



Workforce Innovation and Opportunity Act (WIOA) Title I Policy

Subject: [Records Retention](#)

Number/Reference: [FP - 8](#)

Review Date: [7/1/2018](#)

Revision # [Review Copy](#)

Overview

Local Workforce Development Areas and subrecipients are required to maintain and retain records of all fiscal and program activities funded under the Workforce Innovation and Opportunity Act (WIOA). With few exceptions, such records shall be available to the public.

This policy sets forth the minimum requirements, the timeframes for records retention, and the extent to which such records may be made available to the public.

Policy Statement

All local WDAs and subrecipients must comply with Federal record retention rules and regulations. Each fiscal agent, Local Workforce Development Board and any subrecipient of WIOA funds shall:

- Retain all records pertinent to the grant, grant agreements, interagency agreements, contracts or any other award, including financial, statistical, or other pertinent records, and supporting documentation, for a period of at least three years after the original submittal by the State of Oregon Higher Education Coordinating Commission (HECC) Office of Workforce Investments (OWI) of the final expenditure report (closeout) for that funding period to the federal Department of Labor, the awarding agency;
- Retain all records of non-expendable property for a period of at least three years after final disposition of property;
- Retain indirect cost records such as computations or proposals, cost allocation plans, and supporting documentation for three years from the date the indirect cost rate package is submitted for negotiation. If not submitted for negotiation, the three-year period identified in (1) above shall apply;
- Retain all records pertinent to applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment for a period of not less than three years from the close of the applicant program year. Such records must be maintained as whole record system;
- Retain records regarding complaints and actions taken on the complaints for a period of not less than three years from the date of resolution of the complaint;
- Retain all records beyond the required three years if any litigation or audit has begun or a claim is instituted involving the grant or agreement covered by the records. The records shall be retained until the litigation, audit, or claim has been resolved or the required three years, whichever period is longer.

In the event of the termination of the relationship between the grantee (HECC Office of Workforce Investments) and a Local Workforce Development Area fiscal agent or other WIOA subrecipient, the fiscal agent or subrecipient will be responsible for the maintenance and retention of their own records as well as the records of any subrecipient unable to maintain and retain its own records in accordance with the time frames contained in this policy. For those subrecipients unable to keep their records, the grantee will take custody and be responsible for the maintenance and retention of the records of any fiscal agent or subrecipient unable to maintain and retain its own records or those of its subrecipients.

Copies of records made by microfilming, photocopying, or similar methods may be substituted for the original records if they are preserved with integrity and are considered as admissible as evidence.

Limitation of Public Access to Records

Personal records of WIOA registrants will be private and confidential in compliance with State statutory requirements contained in ORS 192, and will not be disclosed to the public. Personal information may be made available to One-Stop partners or service providers on a selective basis consistent with the registrant's signed "Release of Information" form. In addition, this information may be made available to persons or entities having responsibilities under WIA including representatives of:

- The Department of Labor;
- The governor;
- WIOA grant recipients;
- Local Workforce Development Area subrecipients;
- Appropriate governmental authorities involved in the administration of WIOA to the extent necessary for its proper administration.

The conditions under which information may be released or withheld are shown below:

- WIOA registrants will have access to all information concerning themselves as individuals unless the records or information are exempted from disclosure.
- The names of One-Stop staff and subrecipient staff in positions funded by WIOA, in part or in whole, will be a matter of public record. Other information pertaining to these recipient or subrecipient employees will be made available to the public in the same manner and to the same extent as such information is made available on staff in positions not funded by WIOA.
- Public agencies responsible for activities under WIOA will have public records systems in accordance with ORS 192.420. Nongovernmental agencies with such responsibilities will have public records systems, which comply with the spirit and intent of ORS 192.420.

Action(s)

Local WDB fiscal agents and subrecipients must develop and implement policies or procedures that comply with this policy.

HECC will monitor local WDB fiscal agents and subrecipients for compliance.

Contact

Questions regarding this policy should be sent to HECC_OWI_WORKFORCE_POLICY@oregon.gov .

References

- Workforce Innovation and Opportunity Act (WIOA) Public Law 113-128 Section 116(i), Fiscal and Management Accountability Systems
- WIOA Section 184, Uniform Administrative Requirements



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- 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
- 2 CFR Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor (DOL) Exceptions)
- 2 CFR 200.333

(signature)

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