

**Southern Nevada Workforce Investment Board
General Policy & Procedure
RECORD RETENTION**

EFFECTIVE DATE: July 11, 2003

NUMBER: 5.6r#1

**Supercedes SNWIB General Policies and Procedures
No. 5.6 dated 4/19/2001**

AUTHORIZATION: SNWIB Manager

BACKGROUND:

The Department of Labor (DOL), Nevada Revised Statutes, Workforce Investment Act, and Title I State Compliance policy 5.4 set forth guidelines to establish requirements for access and retention of records and supporting documents. The Southern Nevada Workforce Investment Board (SNWIB) is responsible for developing and implementing standards for record retention that are in compliance with these regulations. [State Policy 5.4, §95.53, §9742, NRS 239.080, NRS 378.225]

This policy will also apply to SNWIB service provider subcontractors down to the lowest tier.

I. GENERAL PROVISIONS FOR RECORD RETENTION

- A. The SNWIB requires that all records pertinent to all grants and agreements, including financial, statistical, property and participant records and supporting documentation be retained for three (3) years following the date on which the annual expenditure report (final report) is submitted to the Department of Labor.
- B. All records shall be retained according to the prescribed periods:
 - 1. If a claim is instituted involving the grant or agreement covered by the records, the records will be retained until the litigation, audit or claim has been resolved.
 - 2. In the case of grievances or discrimination complaints, records must be retained for three (3) years following the date of the resolution.
 - 3. Non-expendable property records must be retained for a period of three (3) years from the date of final disposition of property. Property records consist of purchase documents, inventory records and disposition documents.
- C. Subcontractors **MUST** coordinate record disposal with the SNWIB to ensure proper time frames. No records shall be destroyed without prior written consent from the SNWIB.
- D. Disallowed costs can result from inadequate documentation and record retention. All service providers will be required to have a record retention procedure and the SNWIB will ensure compliance through compliance assurance reviews. In the event of the termination of the relationship with a service provider, the SNWIB shall be responsible for the maintenance and

retention of the service provider WIA records.

II. **GENERAL PROVISIONS FOR ACCESS TO RECORDS**

- A. The SNWIB, and other oversight entities in coordination with the SNWIB, shall have the right to timely and reasonable access to the service provider, premises, personnel, monitoring, auditing, evaluation, or interview and discussion, related to all records required to be retained which exist for the purposes of accomplishing the goals of the contract. The service provider will give the appropriate entities timely and reasonable access to copy or mechanically reproduce all reports, books, papers, documents, automated data systems and other records pertaining to contract awards through the SNWIB.
- B. Timely and reasonable access to records shall be made available to the public upon request, not withstanding provisions of State or local law. This requirement does not apply to:
 - 1. Disclosure of information that would constitute a clear unwarranted invasion of personal privacy; or
 - 2. Trade secrets, or commercial or financial information obtained from a person that is privileged or confidential.
- C. A fee may be charged to the extent sufficient to recover the cost applicable to processing such request. The rights of access in this section are not limited to the required retention period but shall last as long as the records are retained.

III. **GENERAL PROVISIONS FOR STORAGE OF RECORDS**

- A. The service provider shall implement and maintain a security system for all records and supporting documentation, with particular attention to the reasonable safeguard of confidential data.
- B. Maintenance of records must allow for reporting, monitoring, audit and evaluation activities. The records must be stored in a secure manner. Off-site storage is acceptable provided that security and facility conditions provide adequate protection for the records and the ability to access them as required.
- C. Records must be retained and stored in a manner that will preserve their integrity and admissibility as evidence in any audit or other proceeding. The burden of production and validity of authentic records shall be on the custodian of records.