

**MARIN COUNTY EMPLOYEES' ASSOCIATION (MCERA)
RECORDS RETENTION POLICY AND GUIDELINES**

**ADOPTED: May 21, 2008
AMENDED: September 9, 2009
AMENDED: November 7, 2012
REVIEWED: December 9, 2015
REVIEWED: December 12, 2018
REVIEWED: November 3, 2021**

I. PURPOSE

The purpose of the MCERA Records Retention Policy and Guidelines is to establish timeframes and procedures for the retention and destruction of records held by MCERA in compliance with legal and regulatory authority.

II. POLICY OBJECTIVES

The objectives of the Policy and Guidelines are to ensure that:

- a) MCERA properly maintains its business records for the appropriate time period;
- b) MCERA properly destroys records once the appropriate time period has passed, and that such destruction occurs in the appropriate manner; and
- c) MCERA staff is apprised of the retention periods and destruction method for the records maintained by MCERA.

III. POLICY REVIEW

The Board of Retirement (“Board”) will review this Records Retention Policy and Guidelines at least every three (3) years to ensure that it remains consistent with applicable law and appropriate under the circumstances. The Board may amend this policy, from time to time, by majority vote of the Board.

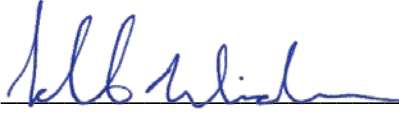
IV. POLICY HISTORY

MCERA has historically followed, and will continue to follow, the County-Wide records retention schedule that is periodically promulgated by the County of Marin (“County”) as to records that are not specific to MCERA, unless that schedule conflicts with the Guidelines hereby adopted by the Board. The County previously has promulgated an MCERA-specific records retention schedule that MCERA also has followed. With the adoption of this Policy and its attached Guidelines, MCERA establishes its own Policy and Guidelines on records retention of MCERA-specific records.

V. **RETIREMENT ADMINISTRATOR'S CERTIFICATE**

I, Jeff Wickman, the duly appointed Retirement Administrator of the Marin County Employees' Retirement Association, hereby certify the review of this Policy.

Dated: November 3, 2021



Jeff Wickman, Retirement Administrator

MCERA -- Record Retention Guidelines

Office of Record (OFR)	Item No. OR Classification	Title and Description	Retention Period / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-Site) P=Permanent	Total Retention P=Permanent	Media	Image: S=Scan M=Micro-fiche I=Import	Destroy Paper after Imaged	
<p><i>If the record is not listed here, refer to the Retention for County-Wide Standards</i></p> <p><i>Litigation, complaints, requests for records and/or claims suspend normal retention periods (retention begins after final action - settlement).</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p>									
Member Agencies		AGREEMENTS: Contract Employees (Delegated Agreements)	(Transferred from CAO after Completion + 10 years)	50 years	50 years	Mag, Mfr, OD, Ppr	S / M	Yes: When Inactive Confid.	If received in image format (MCERA needs to determine hours contributed for retirement if later hired as a regular employee - "buy back time") GC §26202
MCERA		AGREEMENTS: NEGOTIATED PROFESSIONAL SERVICES. Investment Managers, Custodian, Consultant, Other; including correspondence and payments	Completion + 2 years	8 years	Completion + 10 years		S/I	Yes when inactive	Contracts Statute of Limitations is 4 years; CCP §337; consistent with GC §26202
MCERA		ASSET STRATEGY REPORTS	2 years after audit	6 years	8 years after audit	Mag, Mfr, OD, Ppr	S / M	Yes: When Inactive	Consistent with Investments; GC §26202
MCERA		CUSTODIAN BANK INVESTMENT REPORTS (currently State Street Bank; formerly Bank Of New York)	2 years after audit	6 years	8 years after audit	Mag, Mfr, OD, Ppr	S/I	Yes: When Inactive	Department preference; published articles show 3-4 years; GC §26202, 26 CFR 1.6001-1
MCERA		DIRECT DEPOSIT REPORTS	2 years		2 years	Mag, Ppr			GC §26202

