

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION: A) APPROVING THE COUNTYWIDE RECORDS RETENTION SCHEDULE; AND B) DIRECTING THE COUNTY MANAGER TO WORK WITH COUNTY DEPARTMENTS TO DEVELOP AND UPDATE DEPARTMENT-SPECIFIC RECORDS RETENTION SCHEDULES AND PROCEDURES FOR THE IMPLEMENTATION OF DEPARTMENT-SPECIFIC RECORDS RETENTION SCHEDULES

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, it is essential for the administration of county government to create, receive, maintain and make available accurate and reliable county records; and

WHEREAS, applying consistent standards of recordkeeping across departments through a uniform records retention and destruction process would improve efficiency, accuracy, reliability, and transparency; and

WHEREAS, enacting a consistent program of records management would serve County interests by ensuring that staff can locate records when needed, keep records useable for their required lifespan, and control costs to store and retrieve records;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. The attached Countywide Records Retention Schedule is approved; and
2. The County Manager is hereby directed to work with County departments to develop and/or review department-specific records retention

schedules which will be reviewed and approved by this Board; and

3. The County Manager is directed to develop procedures for the implementation of the department-specific records retention schedules.

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Notice Regarding Records Destruction: For each Record Type, the Retention Period set forth below reflects general statutory requirements and/or general County policy. Records, including departmental copies held for convenience or reference, must be discarded at the close of the applicable Retention Period.

Within each general Record Type, the records received, created, or maintained by a department may be subject to a longer Retention Period pursuant to specific federal or state statutes or regulations. Departmental Records Retention Schedules should cite to such overriding statutes and/or regulations and set forth the overriding Retention Period. In addition, a record may not be destroyed if notice of litigation, audit, open records request, etc. is received prior to the expiration of the retention period.

No.	Record Type	Description	Retention Period	Citation/Comments
Accounting/Finance Records				
100	Accounts payable	Records documenting payment required to be made for goods and services provided <u>to</u> the County. May include claims, credit card transactions, invoices, petty cash records, refunds, vouchers and warrants.	5 years	GC 26907
101	Accounts receivable	Records documenting payment received for goods and services provided by the County. May include collection notices & records, credit advices, receipts and uncollected account records. May also include daily deposit, daily balance and balance sheets.	5 years	GC 26907
102	Capital (Fixed) Assets	Records related to the financial activities associated with capital (fixed) assets. May include inventories, material transfer files (surplus forms) and purchase/sale records.	5 years	GC 24051(b)
103	Transaction summaries	Journals, registers, and subsidiary ledgers dedicated to individual funds or functions.	5 years	GC 26907
104	Audit reports	Record of the examination of county finances as prepared by internal or external auditors. May include financial reports and statements showing the status of all county funds and the narrative audit report.	Permanent	Best practice determined through business and government agency benchmarks
105	RFPs, Bids/Proposals – accepted	Record of accepted submissions offered by a vendor or contractor selling goods or services to the County. May include bid (plus spreadsheet and award letter), proposal, request for quotation (RFQ), request for proposal (RFP) and request for information (RFI).	Completion of contract + 5 years or after Funding Agency audit, if required, whichever is longer	Statewide guidelines propose termination + five years; CCP §§336(a), 337 et. seq.; GC 26202
106	RFPs, Bids/Proposals – rejected	Record of submissions offered by a vendor or contractor selling goods or services to the County other than the one that is accepted. May include bid (plus spreadsheet and award letter), proposal, request for quotation (RFQ), request for proposal (RFP) and request for information (RFI).	2 years	GC 26202

No.	Record Type	Description	Retention Period	Citation/Comments
107	Budgets – department copy	The budget document formally approved for the County by the Board of Supervisors. The official version will be maintained by the County Auditor-Controller pursuant to its department-specific retention schedule.	2 years	Final must be filed with the County Auditor and State Controller
108	Financial reports - annual	Financial reports produced for a single fiscal year in order to monitor spending, workflow, performance measures and other department operations. May include monthly revenue & expenditure reports, annual fixed asset ledgers, and appropriation transfers.	5 years	GC 26907
Board/Commission Materials				
200	Boards and Commissions Meeting Materials	Record of items submitted to and decisions made by the Board of Supervisors as well as governing bodies and commissions subject to the provisions of the Brown Act. May include meeting agendas, minutes, exhibits, and staff reports as relevant to the outcome of the proceedings. May include ordinances and resolutions.	Permanent	Best practice determined through business and government agency benchmarks
201	Policy & Procedure - Boards and Commissions	Records documenting the policies and procedures approved for the County's Board of Supervisors and various committees and commissions. May include final policy, policy statements, by-laws and procedure manuals.	Permanent	Best practice determined through business and government agency benchmarks
202	Public Hearings Records	The official record of any public hearing where a forum for citizens or constituent group may voice opinions and concerns to public officials. These hearings are held separately from a regular or special meeting of a Board, Committee or Commission. May include agenda, minutes, submitted and/or distributed materials, transcripts, speaker sign up, written testimony, and official notices.	Permanent	Best practice determined through business and government agency benchmarks
203	Recordings of Public Meetings	Audio or video recordings of the official proceedings of a public body subject to the Brown Act.	Permanent	The County is required to retain these records until the minutes are adopted, but no less than 30 days per GC 54953.5(b). However, County practice is to maintain these records permanently.

