



Montana Department of LABOR & INDUSTRY

1
2 Division: Workforce Services Division
3 Category: WIOA
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6 Policy No.: 07-16

7 Records Retention Policy

8 **Background:** The Workforce Service Division (WSD) must ensure that all federally and state funded
9 programs collect and maintain records in a manner consistent with individual programmatic requirements,
10 federal grant requirements or state requirements. When documents may have more than one retention period
11 apply to them, the longer of the possible retention periods applies.

12 **Scope:** This policy applies to all WSD staff and programs.

13 Policy:

14 WSD has established the following policies regarding retention of and custodial requirement for records
15 associated with the administration of workforce programs.

16 Document Types Subject to Record Retention:

- 17 • General Financial Records
- 18 • Grants and Supporting Documentation
- 19 • Program, Client, Business and Job Seeker Files
- 20 • Purchasing and Procurement Records
- 21 • Surveys

22 The above listed document types may apply to one or more program specific retention periods. The retention
23 period that is the longest must be utilized for retention purposes.

- 24 • **Apprenticeship** – All apprentice and sponsor records have a 5-year retention period.
- 25 • **Bureau of Labor Statistics (BLS)**
 - 26 ○ **Current Employment Statistics (CES)** – Records have a 3-year retention period after the close of
27 the Agreement.
 - 28 ○ **Census of Fatal Occupational Injuries (CFOI)** – Records pertinent to the Agreement have a 3-
29 year retention period. Hard copy forms from respondents entered into the BLS system have a
30 30-day retention period after the final case and demographic estimates have been generated or
31 1-year after submitting the final updated data file for the reference year.
 - 32 ○ **Local Area Unemployment Statistics (LAUS)** - Records have a 3-year retention period after the
33 close of the Agreement.
 - 34 ○ **Occupational Employment Statistics (OES)** – Completed survey forms have 4-year retention
35 period.
 - 36 ○ **Quarterly Census of Employment and Wages (QCEW)** - Records have a 3-year retention period
37 after the close of the Agreement.

- 1 o **Survey of Occupational Injuries and Illnesses (SOII)** - Records pertinent to the Agreement have a
- 2 3-year retention period. Hard copy forms from respondents entered into the BLS system have a
- 3 30-day retention period after the final case and demographic estimates have been generated or
- 4 1-year after submitting the final updated data file for the reference year.
- 5 • **Department of Public Health and Human Services (DPHHS) Contracts** – Records have a 7-year retention
- 6 period following the contract completion date.
- 7 • **Federal Grants** – All materials have a 3-year retention period from the submission of the final
- 8 expenditure report.
- 9 • **Fiscal Records** – All records have a 5-year retention period.
- 10 • **Foreign Labor Certification** – Records have a 3-year retention period from the date of certification.
- 11 • **Incumbent Worker Training (IWT)** – Records have a 3-year plus current year retention period.
- 12 • **Jobs for Montana’s Graduates** – All materials have a 5-year retention period.
- 13 • **Migrant and Seasonal Farmworker (MSFW)** – All materials have a 3-year retention period.
- 14 • **Senior Community Service Employment Program (SCSEP)** – All materials have a 5-year retention period.
- 15 • **State Displaced Homemaker (SDH)** – All materials have a 5-year retention period.
- 16 • **Wagner Peyser** – Business records, work applications, seeker files and job orders have a 3-year
- 17 retention period.
- 18 • **Work Opportunity Tax Credit (WOTC)** – Certified applications have a 4-year retention period from date of
- 19 issuance. Denied applications have a 1-year retention period from the date of denial.
- 20 • **Workforce Innovation and Opportunity Act (WIOA)** – All materials and reporting documents have a 5-year
- 21 retention period following the date of exit.

22 Program files and documents will be retained on the above listed schedules. However, if an audit, claim,
 23 litigation, negotiation or other action involving records subject to retention has been started prior to the
 24 expiration of the referenced retention period, the records shall be retained until completion of the action and
 25 resolution of all issues that arise from it, or until the end of the standard retention period, whichever is later.

26 In instances where the original document is not available a copy or scan of the document may be substituted
 27 for the original record. Maintaining an original and a copy or scan is not required.

28 **Administrative Requirements:**

- 29 • It is the responsibility of each program to maintain program documents and to properly destroy the
- 30 records that have passed the retention period on an annual basis.

31 **References:**

- 32 • [29 CFR 97.42 Retention and Access Requirements for Records](#)
- 33 • [WOTC Handbook](#)
- 34 • [2 CFR 200.333 Federal Grants](#)
- 35 • [20 CFR 652.8 Wagner Peyser Administrative Provisions](#)
- 36 • [Secretary of State Records Retention Schedules](#)