



Bay Consortium Workforce Development Board

Policy Number: 16-03

Effective Date: February 1, 2017

Title: WIOA Program - Records Retention Policy

PURPOSE

This policy is to clarify the procedures for Contractors, Vendors, and One-Stop Operators as it relates to record retention. Retention of records related to activities and services conducted with WIOA and other funds under the Bay Consortium Workforce Development Board must adhere to the procedures and regulations established by this policy.

REFERENCE

Workforce Innovation and Opportunity Act of 2014 Section 185(a)

2CFR Parts 200.333-.337; 29CFR 38.37; 29CFR 97.42 and

Virginia Community College System VWL #11-03

BACKGROUND

This policy is for the Bay Consortium Workforce Development Board to ensure accountability for records resulting from activities and services conducted with WIOA funds and other activities funded by WIOA. Some of the reasons to keep files and records include legal requirements and/or compliance with governing rules, potential relevance in future litigation, and the needs of the organization, as well as historic importance.

POLICY

Minimum record retention requirements are established as part of an effective internal and external control program to ensure that local workforce areas can provide the documents requested by any federal and state agencies within the statutes of limitations.

Grant recipients, fiscal agents, WDBs and WIOA Title I service providers must maintain records for at least the minimum periods outlined below, but are encouraged to retain records for at least one-year longer than the minimum requirement.

1. Complete and accurate record retention process summary

- a) Records should be maintained in a suitable location based on the nature of the documents and filed in a manner supporting ease of access.



BAY CONSORTIUM REGION

- b) Records should be maintained for at least the minimum required retention period (See Section 3 below), with an additional one-year period recommended by the State.
- c) Record maintenance, retention and access should be periodically reviewed to ensure security and that required policy and procedures are being followed.
- d) Following the record retention period, documents should be purged, stored or destroyed in an appropriate manner.

2. Record Retention Requirements

- a) Requirements for record maintenance, retention, and access to records pertain to all major areas including agenda and minutes of open meetings, contracts, participant records, fiscal management and documentation in accordance with OMB Circular A-110.
- b) Local areas are responsible for establishing and maintaining adequate accounting books, records and controls sufficient to accurately track and report all financial transactions related to work performed, and costs incurred relative to WIOA Title I-funded activities.
- c) Local areas must keep and maintain original source documents as evidence of all work performed, and costs incurred. All records, data or information related to WIOA Title I funds are to be retained separately and distinctively from the records pertaining to other operations of the applicable entity.
- d) Where records having one retention period cannot be separated from records having a longer retention period, both records should be retained for the longer period.

3. Retention Time Periods

- a) All financial, statistical, property, applicant and participant records, and all applicable supporting documentation will be retained for a period of at least five (5) years subsequent to the date of submission of final Grant expenditure report, close-out package, or the date all audits are complete and findings on all claims have been finally resolved, whichever occurs last. For example, if a participant exits the program 3/15/11, the five year record retention clock starts on 7/1/2011 (not 3/15/11).
- b) Financial records, supporting documents, statistical records, and all other records pertinent to an award shall be retained for a period of five years from the date of submission of the final expenditure report or, for awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, as authorized by the Federal awarding agency. The only exceptions are the following:
 - i. If any litigation, claim, or audit is started before the expiration of the five-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken;
 - ii. Records for real property and equipment acquired with Federal funds shall be retained for three years after final disposition;

- c) To the extent that they exist locally, documents and supporting records related to 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) must be retained as follows:
- i. If submitted for negotiation. If the recipient submits to the Federal awarding agency or the sub recipient submits to the recipient the proposal, plan, or other computation to form the basis for negotiation of the rate, then the 5-year retention period for its supporting records starts on the date of such submission.
 - ii. If not submitted for negotiation. If the recipient is not required to submit to the Federal awarding agency or the sub recipient is not required to submit to the recipient the proposal, plan, or other computation for negotiation purposes, then the 5-year retention period for the proposal, plan, or other computation and its supporting records starts at the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

4. Miscellaneous Provisions

- a) Records should be kept detailing the documents that are maintained, the location(s) retained, and document purge dates.
- b) In the event that a local WIOA Title I service provider becomes unable to retain the required WIOA participant and financial records, or the award for service is terminated by a local workforce board, the records must be transferred to WDB's possession, or the possession of a new service provider as the WDB may direct. Such records must be transmitted within the time period stated by the WDB, and for acceptance in an orderly fashion with documents properly labeled and filed in an acceptable condition for storage.
- c) No service provider's records should be disposed of without the prior written approval of the WDB designated staff.
- d) During normal business hours and upon written request, records shall be made available and access shall be provided to any and all books and records pertaining to local workforce area performance of work and/or costs billed under arrangements for WIOA Title I to the Commonwealth of Virginia, Federal Funding or Regulatory Agencies and/or their designees. Such right to audit will correspond with the above referenced record retention period for the service provider.



- e) In case of doubt, authorization for release or review of any public records generated fully or as part of a WIOA Title I contracted service provider's agreement with the WDB should be directed to the WDB staff.

5. WIOA Applicant and Registrant Customer File Maintenance

- a) Service providers must maintain hard copy customer files containing documents and forms in an appropriate storage space that ensures security and confidentiality.
- b) Access to customer file information should be restricted to authorized entities associated with the operation and performance of workforce programs.
- c) Any customer medical information should be recorded on separate forms and stored separately from main program files. To ensure confidentiality, access to these separate medical files should be limited to direct program managers.