No.	Record Type	Description	Retention Period	Citation/Comments
Agreements				
300	Contracts / Agreements - general	The binding agreement to provide goods or services, but excluding those for land, buildings or major improvements. May include the original contract or agreement, all change orders and any amendments thereto. May also include accounting records, procurement documentation, and salary administration. May also include working files if they relate to negotiations or changes.	Until date of completion + 7 years	GC 26202
301	Contract / Agreements - capital improvements	The binding agreement related to major improvements to County buildings or land. May include the original contract or agreement and any amendments thereto. May also include working files if they relate to negotiations or changes and compliance.	Until date of completion + 10 years	CCP 337.15(a)
302	Leases/Rental Agreements - real Property	Documentation of rental agreements, capital leases, operational lease/purchase agreements or any other similar agreement and the amendments thereto.	Until date of completion + 4 years	CCP 337.2
303	Leases/Rental Agreements - excluding real property	Documentation of rental agreements, capital leases, operational lease/purchase agreements or any other similar agreement and the amendments thereto.	Until date of completion + 3 years	Best practice determined through business and government agency benchmarks
304	Grants	Records related to the application, award, implementation and conclusion of a grant. All records including those related to the receipt and dispersal of grants funds, contract and reports. Grant records should be maintained together. Records may include the proposal document, correspondence, activity summary reports, financial and performance reports, memos, notes, invoices, billings, expense reports, completion check-off form, audit results, etc.	Until date of completion + 5 years or after Funding Agency Audit, whichever is longer	Statewide guidelines propose termination + 5 years; CCP §§336(a), 337 et. seq., 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42(b), 91.105(h), 92.505, & 570.502(b), 28 CFR 66.42; 29 CFR 97.42(b); 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-133GC §26202
Legal Records Maintained by Departments				
400	Public Records Act Requests	Records distributed to the public in response to a public records act request. Includes the original request, the department response and a <u>copy</u> of the records provided if applicable.	Until final resolution + 2 years	GC 26202

No.	Record Type	Description	Retention Period	Citation/Comments
401	Litigation Records	The County Counsel's Office maintains litigation records, including legal correspondence, pleadings and copies of court records. To the extent that departments have duplicates of records already possessed by CCO, they may be treated like any other duplicate record.	CCO - Until final resolution + 10 years; duplicates held by departments – 2 years	CCP 1952.3; GC 26201
402	Subpoenas	Records related to subpoenas or subpoenas duces tecum received by a County department. This category only to those subpoenas where the County is <u>not</u> a party to the litigation.	Until final resolution + 2 years	Best Practice; GC 26202
Personnel				
500	Application and Selection Records	Includes notes of interviews with candidates, questions asked of applicants, and audio and videotapes of job interviews. May also include any form of employment inquiry submitted in response to an advertisement or other notice of existing or anticipated job openings, background checks and disclosure, records pertaining to the failure to hire any individual, medical and psychological disqualifications, polygraph results, resumes, test papers and test results.	Successful applicant: send to HR for placement in Personnel File; unsuccessful applicant: 3 years from the date of the making of the record or the personnel action, whichever occurs later	29 CFR 1627.3; 29 CFR 801.30; see also 29 CFR 1602.31; 29 CFR 1602.14; GC 12946
501	Complaints / Grievances	Records documenting the prevention and/or resolution of problems related to work situations. Includes documentation of employee grievances, charges related to discrimination or harassment including those filed under or by EEOC/DFEH, Public Employment Relations Board (PERB), or a violation of Meyers-Millas-Brown Act.	Until final disposition + 2 years	29 CFR 1602.31; 29 CFR 1602.14; GC 12946
502	Leave of Absence Requests – department copy (originals are maintained by HR in the personnel file)	Records related to any employee request for leave of absence. May include a leave of absence (medical or non-medical) under the Family Medical Leave Act (FMLA), California Family Rights Act (CFRA) or Pregnancy Disability Leave Act (PDL). May also include requests for educational leave, military leave - The Uniformed Services Employment and Reemployment Rights Act (USERRA), California Military Spouse Leave Law (AB392). May include medical certificates and working documents.	2 years from the date of the making of the record or the personnel action, whichever occurs later	GC 26201

