



**Missouri Department of  
Higher Education and  
Workforce Development**

# OWD Issuance 11-2019

Release Number—Program Year

Release Date:  
December 06, 2019  
Effective Date:  
December 06, 2019  
Expiration Date:  
Continuous, until further notice

**SUBJECT:**

## Records Retention Policy

**ATTACHMENTS:**

None.

*This Issuance is Official Policy  
of the Missouri Department of  
Higher Education and Workforce  
Development*

**ISSUING AUTHORITY:**

Mardy Leathers  
Director  
Missouri Office of  
Workforce Development

**THIS ISSUANCE DOES REQUIRE  
CREATION OR ALTERATION OF A  
CORRESPONDING LOCAL POLICY**

**KEYWORDS:**

Contract; Destruction; Disposition;  
Grant; Records

**THIS ISSUANCE AFFECTS:**

Missouri One-Stop Delivery System (MJs/AJCs)  
WIOA Title I Local Areas/Local Boards/Local Plans  
WIOA Title I In-State Funding  
WIOA Title I Performance/Accountability  
WIOA Title I One-Stop Delivery/Service Providers  
WIOA Adult Employment/Training  
WIOA Dislocated Worker Employment/Training  
WIOA Youth Workforce Investment Activities  
WIOA Title III Wagner-Peyser Act Services  
WIOA Section 188 Nondiscrimination Issues  
National/Statewide Programs/Grants  
WIOA Fiscal/Administrative Procedures  
Trade Adjustment Assistance  
State of Missouri Workforce System Procedures

**FOR THE ATTENTION OF:**

OWD State Professional Staff  
One-Stop frontline staff  
Chief Elected Officials  
Local Fiscal Agents  
Local WDB Chairpersons  
Local WDB Directors  
Local WDB Members  
One-Stop Operators  
One-Stop Functional Leaders  
Service Providers  
Local Equal Opportunity Officers  
Local Quality Assurance Monitors  
Local JVSG Veterans Reps  
Local Trade Act Reps

**RESCISSIONS:**

DWD Issuance 05-2007: Destruction of Records

**REFERENCES:**

OWD Financial Manual – April 2019 [OWD Financial Manual](#)  
Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments: [Uniform Administrative Requirements](#) @ 2 CFR Part 200 and DOL exceptions at 2900  
Internal Revenue Service Record Retention Guidelines [IRS Record Retention Guidelines](#)  
29 CFR 97.42 (for all state and local government agencies) [Retention and Access Requirements](#)  
RSMO 109 Public and Business Records [RSMO 109](#)  
RSMO 610 Governmental Bodies and Records (Sunshine Law) [RSMO 610 Sunshine Law](#)

**SUMMARY:**

To provide policy regarding the proper disposition or destruction of records.

**BACKGROUND:**

This Records Retention Policy covers all records and documents of fiscal and program activities funded under the Workforce Innovation and Opportunity Act (WIOA). This issuance contains the minimum requirements and timeframes for the retention of documents. The Local Workforce Development Board (LWDB) is required to ensure compliance with federal and state laws and regulations, to eliminate accidental destruction of records and to facilitate the operation of the Missouri Job Center system by promoting efficiency, preserving valuable storage space and decreasing costs.

LWDB's must retain participant files and records applicable to Department of Labor (DOL) and other Federal and State awards. Records shall include, but are not limited to, financial records, supporting documents, statistical records, 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).

This policy issuance provides instructions for destruction of records that have passed the required retention period. It further describes exceptions to the three-year retention period.

**SUBSTANCE:**

To provide policy on the destruction of records:

1. No record shall be destroyed or otherwise disposed of unless it is determined by the OWD that the record has no further administrative, legal, fiscal, research, or historical value. WDBs must request written permission from OWD to destroy records. A copy of the written approval from OWD must be retained in the WDB file that describes and accounts for all documents in storage or destroyed.
2. To receive written permission to destroy records, a LWDB must have a Single Audit Report which has been accepted by OWD and corresponds to the three year retention period.
3. Exceptions: The only exceptions to the aforesaid record destruction provisions are 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. 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). Exceptions are further explained in the following pages.
4. The method of records disposal is relative to the confidentiality of the document. Records that disclose references to individual personnel or participants must be destroyed/shredded before discarding.

The LWDB must follow their written records management policy for each type of record.

**Accounting for Records**

Records should be kept detailing the documents that are maintained, the location(s) retained, and document purge dates. This accounting for all documents must be retained and made available for inspection upon request.

**General Retention Schedule**

As a general rule, the following records must be retained for 3 Years from the Submission of the Final Expenditure Report. However, the exceptions listed below may affect retention period timing.

- Financial Records
- Supporting Documents
- Statistical Records
- Participant Files
- All other non-Federal entity records pertinent to a Federal award

## Exceptions to General Retention Schedule (2 CFR 200.333)

1. In the case of any litigation, claim or audit started before the expiration of the 3-year period, the records must be retained until all litigation, claim, or audit findings involving the records have been resolved and final action taken.
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 will be retained for 3 years after final disposition.
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.
5. Program Income: In some cases, program income occurs after the period of performance. The 3-year retention period for records pertaining to the earnings of the program starts from the end of the non-Federal entity's fiscal year in which the program income is earned.
6. Indirect cost rate proposals and cost allocation plans applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefits rates.
  - a. If submitted for negotiation the 3-year retention period for its supporting records starts from the date of such submission;
  - b. If not submitted for negotiation, the 3-year retention period starts from the end of the fiscal year (or other approved accounting period) covered by the proposal, plan or other computation.

## 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.<sup>1</sup>

### **ROLES, RESPONSIBILITIES, and REQUIRED ACTIONS:**

Effective upon issuance, this information should be used to revise the WDB's record retention policy and procedures. This policy must be distributed to appropriate staff.

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<sup>1</sup> [2 CFR 200.334](#) Requests for Transfer of Records

**TIMELINE:**

All Missouri Workforce System Staff —Implementation of these rules .....**Immediate and Continuous**

**INQUIRIES:**

Please direct all questions or comments regarding this Issuance document to [dwdpolicy@dhewd.mo.gov](mailto:dwdpolicy@dhewd.mo.gov). All active Issuances are available at [jobs.mo.gov/dwdissuances](http://jobs.mo.gov/dwdissuances). Expired/rescinded Issuances are available on request.

*For information about [Workforce Development](#) services, contact a [Missouri Job Center](#) near you.  
Locations and additional information are available at [jobs.mo.gov](http://jobs.mo.gov) or 1-(888)-728-JOBS (5627).*

*Missouri Department of Higher Education and Workforce Development is an [equal opportunity](#) employer/program.  
Auxiliary aids and services are available upon request to individuals with disabilities.  
Missouri Relay Services at 711.*