

# Central/Western Maine Workforce Investment Board [CMMWIB]

## Policy & Procedure for Record Retention

### A. Record Retention

The Central/Western Maine Workforce Investment Board (CMMWIB) and its sub-recipients are required to maintain and retain records of all fiscal and program activities funded under the Workforce Investment Act of 1998 (WIA). With some exceptions, such records shall be available to the public. This policy sets forth the minimum requirements the timeframes for records retention, and the extent to which such records may be made available to the public.

The Central/Western Maine Workforce Investment Board and its service providers will retain all appropriate records in accordance with the federal Record Retention guidelines and policies set forth in 29 CFR § 95.53, and 97.42. They must assure the following record retention practices will be adhered to:

1. The CMMWIB will retain all records pertinent to all grants and agreements, including financial, statistical, property, applicant/participant records, and supporting documentation. Records for each funding period must be retained for three (3) years following the date on which the annual expenditure report (final report) is submitted to the Department of Labor (DOL). For all records validated, LWIBs will ensure that the paper case files, including applicant/participant records and supporting documentation as specified by MDOL, Bureau of Employment Services, are retained and accessible for three (3) years following the date on which the files were validated by MDOL.
2. All records must be accessible to authorized Federal, State, and Local Area staff (where the Local Area is the awarding agency) and must be verifiable for monitoring, reporting, audit and evaluation.
3. Nonexpendable property records must be retained for a period of three (3) years from date of final disposition of property. Property records consist of purchase documents, inventory records, and disposition documents. Disallowed costs can result from inadequate documentation and record retention [§95.53(b)(2)].
4. All records will be retained beyond the prescribed period if any litigation, investigation, or audit is begun or if a claim is instituted involving the grant or agreement covered by the records. In these instances, the records will be retained until the litigation, audit, or claim has been resolved [§95.53(b)(1)]. In the case of grievances and discrimination complaints, records must be retained for three (3) years following the date of the resolution [§95.53(b)(1)].
5. The CMMWIB will ensure all sub-recipients will be required to include record retention procedures in their contractual agreement and must ensure compliance through monitoring. In the event of the termination of the relationship with a sub-recipient, the LWIB will be

responsible for the maintenance and retention of the sub-recipient records for those unable to retain them.

6. Sub-recipients may have additional record retention procedures as determined by their agencies, but must follow this policy at a minimum.
7. WIA Data Validation goes back five quarters from the end of the program year being validated. Participant files must be retained to meet Data Validation requirements.
8. Any files that have payroll or items related to the IRS, such as those of participants that received work experience, must be kept for 7 years.

## **B. Limitation of Public Access to Records**

Personal records of WIA registrants will be private and confidential, and will not be disclosed to the public. Personal information may be made available to CareerCenter partners or service providers on a selective basis consistent with the registrant's signed "Release of Information" form. In addition, this information may be made available to persons or entities having responsibilities under WIA including representatives of:

1. The Department of Labor
2. The Governor
3. WIA Grant Recipients
4. Local Area Sub-recipients
5. Appropriate governmental authorities involved in the administration of WIA to the extent necessary for its proper administration

## **C. The conditions under which information may be released or withheld are shown below:**

1. WIA registrants will have access to all information concerning themselves as individuals unless the records or information are exempted from disclosure.
2. The names of CWMWIB staff and sub-recipient staff in positions funded by WIA, in part or in whole, will be a matter of public record. Other information pertaining to these recipient or sub-recipient employees will be made available to the public in the same manner and to the same extent as such information is made available on staff in positions not funded by WIA.
3. Public agencies responsible for financial and/or program activities under WIA will have public records systems in accordance with 1 M.R.S.A. § 409 (1). Nongovernmental

agencies with such responsibilities will have public records systems which comply with the spirit and intent of 1 M.R.S.A. § 409 (1).

**D. Specific conditions under which files will be made available:**

1. Customers must give CWMWIB or its sub-recipients a notice of 7 business days in advance of reviewing their files, electronic or paper.
2. Customers may review their files in the presence of staff and choose which pages they would like to copy.
3. Customers will be allowed 10 pages copied at no cost; over 10 pages may be copied at a rate of .10 cents per page.

**Direct Inquiries:**  
**Executive Director**  
**Central/Western Maine WIB**  
**5 Mollison Way Lewiston, ME 04240**  
**207-753-9011**

DRAFT