No.	Record Type	Description	Retention Period	Citation/Comments
503	Personnel Files	Records documenting an employee's employment history. Records may include appointment letters, college transcripts, demotion, disciplinary notices or documents, employment applications & verifications, exit interviews, layoff, letters of recognition, new hire paperwork, performance evaluations, permanent status letter, personal data information changes, position descriptions, promotions, recall, or discharge, rates of pay, reclassification or reassignment, resume, selection for training, termination paperwork including last date of service, test documents if used as a basis for employment decision. Files may also contain employee-related records that are scheduled for temporary retention. Personnel files are kept current by removing temporary records upon expiration of the retention periods specified. NOTE: This includes records related to volunteers.	Until separation from employment + 3 years	Labor Code 1198.5(c) requires retention of personnel files for not less than 3 years after termination of employment
504	Personnel Files – Supervisor's Notes	Supervisor's copy of records documenting an employee's work history from one evaluation to the next. Records may include relevant correspondence including email, copies of disciplinary actions, memoranda and notes. The information is maintained and used to complete the employee's annual evaluation.	Completion of employee's annual evaluation	County practice
505	Training History	Records retained to confirm participation in and successful completion of job related training programs. Includes documentation of employee continuing education, training and development, including employee identification, training received, dates of training and related records.	7 years from completion of training	Department Preference; OSHA requires 5 years for safety records; Statewide guidelines propose 7 years; 8 CCR §3203 et seq., 8 CCR 14300.33(a); 29 CFR 1602.31, 29 CFR 1602.14, 29 CFR 1627.3(b)(2), 29 CFR 1904.33, 29 CFR 1904.44; LC §6429(c); GC §§12946, 34090, 53235.2(b)

No.	Record Type	Description	Retention Period	Citation/Comments
506	Unemployment	Records documenting unemployment compensation claims. Records shall include a true and accurate work record which includes all workers and their status (employed, on layoff or leave of absence). Records series includes claims, pertinent correspondence, and similar material relating to unemployment compensation cases.	Until closed + 4 years	22 CCR 1085-2(c)
507	Workers' Comp	Records documenting workers' compensation claims, including a date-stamped copy of claim, DWC Form 1; Report of Occupational Injury or Illness, DLSR Form 5020/OSHA 101; all reports to Division of Workers' Compensation, including DWC Form 500; a letter of denial to employee; medical reports on claim; orders and awards of WC Appeals Board; WC benefits payment records; estimate of future liability; applications to WC Appeals Board for adjudication of claims; and all notices sent to employee.	5 years after date of injury or date on which Workers' Compensation benefits were last provided, whichever occurs later. However, cases involving Permanent Disability should be kept permanently.	8 California Code of Regulations §10102
Miscellaneous				
600	Complaints/Concerns from Citizens	Records documenting concerns or complaints raised by citizens relating to the County's operations.	2 years	County preference; Claims must be filed in 6 months; CCP §§338 et seq., 340 et seq., 342, GC §945.6, GC §12946, GC §26202; 29 CFR 1602.31; 29 CFR 1602.14
601	Correspondence – Routine	May include Administrative, Chronological, General Files, Letters, Memorandums, Miscellaneous Reports, Press Releases, Media, Public Releases, Reading File, Working Files, Received and Referred to other Departments, Calendars, duplicates of any record, Fax Logs, etc. (Note that preliminary drafts and materials not retained in the ordinary course of business are not "records" subject to retention.)	2 years	GC 26202; GC 6252 and 6254(a)
602	Equipment	Records related to the maintenance, repair and inventory of County leased or owned equipment and vehicles. May include equipment calibration records, maintenance records, motor vehicle records and surplus forms. Does not include purchase or lease records.	End of lease or ownership + 7 years	GC 24051

No.	Record Type	Description	Retention Period	Citation/Comments
603	Facilities	Records related to the maintenance, repair and inventory of County owned property. May include maintenance work orders and repair reports. Does not include purchase or lease records.	End of lease or ownership + 7 years	GC 24051
604	Facility Use Application/Permits	Requests to use County facilities and approval of such requests.	2 years	GC 26202
605	Injury and Illness Reports	Records related to reporting and documentation of employee or visitor injury or illness. Records may include the Cal/OSHA logs and summary forms, log of occupational injury or illness resulting in medical care.	6 years	29 CFR 1904.33; 8 CCR 14300.33
606	Vehicle safety	Records related to vehicle safety checks, daily vehicle inspections, and equipment checks	2 years	GC 26202