



## **TITLE: Administrative Policy Records Retention and Public Access #3020**

---

**Date Established:** 01/01/2011  
**Date Last Revised:** 03/01/2017  
**Date posted to Website:** 03/28/2017  
**Status:** Final  
**Supersedes:** Policy #107

---

### **Purpose**

---

To identify the record retention and public disclosure requirements and responsibilities of staff, volunteers, board members, and contractors for maintaining and documenting the storage and destruction of the organization's documents and records.

---

### **Policy**

---

#### **Records Retention**

As the Administrative Entity and Fiscal Agent for the Pacific Mountain Workforce Area, PacMtn and its subrecipients of WIOA funds shall abide by the Code of Federal Regulations (CFR), WIOA Title I, Office of Management and Budget (OMB) Circulars, state regulations in laws and rules (Washington Administrative Code and Revised Code of Washington), Office of Financial Management and Employment Security Department for the management and retention of records. Records pertaining to all fiscal and program activities funded under WIOA should be kept at a minimum of three (3) years.

Records pertaining to other awards or grants will be retained for a period of six (6) years following the date of final payment.

#### **Public Access**

The public may request access to records pertinent to a federal award, except for protected personally identifiable information (PII) or when the Federal awarding agency can demonstrate that such records will be kept confidential and would have been exempted from disclosure pursuant to the Freedom of Information Act.

Personal records of WIOA registrants will be private and confidential, and will not be disclosed to the public. Personal information may be made available to WorkSource partners or service providers on a selective basis consistent with the registrant's signed "Release of Information" form.

---

## Guidelines

---

### WIOA Records Retention

- a. Retain all records pertinent to the grant, grant agreements, interagency agreements, contracts or any other award, including financial, statistical, property, applicant or registrant records, and supporting documentation, for a period of at least three (3) years after submittal of the final expenditure report (closeout) for that funding period to the awarding agency.
- b. Retain all records of non-expendable property for a period of at least three (3) years after final disposition of property.
- c. Retain all records pertinent to applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment for a period of not less than three years from the close of the applicant program year.
- d. Retain records regarding complaints and actions taken on the complaints for a period of not less than 3 years from the date of resolution of the complaint.
- e. After the files have been retained for the three years, refer to your organization's guidelines for destroying confidential information.
- f. Retain all records beyond the required three (3) years if any litigation or audit is begun or a claim is instituted involving the grant or agreement covered by the records. The records shall be retained for an additional three (3) years after the litigation, audit, or claim has been resolved.

In the event of the termination of the relationship between the state and a PacMtn fiscal agent or other WIOA subrecipients, the fiscal agent or subrecipients will be responsible for the maintenance and retention of their own records as well as the records of any subrecipients unable to maintain and retain its own records. The state, however, will be responsible for the maintenance and retention of the records of the fiscal agent or subrecipients unable to maintain and retain its own records or those of its subrecipients.

Copies of records made by microfilming, photocopying, or similar methods may be substituted for the original records if they are preserved with integrity and are admissible as evidence.

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

### Limitation of Public Access to Records

Personal records of WIOA registrants will be private and confidential, and will not be disclosed to the public. Personal information may be made available to WorkSource 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 WIOA including representatives of:

- a. The Department of Labor
- b. The Governor
- c. WIOA Grant Recipients
- d. Local Area Subrecipients
- e. Appropriate governmental authorities involved in the administration of WIOA to the extent necessary for its proper administration

The conditions under which information may be released or withheld are shown below:

- a. WIOA registrants will have access to all information concerning themselves as individuals unless the records or information are exempted from disclosure.

The names of PacMtn staff and subrecipient’s staff in positions funded by WIOA, in part or in whole, will be a matter of public record. Other information pertaining to these recipient or subrecipients 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 WIOA. Public agencies responsible for financial and/or program activities under WIOA will have public records systems in accordance with RCW 42.56.040. Nongovernmental agencies with such responsibilities will have public records systems which comply with the spirit and intent of RCW 42.56.040.

Duplicating fees may be imposed to cover the cost of producing copies for public requests for documents up to the amount necessary to cover the fee per page that PacMtn incurs.

---

## References

---

2 CFR 200.333-337	RCW 40.14	
29 CFR 37.37	RCW 42.56	
29 CFR 97.42	ESD Policy 5403	
WAC 44-14-03005		

---

**DATE APPROVED: March 10, 2017**

---

**Direct Inquiries to:**  
**Pacific Mountain Workforce Development Council**  
**1570 Irving Street SW Tumwater, WA 98512**  
**Telephone: (360) 704-3568**  
**Email: [info@pacmtn.org](mailto:info@pacmtn.org)**

PacMtn is an equal opportunity employer and provider of employment and training services. Auxiliary aids and services are available upon request to persons of disability. WA Relay Services 711