

Jefferson Franklin Consortium Records Policy

This Records Policy covers all records and documents of fiscal and program activities funded under the Workforce Innovation and Opportunity Act (WIOA).

RETENTION AND DESTRUCTION OF RECORDS

The Jefferson/Franklin Consortium (JFC) will retain participant files and records applicable to the Department of Labor (DOL) and other Federal and State awards. Records shall include, but are not limited to, financial records, supporting documents, statistical records, participant files, and all other records pertinent to a grant or contract. Records must be stored and retained in a manner that will preserve the integrity and admissibility as evidence.

The Uniform Guidance requirements 2 CFR Part 200 and 2900, requires records to be retained for a period of three years from the date of the final expenditure report. The records retention requirements extend to the records of all Subrecipient(s).

Written permission will be requested from the Department of Higher Education and Workforce Development (DHEWD)/Office of Workforce Development (OWD) to destroy records and a copy of the written approval from OWD will be retained in the WDB file that describes and accounts for all documents in storage or destroyed. To receive written permission to destroy records, JFC must have a Single Audit Report which has been accepted by DHEWD/OWD and corresponds to the three-year retention period.

Exceptions: (see 2 CFR 200.333 for an all-inclusive list)

1. Records for any litigation or audit, claim involving the grant or contract covered by the records, or in accordance with the Internal Revenue Service record retention guidelines.
2. Records must be retained when the non-Federal entity is notified in writing to extend retention beyond the 3-year period by the:
 - a. Federal awarding agency;
 - b. cognizant agency for audit;
 - c. oversight agency for audit;
 - d. cognizant agency for indirect costs;
 - e. or pass-through entity.
3. Records for real property and equipment acquired with Federal funds shall be retained for three years after "Final Disposition" ("Final Disposition" shall mean the sale or other disposal of said real property or equipment).
4. The 3-year retention requirement is not applicable to the non-Federal entity when records are transferred to or maintained by the Federal awarding agency or pass-through entity.

TRANSFER OF RECORDS

Local Service Provider: 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 WDB, the records must be transferred to the WDB's possession, or the possession of a new service provider as the WDB may direct. Such records must be transmitted within the timeframe stated by the WDB, and for acceptance in an orderly fashion with documents properly labeled and filed in an acceptable condition for storage.

Non-Federal Entity: Per 2 CFR 200.334, when the Federal awarding agency (FAA) determines that records possess long-term retention value, the FAA must request transfer. However, in order to eliminate duplication of records, the FAA may make arrangements for the non-Federal entity to retain records for joint use.

PUBLIC ACCESS TO RECORDS

[Section 185 \(a\) \(4\) of WIOA](#) and the provisions of the [Sunshine Law](#) all buttress the need to make records accessible to the public upon request.

The Uniform Guidance, [2 CFR 200.337 \(a\)](#), provides that "The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents." The right of access is not limited to the required retention period but shall last as long as the records are retained ([2 CFR 200.337 \(c\)](#)).

The disclosure of information that would constitute unwarranted invasion of personal privacy, and information containing trade secrets, commercial or financial information, regarded as privileged or confidential are exempted from the above requirements.

Fees associated with the reproduction and/or providing information requested by the public may be charged only in an amount sufficient to recover the costs.

DISASTER PREVENTION AND RECOVERY

JFC stores many of its records electronically. Safeguards are in place to protect these electronic records with the use of network servers and cloud storage.

The region has developed a filing system in Microsoft SharePoint. Access is restricted by individual user profiles set up based on each employee's position. The system is backed up daily to the cloud by

the agency that set up the SharePoint site through a maintenance agreement. The agency will assist with the recovery of data when needed.

OWD requires staff to upload documentation for new program participants into the case management system. These requirements include but are not limited to participant eligibility, case management, data validation, performance, training documentation, participant invoices, timesheets, and supporting documentation. All documents must be uploaded in the documents section of the participant's file, except for records containing confidential information that must be maintained in a secure area and in paper format as required by the OWD Confidentiality Policy.

LWDB staff store all software and data files on an office computer network. Those files are backed up daily by the IT agency that maintains the server and desktop units. The agency will assist with the recovery of data when needed.