

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