



**WORKFORCE INNOVATION AND
OPPORTUNITY ACT POLICY
MANUAL**

CHAPTER 2 – SECTION 800

SUBJECT: RECORD RETENTION

800 RECORD RETENTION

Each Local Workforce Development Board (LWDB) is responsible for ensuring Local Workforce Development Areas (LWDAs) comply with record retention requirements set forth in this policy and are in accordance with the Workforce Innovation and Opportunity Act (WIOA) and other applicable federal and state laws and regulations.

For purposes of this policy, “records” are defined as all programmatic and fiscal hard-copy and electronic documents that pertain to participants and employees of WIOA Title I-B programs

Recipients and sub-recipients of WIOA Title I-B federal funds must retain records to ensure program integrity and accountability resulting from activities, services, or employment associated with WIOA Title I-B funds. Record retention is necessary to meet legal requirements documenting compliance with governing laws, rules, regulations, relevance in potential future litigation, as well as historic importance.

References: Workforce Innovation and Opportunity Act (P.L. 113-128) Section 185, WIOA Final Regulations 29 CFR 38.43, 29 CFR 97.42, DES Uniform Terms and Conditions and Special Terms and Conditions (see LWDA contracts with DES), Arizona Revised Statutes (A.R.S.) 35-214, 41-151.15, Uniform Guidance 2 CFR 200.329, 200.333-337

801 LOCAL RETENTION POLICY

Recipients and sub-recipients, as defined at 2 CFR 200.9, of WIOA Title I-B funds must maintain all electronic and hard copy records, including email, for at least the minimum periods outlined below.

Each LWDA must develop local policies for record retention. LWDA record retention policy may exceed the minimum state requirements outlined below and must include the following:

- A. Documents to be maintained;
- B. The location(s) where documents are maintained;

- C. Purge date rules of stored records.

802 RETENTION TIME PERIODS

- A. **Records of applicants, registrants, eligible applicants/registrants, and participants** *must be retained for a minimum of three years after exit from the program.* This includes eligibility documents, medical documentation, assessments, employment plans, records of activities, documentation of credentials, case notes, sign-in sheets at ARIZONA@WORK Job Centers, and all other records that indicate participation with a WIOA Title I-B program.
- B. **Records of terminees, employees, and applicants for employment administering a WIOA Title I-B program** *must be retained for a minimum of three years.* This includes eligibility documents, assessments, documentation of credentials, sign-in sheets, employee records and all other records that indicate application or employment with an ARIZONA@WORK Job Center.
- C. **Records that are related to a discrimination complaint, including actions taken on the complaint,** *must be retained for a minimum of three years from the date of final action related to the resolution of the complaint.*
- D. **Records that are related to any compliance review** that uses WIOA Title I-B funding (programmatic, fiscal, equal opportunity, One-Stop Certification, Eligible Training Provider List (ETPL), etc.) *must be retained for a minimum of three years from the date of final report.*
- E. **Financial records, statistical records, accounts, reports, files, and supporting documents, agenda and minutes of open meetings, and all other records pertinent to WIOA Title I-B funds or contract relating to the furnishing of goods, equipment, labor, materials, or services** *must be retained for a minimum of three years from the submission of final financial expenditure report effective for Program Year (PY) 2018/Fiscal Year (FY) 2019 grant and onward. However, current Intergovernmental Agreements (IGAs)/Interagency Service Agreements (ISAs) that have a five year retention period apply until PY17/FY18 grant closes.*

- F. **Records that are related to training providers that apply for or are listed on the ETPL** *must be retained for a minimum of three years.* This includes applications, *Training Provider Credential Checklist*, performance reports, monitoring reports, and communication with training providers, including denial letters and emails.
- G. When records having one retention period cannot be separated from records having a longer retention period, records must be retained for the longer retention period.

803 RECORD RETENTION REQUIREMENTS

- A. LWDA's may upload source documents as evidence of work performed and costs incurred into Arizona's web-based labor exchange, case management, and reporting system – Arizona Job Connection instead of retaining hard copies, per local policy.
- B. When a WIOA Title I-B sub-recipient is unable to retain required WIOA Title I-B participant and financial records, or the award for service is terminated by a LWDB, the records must be transferred to the LWDB or to a new service provider, as directed by the LWDB. Records must be transmitted within the time period stated by the LWDB and must be properly labeled and filed in an acceptable condition for storage.
- C. When hard copy files are maintained, LWDA's and service providers must ensure there is appropriate storage space that ensures security and confidentiality.
- D. All documentation pertaining to medical information must be maintained separately from main program files to ensure confidentiality. Access to medical information should be limited to staff on a "need to know" basis, as defined in local policy.