# Record Retention Policy

## I. PURPOSE:

The purpose of this document is to provide entities awarded a subcontract or agreement through the North Central Workforce Development Board with the Record Retention Policy for the North Central Local Workforce Development Area.

## II. REFERENCES:

Workforce Innovation and Opportunity Act (WIOA)

- ***Statute**:* Public Law 113-128, enacted July 22, 2014.
- **Regulations**: 20 CFR Parts 676–681 (programs, youth, adult, dislocated worker), 683 (administrative provisions).
- **Retention Guidance**: 2 CFR §200.334 requires financial and programmatic records to be retained for three years from the date of final expenditure report submission.
- **Nondiscrimination Records**: 29 CFR §38.43 requires Equal Opportunity and nondiscrimination records to be kept for three years.

TANF Youth Development

- **Statute**: Title IV-A of the Social Security Act, 42 U.S.C. §§601–619.
- **PA Guidance**: Pennsylvania Department of Human Services (DHS) – TANF Youth Development Program Manual.
- **Retention Rule**: 45 CFR §75.361 (HHS Uniform Guidance) requires a three-year minimum record retention; however, PA DHS policy requires **seven years** for TANF-funded youth records with participant signatures.

EARN (Employment, Advancement and Retention Network)

- **State Program**: Administered by the PA Department of Human Services under TANF.
- **Retention Requirements**: Per DHS contract provisions, participant files and fiscal documentation must be retained for **seven years** from creation, consistent with TANF.

## III. BACKGROUND:

Grantees, subrecipients, and contractors funded under the Workforce Innovation and Opportunity Act (WIOA) must abide by WIOA law, regulations, and guidance, state and local WIOA policies.

## IV. DEFINITIONS:

***Record*** - Any documentation, whether paper, electronic, or other format, that provides evidence of program administration, participant eligibility, services, outcomes, and fiscal accountability.

***Retention Period*** - The minimum required timeframe during which records must be preserved and remain accessible for review, audit, or litigation.

***Program Year (PY)*** - The 12-month period beginning July 1 and ending June 30, used for WIOA program reporting and record retention timelines.

***Grantee -*** The direct recipient of federal or state funds under WIOA, TANF, or EARN who is legally responsible for compliance.

***Subrecipient*** - An entity receiving funds from the grantee to carry out part of the program (e.g., local providers, partners).

***EARN Program -*** Pennsylvania's TANF-funded initiative designed to assist individuals with barriers to employment through education, training, job readiness, and job retention services.

***TANF Youth Development Program*** - A PA DHS-funded initiative using TANF dollars to support youth with career readiness, academic support, and employment opportunities.

***Litigation Hold -*** A legal requirement to preserve all records relevant to ongoing or anticipated litigation beyond the standard retention period.

**V. <u>POLICY</u>:**

A. The grantee shall maintain adequate records relating to its performance under this Grant and shall permit the North Central Workforce Development Board (NCWDB) and the Commonwealth to have access to all records directly related to the administration of this Grant, and make available to the NCWDB and the Commonwealth, or any duly authorized representative, any books, documents, papers, and records for the purpose of monitoring, audits, examination, excerpts and transcriptions. Records shall be maintained for not less than three (3) years after the close of the applicable Program Year (PY).

B. If, prior to the expiration of the three (3) year retention period, any litigation is begun or a claim is instituted involving the Grant covered by the records grantee shall retain the records beyond the three (3) year period until the litigation or claim has been finally resolved.

C. Grantee agrees to maintain any statistical records required by the NCWDB and the Commonwealth and to produce statistical data at times and on forms prescribed by the NCWDB and the Commonwealth.

D. Records must be retained and stored in a manner that will preserve their integrity and other proceedings. The burden of production and authentication of the records placed on the custodian of the records;

E. Records related to Nondiscrimination and Equal Opportunity provisions of the WIOA must be retained for a period of not less than three (3) years from the close of the applicable Program Year (PY). This includes the following:
   - The records of applicants, registrants, eligible applicants / registrants, participants, exiters, employees and applicants for employment; and
   - Such other records as are required under Part 29 CRF 37.39.

- Records regarding complaints and actions taken on the complaints must be maintained for a period of not less than three (3) years from the date of the resolution of the complaint.

F. For TANF Youth Development and EARN Participant Records: All documentation with the participant's signature must be kept in paper format. Documents must be retained for seven years from when the document (or file) was created.

**VI. POLICY EXCEPTIONS:**

Any discrepancies arising between Workforce Solutions policy and or procedures with federal and state provisions due to current or future revisions will default to the current minimum federal and state regulations and guidance available. Workforce Solutions policy and or procedures may set forth stricter requirements than provided by federal and state guidance, but in no case will local policy and or procedures not meet minimum federal and state policy.

**VII. RESCISIONS:**

None

**VIII. EXPIRATION:**

Ongoing

**IX. INQUIRIES:**

Questions shall be directed to:

Pam Streich, Executive Director at pstreich@ncwdb.org; or
Donna Hottel, Strategic Planning and Project Manager at dhottel@ncwdb.org

Workforce Solutions for North Central PA
425 Old Kersey Road
Kersey, PA 15846
(814)245-1835

**X. POLICY HISTORY:**

This policy is reviewed annually (at a minimum), typically during the first week of July, by Workforce Solutions' staff to assess and implement any necessary changes, edits, updates and revisions.

| Name of Staff / Reviewer | Date of Review | Description of Change(s) | Effective Date |
|---|---|---|---|
| Pam Streich, Donna Hottel | September 19, 2025 | Review and Formatting | July 1, 2025 |
| Pam Streich | July 1, 2016 | New Agency | July 1, 2016 |
| Pam Streich | July 1, 2012 | New Policy | July 1, 2012 |