

## **YFC Document Retention and Destruction Policy**

### Purpose

The corporate records of Miami YFC are important for a variety of reasons. Corporate records include essentially all records you produce and receive as an employee, whether hard copy or electronic. A record may be as obvious as a memorandum, an email or a contract, or something not as obvious such as a computerized desk calendar, an appointment book or an expense record.

The law requires us to maintain certain types of corporate records, usually for a specified period of time. Failure to retain those records for the minimum periods could subject you and the organization to penalties and fines, cause the loss of rights, obstruct justice, place Miami YFC in contempt of court, or seriously disadvantage our organization in litigation.

### STATEMENT OF POLICY

#### Policy Overview

Records must be kept if they are needed to:

- Provide Miami YFC with information and data needed for operations
- Comply with requests of financial, insurance and tax auditors
- Comply with federal, state and local laws
- Comply with tax or other regulations of administrative bodies.

Records must be destroyed if they are no longer useful or needed. Care must be taken to shred documents that contain confidential or personal identifying information.

#### Retention Guidelines

The following descriptions are provided as a general guidance regarding the disposition of organization records. Supervisors may choose to retain certain types of documents for longer periods of time. First consult your supervisor before destroying any document about which you have the slightest question.

**EXCEPTION:** If you believe, or the organization informs you, that organization records are relevant to litigation, or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records until legal counsel has determined the records are no longer needed. This exception supersedes any previously or subsequently established destruction schedule for those records. If you believe that exception may apply, or have any question regarding the possible applicability of that exception, consult the YFC attorney.

#### Permanent Records

The following types of records should be retained permanently:

1. Board and Committee Materials. Board of Trustee meeting minutes should be retained in perpetuity in the organization minute book. A clean copy of all Board and Board Committee materials should be kept permanently.
2. Public Filings/Press Releases/Publications. Retain all permanent copies of publicly filed documents and press releases under the theory that Miami YFC should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the organization. Drafts and work papers used in preparing material that is published should be kept only until the information is published. The drafts and work papers should then be discarded unless they are to be used for future publications that are presently contemplated.
3. Financial Information. Audit reports and two copies of each year's financial reports should be retained permanently. A copy of the general ledger should also be kept permanently.
4. Insurance Information. Copies of insurance policies should be retained permanently.
5. Real Estate Records. Real estate transaction records should be retained permanently.

#### Records kept 6 years

6. Tax Records. Tax records include documents concerning payroll, expenses, proof of deductions, business costs, accounting procedures, and other documents concerning the organization's revenues. Tax records should be retained for at least 6 years from the date of filing the applicable return.
7. Employment Records/Personnel Records. State and federal statutes require Miami YFC to keep certain recruitment, employment and personnel information. Retain all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel in the employee's personnel file. Employment and personnel records should be retained for 6 years. However, for ministry personnel and volunteers working with young people, their records must be retained for 20 years.
8. Contracts. Final, executed (signed) copies of all contracts entered into by Miami YFC should be retained for at least 6 years beyond the life of the agreement.
9. Financial Records. Bank statements and copies of deposits should be retained for 6 years.
10. Insurance Information. Loss reports should be retained 6 years. Accident and claim reports should be kept 6 years after the termination of the claim.

#### Records Kept 3 Years

11. Financial Records. The following financial records should be retained for 3 years: Cancelled checks, sales records, expense reports, paid vendor invoices, and inventory records. Depreciation schedules should be retained for 3 years beyond the life of the asset.
12. Insurance Information. Certificates of insurance should be retained for 3 years beyond the period of coverage. Loss prevention records, payroll records and premium worksheets for workers' compensation should be kept 3 years after the expiration of the policy year.
13. Time Cards. Time cards should be retained at least 3 years after the end of the subject calendar year.

#### Other Time Frames

14. Correspondence. Correspondence to and from Miami YFC should be retained by the principal user, if it is desired for future reference. Internal procedures and other instructions should be kept until superseded. Technical information should be kept until superseded. Outside or third-party correspondence should be kept one year. Other inter- and intra-departmental memos should be kept one year and then destroyed.
15. Legal files. The YFC attorney should be consulted regarding the retention period for legal documents.

#### Electronic Media (Email)

Electronic data and records should be kept for the time periods specified for paper documents. Special attention should be given to temporary correspondence, which includes personal email, requests for recommendation or review, updates or status reports. It is your responsibility to ensure that temporary email correspondence is deleted from your email inbox within 30 days of receipt. If you need the temporary correspondence for future reference, transfer the information to a permanent location on the network or to a printed format and file.

#### Transition Guidelines

From time to time departments or locations are closed, combined or relocated. In these situations, care should be taken to safeguard retained documents and ensure corporate knowledge of their location should access be required in the future. A log or list of retained documents can provide a convenient reference point for locating specific items in the future.

#### Destruction Guidelines

Records should not be kept if they are no longer needed for the operation of the organization or required by law. Unnecessary or duplicate records should be eliminated from the files. The cost of maintaining records is an expense that can grow unreasonably if good housekeeping is not performed. We expect all employees to fully comply with any published records retention or destruction policies and schedules.

#### Personal Identifying Information

A document with personal identifying information could include one or more of the following:

16. Social Security Number
17. Password
18. Pass code
19. Driver's license or identification card number
20. Government passport number
21. Health information or medical billing information
22. Employer, student or military identification number
23. Personal financial transaction information, such as a credit card number or bank account number
24. Personnel information useful only to the subject of the record
25. Other information that would enable a criminal to access information to which they should not be allowed access.

Documents containing personal identifying information that are authorized for destruction should be shredded if they are written records. If they are electronic records, they should be deleted or destroyed as instructed by the Director of Operations.

#### Annual Clean Up

On an annual basis, employees should review records in their control and destroy those that are beyond their retention life. This includes both paper and electronic records. Care should be taken to shred any documents containing personal identification information.

#### Enforcement

Any employee found to have willfully destroyed documents in violation of the retention guidelines provided in this policy could potentially be subject to disciplinary action, up to and including termination of employment.