. | Accidents/Incidents – No Claim Filed (Under Age 18) | 3 yrs. After individual turns 18 | N |
| 22. | Accidents/Incidents – No Claim Filed (18 and Older) | 3 yrs. After incident | N |
| 23. | Insurance Policy Certificates | PERMANENT | N |
| 24. | Permission for Minors to Participate | 3 yrs. After individual turns 18 | N |
| B. | Asset Management | Retention | Archival (State) |

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|-----------|--|---|-------------------------|
| 1. | Capital Assets (Other) and Non-Capital Tracked Assets | 4 yrs. after disposition, or until disposition and completion of SAO report WIS | N |
| 2. | Authorizations/Certifications – Assets (e.g. vehicle registration tabs) | 6 yrs. after authorization superseded or terminated* | N |
| 3. | Disposal of Assets (Non-Real Property) | 6 yrs. after disposal of asset | N |
| 4. | Hazardous Materials Management – Currently N/A | N/A | N/A |
| 5. | Inspections/Monitoring – Non-Regulated | Until no longer needed | N |
| 6. | Inventory – Capital, Expendable, and Consumable Assets | 4 fiscal yrs. after date of inventory or until disposition of asset and completion of SAO rpt. | N |
| 7. | Inventory – Surplus Property | 6 yrs. after inventory record obsolete or superseded | N |
| 8. | IT Applications – Planning and Review | 6 yrs. after project finalization | N |
| 9. | Long-Range Asset Plans (Development) | 6 yrs. after final version completed | N |
| 10. | Long-Range Asset Plans (Final Version) | Retain until superseded | Y |
| 11. | Reporting/Filing (Mandatory) – Assets | 6 yrs. after report or document submitted | Y |
| C. | Financial Management | Retention | Archival (State) |
| 1. | Accounting, Banking, Payroll, Purchasing, Grant Reporting, and Reporting/Filing (Mandatory) – Financial Management | 8 yrs, or 6 yrs. from the completion of the grant project, or as required by grant agreement, WIL , except as listed below | N |
| 2. | Unclaimed Property Research/Investigative Files – Funds held by Agency | 6 years after property claimed | N |
| 3. | Unclaimed Property Research/Investigative Files – Funds Remitted to Department of Revenue | 6 years after property deemed abandoned and funds remitted to the Department of Revenue | N |
| 4. | Fiscal and Performance Audit Reports | 6 yrs. (6 yr. requirement but internal procedure to keep permanently) | Y |
| 5. | Final Budget | PERMANENT | Y |
| 6. | Authorization for Payroll Deductions | Termination of authorization plus 6 yrs. | N |
| 7. | Payroll Register | If used for retirement verification – 60 yrs. | N |
| 8. | Salary Schedule - Employee | Until superseded plus 6 yrs. | Y |
| 9. | Individual Employee Pay History | If used for retirement verification – 60 yrs. | N |
| 10. | Consultant and Contractor Rosters | Until superseded plus 6 yrs. | N |
| 11. | Annual Financial Report of CFO to Board | PERMANENT | Y |
| 12. | Grant (Non-Continuing) Reports | 8 yrs, or 6 yrs. from the completion of the grant project, or as required by grant agreement, WIL | Y |
| 13. | Reporting/Filing (Mandatory) – Financial Management | 8 yrs, or 6 yrs. from the completion of the grant project, or as required by grant agreement, WIL | Y |
| D. | Human Resource Management | Retention | Archival (State) |
| 1. | Employee Benefit Contracts/Policies/Plans | Until superseded or coverage lapses plus 6 yrs. | N |
| 2. | Employee Benefit Participation/Enrollment Agreements and Withdrawals | Termination or withdrawal plus 6 yrs. | N |
| 3. | Workers Compensation Claims (Dept. of Labor and Industries) – Eye Injuries | 10 yrs. after claim closed | N |

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| 4. | Workers' Compensation Claims (Dept. of Labor and Industries) - General | 7 yrs. after claim closed | N |
| 5. | Employee Grievances | 6 yrs. after matter is resolved | N |
| 6. | Employee Misconduct Investigation Files – Sustained | 3 yrs. after case closed | N |
| 7. | Employee Misconduct Investigation Files – Unfounded | Until case closed | N |
| 8. | Final Agreement | Termination or withdrawal plus 6 yrs. | N |
| 9. | Initial Agreement | Termination or withdrawal plus 6 yrs. | N |
| 10. | Whistleblower Investigation Reports | 6 yrs. after case closed | N |
| 11. | Employee Medical Records – Employed Less Than One Year | Until termination; give to employee | N |
| 12. | Hepatitis B Virus (HBV) and Immunodeficiency Virus (HIV) Exposure Reports and Waivers | Termination of employment plus 30 yrs. | N |
| 13. | Employee Award Files | Date of award plus 2 yrs. | Y |
| 14. | Employee Directory/Roster | Until no longer needed | Y |
| 15. | Job Descriptions | Until obsolete or superseded plus 6 yrs | N |
| 16. | Organizational Charts | Until superseded | Y |
| 17. | Position Description History Files | PERMANENT | N |
| 18. | Employment Eligibility (INS) Documents – Immigration and Naturalization Services | Until termination plus 1 yr. or 3 yrs. after date of hire WIL | N |
| 19. | Reporting/filing (Mandatory) – Human Resources | 4 yrs. after submitted to regulatory agency | Y |
| 20. | Continuing Professional Education Records (of employees) | 4 yrs. after end of licensing or reporting period | N |
| 21. | Employee Training History File | Termination plus 6 yrs. | N |
| E. | Information Management | Retention | Archival (State) |
| 1. | Forms – Accountable (Pre-numbered) | 3 fiscal yrs. or upon completion of SAO Audit WIS | N |
| 2. | Publications – Master Set | Until no longer needed | Y |
| 3. | Public Disclosure/Records Request Logs (See 42.56 RCW) | 3 yrs. after date of last entry | N |
| 4. | Public Disclosure/Records Requests | 2 yrs. after public records request fulfilled | N |
| 5. | Conversion Process – Archival Records | Retain until converted Archival records are transferred to WA Archives | Y |
| 6. | Source Records – Imaged (Archival) | Retain until verification of successful conversion | Y |
| 7. | Destruction of Public Records | Retain for life of agency | N |
| 8. | Online Content Management | 1 yr. after online content removed | N |
| 9. | Transfer of Legal Custody (of Agency's public records) | Retain for life of agency | N |
| F. | Records With Minimal Retention Value | Retention | Archival (State) |
| 1. | Routine Agency information; copies of Agency generated forms and publications (copies); General Information – External; Secondary (Duplicate) copies; and Transitory Records | Retain until no longer needed | N |

ACRONYMS AND FOOTNOTE:

WIL – Whichever Is Later

WIS- Whichever is Sooner

DOB – Date of Birth

DOD – Date of Death

* “...and conditions of authorization satisfied and violations (if any) corrected then destroy”