



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF SOCIAL SERVICES
WORKFORCE DEVELOPMENT BOARD

3433 South Higuera Street, P.O. Box 8119, San Luis Obispo, CA 93403-8119
(P) 1-805-781-1908

POLICY NO: 26-19
TO: Service Providers
EFFECTIVE: January 01, 2020
SUBJECT: Records Management

REFERENCES:

- Workforce Innovation and Opportunity Act, Section 185
- Title 29 CFR Part 38, Sections 38.39 and 38.41
- Title 29 CFR Part 95, Section 95.53
- Title 29 CFR Part 97, Section 97.42

PURPOSE:

To provide articulate retention, maintenance and disposition requirements for the San Luis Obispo County Department of Social Services (DSS), as the Administrative Entity, and its service providers to ensure compliance with state and federal law.

This policy is based on SLOWDB's interpretation of WIOA law, regulations and policies and federal, state and local laws, regulations and policies. This policy will be reviewed and updated based on any additional federal or state guidance.

POLICY:

The Department of Social Services (DSS), as the Administrative Entity, and its service providers will incorporate into their management systems the following requirements for the management of all Workforce Innovation and Opportunity Act (WIOA) records.

General

All records and documents pertinent to all WIOA grants and agreements including financial, programmatic and statistical information, together with their supporting documents shall be retained for a period of three (3) years following the date on which the final fiscal expenditures are reported and submitted to the State Employment Development Department. This includes hard copies of relevant information stored within the MIS.

Participant Data

DSS and its service providers shall maintain applicant; eligible applicant; employee; applicant for employment records; and such other records as are required by the Civil Rights Center, U.S. Department of Labor. In addition, individual application records must also be retained until all monitoring reviews or audits of the program year in which the individual applied have been completed and finally resolved.

Records regarding complaints and actions shall be maintained for a period of not less than three years from the date of resolution of the complaint.

Property

Records for nonexpendable property shall be retained for a period of three years after final disposition, replacement or transfer of such of the property.

Indirect Cost Proposals, Cost Allocation Plans

Indirect cost rate proposals, cost allocation plans, etc. and their supporting records are to be kept as follows:

- If submitted to a cognizant agency for negotiation, the records must be retained for three years from the date of submission.
- If a plan has not been submitted for negotiation or is not required to be submitted, the three-year retention period begins from the end of the accounting period covered by the plan.

Extended Retention Period

The aforementioned records shall be retained beyond the period described above if any litigation or audit is begun or if a claim is instituted involving the grant or agreement covered by the records. In these instances, the records shall be retained until the litigation, audit or claim has been finally resolved.

In the event of the termination of the relationship with a service provider, the service provider will provide DSS with the pertinent records, and DSS shall be responsible for the maintenance and retention of them.

Disposal

WIOA records shall be disposed of in accordance with this Directive. DSS as the Administrative Entity may provide service providers with instructions, procedures, and timelines for disposing of records not specifically covered in this policy.

Any records, which are confidential in nature, including participant records, must be burned, shredded, or similarly destroyed. Non-confidential records may be discarded.

If there is any outstanding litigation or audit claims on record prior to end of the retention requirements, the records will be retained until resolution of litigation or audit claim.

ACTION:

DSS WDB staff and service providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.

INQUIRIES:

Any questions regarding this policy may be directed to the DSS WIOA Program Manager at 805-781-1838.

Workforce Development Board (WDB) Approval Required? Yes No X

Initial approval date: _____ N/A _____

WDB revision approval date: _____