

*ST. LAWRENCE COUNTY
WORKFORCE INVESTMENT BOARD*



*RECORDS RETENTION POLICIES
AND PROCEDURES*

Approved by the St. Lawrence County Workforce Investment Board: 09/17/2008

September 17, 2008

ST. LAWRENCE COUNTY WORKFORCE INVESTMENT BOARD

Resolution No. 08-09-20

Executive Committee: 09-10-2008

ADOPTING RECORDS RETENTION POLICIES AND PROCEDURES

WHEREAS, record retention requirements are found in 29 CFR 97.42 (State, Local Governmental Entities and Indian Tribes) and 29 CFR 95.53 (Institutions of Higher Education, Hospitals, Non-Profits and Commercial Organizations), and

WHEREAS, these requirements apply to recipients/grantees and all subrecipients/subgrantees, and

WHEREAS, while the Workforce Investment Board is subject to these requirements, it does not have a formal policy in place,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Workforce Investment Board, pursuant to the guidelines noted in WDS Technical Advisory 01-27, does hereby adopt the following requirements for retention of records:

- Financial records, supporting documents, statistical records, and all other records pertinent to an award supporting its [WIB's] expenditure reports as submitted to NYSDOL shall be retained for a period of four (4) years from the date of submission of the final expenditure report, assuming no audit or litigation issues have arisen.
- Records for real property and equipment acquired with Federal funds shall be retained for 3 years from the date of final disposition, replacement or transfer at the direction of the awarding agency.
- All such records shall be maintained in such a manner that will preserve their integrity and admissibility as evidence in any audit, litigation or other proceeding. The burden of production and authentication of the records shall be on the custodian of the records. While no specific media for record retention is specified, the custodian must ensure that the method used ensures that the security safeguards and protections are sufficient for the records to be accepted by a court as evidence. In addition, the custodian must ensure that a satisfactory plan of recovery exists should critical records be lost in the event of fire, vandalism or natural disaster.
- Rights of timely and reasonable access to pertinent books, documents, papers or other records as the grant recipient shall be granted to the USDOL, the Comptroller General of the United States, the New York State Department of Labor, or any of their authorized representatives to make audits, examinations, excerpts and transcripts as is deemed necessary.

September 17, 2008 WIB Approval: Kennedy/Backus. Vote 13/0/0

Scott, Penny

From: Nash, Eric M (LABOR) [Eric.Nash@labor.ny.gov]
Sent: Monday, November 26, 2012 10:05 AM
To: tstark@co.broome.ny.us; c.mayforth@co.jefferson.ny.us; Hantz, Jean
Cc: Kane, Sarah E.; Jay Whitney; Scott, Penny
Subject: WIA Record Retention Update

Hello all,
As an FYI, I have included below the Record Retention information to assist in the LWIA's who wish to discard some of the older WIA data.

Please pay special attention to the Closeout Date. I would ignore the PY as it may be misleading as some grants crossed over. As an example, sometimes PY10 funds will be given out in PY11.

I hope this helps, but if not feel free to contact me with your questions.

Program Year	PY Closeout Date	Record Retention Date (hold until)
2000	3/11/04	3/11/07
2001	12/13/04	12/13/07
2002	12/27/05	12/27/08
2003	1/26/07	1/26/10
2004	12/26/07	12/26/10
2005	12/23/08	12/23/11
2006	12/22/09	12/22/12
2007	12/27/10	12/27/13
2008	10/28/11	10/28/14
2009	pending	

Thank you!

Eric M Nash

Sr. FOTA Auditor
NYS DOL
276 Waring Road
Room 103
Rochester, NY 14609
Ph: (585) 258-8876
Fax: (585) 258-8951



Workforce Development System Technical Advisory



December 27, 2001

Workforce Development System Technical Advisory 01-27

- TO:** Chairpersons of Local Workforce Investment Boards
Chief Elected Officials
WIA Grant Recipients
WIA Fiscal Agents
WIA Local Area Contacts
- SUBJECT:** Instructions for Retention of Records for Local Workforce Investment Areas
- PURPOSE:** To provide the Workforce Development Community with the Department of Labor's policies and procedures on retention of records
- BACKGROUND:** Record retention requirements are found in 29 CFR 97.42 (State, Local Governmental Entities and Indian Tribes) and 29 CFR 95.53 (Institutions of Higher Education, Hospitals, Non-Profits and Commercial Organizations). These requirements apply to recipients/grantees and all subrecipients/subgrantees.
- ACTION:** Both 29 CFR 97.42 and 29 CFR 95.53 require that records must be retained for three (3) years following the date on which the expenditure report containing the final expenditures charged to a program year's allotment or grant is submitted to ETA. For example, NYSDOL's Program Year 2000 allotment final expenditure report will be due ninety (90) days after the end of the three (3) year expenditure availability period or September 30, 2003. The record retention period, assuming no audit or litigation issues have arisen, will be three (3) years from September 30, 2003 or until September 30, 2006. Should any audit or litigation issues arise, the records must be retained for the full three (3) year period until all issues are resolved, whichever is longer.
- The local area grant recipients, subrecipients and others must retain all records which support their expenditure reports as submitted to NYSDOL until the required record retention period for NYSDOL has been met. **In order to fulfill this requirement, the local area grant recipients, subrecipients**

and others must retain all pertinent records for four (4) years, assuming no audit or litigation issues have arisen. For example, a local area grant recipient Program Year 2000 allotment final expenditure report will be due to NYSDOL ninety (90) days after the end of their expenditure availability period or September 30, 2002. Their record retention period, assuming no audit or litigation issues arise, will be until September 30, 2006 as this will be the record retention period for the final expenditure reports for this program allotment as submitted by NYSDOL.

Record retention for real property and equipment acquired with federal funds is three (3) years from the date of final disposition, replacement or transfer at the direction of the awarding agency.

All such records shall be maintained in such a manner that will preserve their integrity and admissibility as evidence in any audit, litigation or other proceeding. The burden of production and authentication of the records shall be on the custodian of the records. While no specific media for record retention is specified, the custodian must ensure that the method used ensures that the security safeguards and protections are sufficient for the records to be accepted by a court as evidence. In addition, the custodian must ensure that a satisfactory plan of recovery exists should critical records be lost in the event of fire, vandalism, or natural disaster.

Rights of timely and reasonable access to pertinent books, documents, papers or other records of grant recipients, subrecipients, vendors and others, must be granted to USDOL, the Comptroller General of the United States, NYSDOL, Grant Recipients or any of their authorized representatives to make audits, examinations, excerpts and transcripts as they deem necessary.