



## **Records Retention & Destruction Policy**

**OZARK ACTION, INC.**

**710 E. MAIN ST.**

**WEST PLAINS, MO 65775**

**“AN EQUAL OPPORTUNITY EMPLOYER”**

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**Reviewed: 5/23/2017**

## **RECORD RETENTION AND DESTRUCTION POLICY**

### **1) Purpose**

The purpose of this Policy is to ensure that necessary records and documents of are adequately protected and maintained and to ensure that records that are no longer needed by Ozark Action, Inc. (OAI) are of no value are discarded at the proper time. This Policy is also for the purpose of aiding employees of OAI in understanding their obligations in retaining electronic documents - including e-mail, Web files, text files, sound and movie files, PDF documents, and all Microsoft Office or other formatted files.

### **2) Policy**

This Policy represents OAI's policy regarding the retention and disposal of records and the retention and disposal of electronic documents.

### **3) Administration**

Attached as Appendix A is a Record Retention Schedule, that is approved as the initial maintenance, retention and disposal schedule for physical records of OAI and the retention and disposal of electronic documents. The Custodian of Records, (Corporate Services Director) is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Record Retention Schedule is followed. The Administrator is also authorized to: make modifications to the Record Retention Schedule from time to time to ensure compliance with local, state and federal laws and includes the appropriate document and record categories for OAI to monitor local, state and federal laws affecting record retention; annually review the record retention and disposal program; and monitor compliance with this Policy.

### **4) Suspension of Record Disposal In Event of Litigation or Claims**

In the event OAI is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning OAI or the commencement of any litigation against or concerning OAI, such employee shall inform the Administrator and any further disposal of documents shall be suspended until shall time as the Administrator, with the advice of counsel, determines otherwise. The Administrator shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

### **5) Applicability**

This Policy applies to all physical records generated during OAI's operation, including both original documents and reproductions. It also applies to the electronic documents described above.

This Policy was approved by the Board of Directors of Ozark Action, Inc. on May 27, 2014.

## **ORGANIZATION RECORD RETENTION POLICY**

The Organization (“Ozark Action, Inc., OAI”) takes seriously its obligations to preserve information relating to litigation, audits, and investigations.

The information listed in the retention schedule below is intended as a guideline and may not contain all the records of Ozark Action, Inc. that may be required to keep in the future. Questions regarding the retention of documents not listed in this chart should be directed to the Custodian of Records as appointed by the Board of Directors.

From time to time, the Board of Directors may issue a notice, known as a “legal hold,” suspending the destruction of records due to pending, threatened, or otherwise reasonably foreseeable litigation, audits, government investigations, or similar proceedings. No records specified in any legal hold may be destroyed, even if the scheduled destruction date has passed, until the legal hold is withdrawn by the Board of Directors.

Appendix A

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>	
<b>Corporate Records</b>	Bylaws and Articles of Incorporation	Permanent	
	Corporate resolutions	Permanent	
	Board and committee meeting agendas and minutes	Permanent	
	Conflict-of-interest disclosure forms	4 years	
<b>Finance and Administration</b>	Financial statements (audited)	7 years	
	Audit Reports	Permanent	
	Payroll records	7 years	
	Check register and checks	7 years	
	Bank deposits and statements	7 years	
	Budgets	4 years	
	Chart of accounts	Permanent	
	Cost Allocation Records	7 years	
	Depreciation	Permanent	
	Garnishments	5 years	
	General ledgers and journals (includes bank reconciliations)	7 years	
	Investment performance reports	7 years	
	Equipment files and maintenance records	7 years after disposition	
	Contracts and agreements	7 years after all obligations end	
	Correspondence — general	3 years	
	<b>ARRA Records</b>	All Davis Bacon Records	7 years
	<b>Insurance Records</b>	Policies — occurrence type	Permanent
Policies — claims-made type		Permanent	
Accident reports		7 years	
Safety (OSHA) reports		7 years	
Claims (after settlement)		7 years	
	Group disability records	7 years after end of benefits	

<b>Real Estate</b>	Deeds	Permanent
	Leases (expired)	7 years after all obligations end
	Mortgages, security agreements	7 years after all obligations end
<b>Tax</b>	IRS exemption determination and related correspondence	Permanent
	IRS Form 990s	Permanent
	Certificate of Good Standing/Annual renewal and Tax Exemption forms (filed with the Missouri Secretary of State)	7 years
<b>Procurement Records</b>	Purchase orders, Purchasing Department copies	7 years
	Purchase Requisitions, Purchasing Department copies	7 years
<b>Human Resources</b>	Employee personnel files	Permanent
	Retirement plan benefits (plan descriptions, plan documents)	Permanent
	Employee handbooks	Permanent
	Workers comp claims (after settlement)	7 years
	Employee orientation and training materials	7 years after use ends
	Employment applications	3 years
	IRS Form I-9 (store separate from personnel file)	Greater of 1 year after end of service, or three years
	E-Verification forms	7 years
	Withholding tax statements	7 years
	Timecards	3 years
<b>Legal Records</b>	Contracts, mortgages, notes, and leases	7 years after document expiration
	Claims, and Litigation	10 years after resolution
	General	4 years
	Routine	1 year
<b>Technology</b>	Software licenses and support agreements	7 years after all obligations end

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
<b><i>HOUSING</i></b>		
Weatherization - 10 CFR §440.24	All Program Related Documents	4 years
HeRO	All Program Related Documents	4 years
HUD Section *	All Program Related Documents	5 years
Shelter Plus Care	All Program Related Documents	5 years
Ozark Properties	First renter documents	40 Years
	Tenant Files	7 years
Organization Documents OCDC	Same as OAI	Permanent
<b><i>HEAD START</i></b>		
Head Start	All Program Records	5 years
<b><i>CSBG</i></b>		
CSBG (Claim, Tax Program, Navigator, CAC, FEMA, etc.)	All Program Related Documents	5 years
<b><i>LIHEAP/EA</i></b>		
LIHEAP/EA	All Program Related Documents	5 years
<b><i>WORKFORCE DEVELOPMENT</i></b>		
Workforce (LWIB) (WIOA)	All Program Related Documents	Request permission to destroy after 3rd year of completion.
Youth Programs	All Program Related Documents	Request permission to destroy after 3rd year of completion.
Adult (NGCC)	All Program Related Documents	Request permission to destroy after 3rd year of completion.

## **1. Electronic Documents and Records**

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an e-mail message, the message should be printed in hard copy and kept in the appropriate file or moved to an “archive” computer file folder. Backup and recovery methods will be tested on a regular basis.

## **2. Emergency Planning**

The Organization’s records will be stored in a safe, secure, and accessible manner. Documents and financial files that are essential to keeping the Organization operating in an emergency will be duplicated or backed up at least every week and maintained off-site.

## **3. Document Destruction**

The Custodian of Records and Program Directors are responsible for the ongoing process of identifying its records, which have met the required retention period, and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by Shredding, incineration, or approved disposal method.

Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

## **4. Compliance**

Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Organization and its employees and possible disciplinary action against responsible individuals. The Custodian of Records and/or the Executive Director will periodically review these procedures with legal counsel or the organization’s certified public accountant to ensure that they are following new or revised regulations. After review, changes will be presented to the full Board of Directors at a regularly scheduled Board of Directors meeting for approval.

While minimum retention periods are established, the retention of the documents identified above and of documents not included in the identified categories shall be determined primarily by the application of the general guidelines affecting the document retention, as well as the exception for litigation relevant documents and any other pertinent factors.