

The Seventh Planning District Consortium Workforce Development Board

Administrative Office

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Matt Wheeler, Chairman | Candle Sattler, Interim Director of Workforce Development

Seventh Planning District Consortium Workforce Development Board

Subject: **Records Retention Policy**

Effective Date: December 4, 2020

Purpose:

To provide guidelines and procedures for the retention of records for and disposal of The Seventh Planning District Consortium Workforce Development Board (Local Workforce Development Area 70) documents, both paper and electronic forms.

References:

Workforce Innovation and Opportunity Act 185(a), CFR Part 200.333

Background:

The WDB releases a Records Retention Policy to ensure accountability for records resulting from WIOA and other activities and services funded by the WDB. Record retention is governed by various rules and guidelines depending on the type of record.

Policy:

This policy applies to all financial and programmatic records, supporting documents, statistical records, and other records of grantees or sub-grantees which are required to be maintained by the terms of program regulations or the grant agreement, or otherwise reasonably considered as pertinent to program regulations or the grant agreement.

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Record Retention

The WDB must maintain all financial records, supporting documents, statistical records, and all other records pertinent to a Federal award for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the state agency by the WDB through subrecipients. With some exceptions, such records must be made available to the public.

Programmatic staff must retain records in a way that protects the confidentiality and personal information of clients. Records must be secured in locked file cabinets or locked file areas that do not permit unauthorized users access. Authorized representatives must have the right to access documents and/or records in order to make audits, examinations, excerpts and transcripts.

WIOA requires that subrecipients of Federal funds must maintain all records of each WIOA allocation for a period of three years from the date of the last expenditure report submitted to the Louisiana Workforce Commission (LWC). If any litigation, claim, or audit is started before the expiration of the three-year period, ALL records must be retained until all findings have been resolved and final action taken.

Types of records that must be maintained include:

- Records pertinent to grants, grant agreements, interagency agreements, contracts or any other awards; including financial, statistical, property, and supporting documentation.
- Records of non-expendable property.
- Program and data validation records pertinent to applicants, registrants, eligible applicants/registrants, participants, employees, and applicants for employment.
- Records regarding complaints and actions taken on complaints.

Record format may include, but is not limited to, paper documents, e-mail, web files, text files, sound and movie files, PDF documents, all Microsoft Office or other formatted files, etc. Copies of records made by digitizing, photocopying, or similar methods may be substituted for original records if they are preserved with integrity and are admissible as evidence. All records must be maintained in a format compatible with current technology.

The WDB must not impose any other record retention requirements for subrecipients. The only exceptions are the following:

- If any litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- When the subrecipient is notified in writing by the WDB, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or the WDB to extend the retention period.
- Records for real property and equipment acquired with Federal funds must be retained

for three years after final disposition.

- When records are transferred to or maintained by the WDB, the three-year retention requirement is not applicable to the subrecipient.
- Records for program income transactions after the period of performance. In some cases, subrecipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the WDB's fiscal year in which the program income is earned.
- Indirect cost rate proposals and cost allocations plans. This applies to the following types of documents and their supporting records: Indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
 - *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to applicable state agency to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.
 - *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to applicable state agency for negotiation purposes, then the three-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

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

Documents and / or records that must be destroyed must be shredded and not be placed in a public or accessible trash receptacle.

LIMITATION OF PUBLIC ACCESS TO RECORDS

Personal records of federal program registrants are private and confidential and will not be disclosed to the public. Personal information will be made available to WDB staff, WDB programmatic partners or service providers upon request for the purpose of program and/or financial monitoring and audits.

For WIOA records, this information may be made available to persons or entities having responsibilities under WIOA, including representatives of:

- The U.S. Department of Labor
- The Governor
- WIOA Grant Recipients and Public Agencies
- Local Subrecipients

WIOA registrants will have access to all information concerning themselves as individuals unless

the records or information are exempt from disclosure.

DISCLAIMER

This policy is based on WDB's interpretation of the statute, along with the Workforce Innovation and Opportunity Act; Final Rule released by the U.S. Department of Labor and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

This policy shall remain in effect until revised or canceled by the Seventh Planning District Consortium Workforce Development Board.

Passed and Approved on this 4 Day of December 2020.



The Seventh Planning District Consortium Workforce Development Board
Title: Matt Wheeler, Chairperson

12/4/2020
Date