MCERA -- Record Retention Guidelines

Office of Record (OFR)	Item No. OR Classification	Title and Description	Retention Period / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-Site) P=Permanent	Total Retention P=Permanent	Media	Image: S=Scan M=Micro-fiche I=Import		Destroy Paper after Imaged
<p><i>If the record is not listed here, refer to the Retention for County-Wide Standards</i></p> <p><i>Litigation, complaints, requests for records and/or claims suspend normal retention periods (retention begins after final action - settlement).</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p>									
MCERA		INVESTMENTS: Bonds / Arbitrage / Actuaries / Wire Transfers / Capital Calls	2 years after audit	6 years	8 years after audit	Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	Published articles show disposal + 7 years for security brokerage slips; statewide guidelines propose permanent; FTC Reg's rely on "self-enforcement"; GC§ 26202
MCERA		MEMBER FILES - ACTIVE: Includes payroll / contribution records, birth certificate, actions - adjustments, refunds, buybacks, disability files	Until Termination (see below)		Until Termination (see below)	Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years Confid.	GC §26202
MCERA		MEMBER FILES - DECEASED: Includes death certificate, disposition of contributions, payroll / contribution records, birth certificate, actions - adjustments, refunds, buybacks, disability files	Termination of Benefits + 2 years	4 years	Termination of Benefits + 6 years	Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years Confid.	GC §26202

MCERA -- Record Retention Guidelines

Office of Record (OFR)	Item No. OR Classification	Title and Description	Retention Period / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-Site) P=Permanent	Total Retention P=Permanent	Media	Image: S=Scan M=Micro-fiche I=Import	Destroy Paper after Imaged	
<p><i>If the record is not listed here, refer to the Retention for County-Wide Standards</i></p> <p><i>Litigation, complaints, requests for records and/or claims suspend normal retention periods (retention begins after final action - settlement).</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p>									
MCERA		MEMBER FILES - RETIRED: Includes retirement papers, payroll / contribution records, birth certificate, actions - adjustments, refunds, buybacks, disability files	Until Deceased (see above)		Until Deceased (see above)	Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years Confid.	GC §26202
MCERA		MEMBER FILES - TERMINATED: Includes termination papers, disposition of contributions, payroll / contribution records, birth certificate, actions - adjustments, refunds, buybacks, disability files	5 years	45 years	50 years	Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years Confid.	GC §26202
Member Agencies		PAYROLL REGISTERS - DEDUCTIONS (Active Employees and Retirees)	2 years		2 years	Mag, Ppr		Confid.	Auditors maintain originals; GC §26201

MCERA -- Record Retention Guidelines

Office of Record (OFR)	Item No. OR Classification	Title and Description	Retention Period / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-Site) P=Permanent	Total Retention P=Permanent	Media	Image: S=Scan M=Micro-fiche I=Import		Destroy Paper after Imaged
<p><i>If the record is not listed here, refer to the Retention for County-Wide Standards</i></p> <p><i>Litigation, complaints, requests for records and/or claims suspend normal retention periods (retention begins after final action - settlement).</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p>									
MCERA		PAYROLL REGISTERS - PAYMENTS TO RETIREES	1 year after audit	4 years	5 years after audit	Mag, OD, Mfr, Ppr	I	Yes: When Inactive Confid.	Consistent with payroll reports; IRS requires 4 yrs; Ca. requires 2 yr min.; EDD requires 4 yrs.; CA FTB keeps 3 years; Published articles show 4 -10 years; IRS Reg §31.6001-1(e)(2), 29 CFR §§ 516.5 - 516.6, R&T §19530; LC § 1174(d); GC §26202
Member Agencies		PAYROLL REGISTERS - BY INDIVIDUAL / PAY PERIOD (Active Employees from Member Agencies)	Transferred from Auditor	50 years	50 years	Mag, Mfr, OD, Ppr	I	Yes: When Inactive Confid.	MCERA needs to determine hours contributed for retirement if later hired as a regular employee ("buy back time") GC § 26202
MCERA		PROXIES	3 years		3 years	Mag, Ppr			Department Preference; GC §26202
MCERA		REAL ESTATE MANAGER REPORTS (Currently Woodmont)	2 years after audit	6 years	8 years after audit	Mag, Mfr, OD, Ppr	S/I	Yes: When Inactive	Consistent with other investments; GC §26202
MCERA		REPORTS: Interest Freeze, Interest Payment, Actuarial Studies	2 years after audit	6 years	8 years after audit	Mag, Mfr, OD, Ppr	S / M	Yes: When Inactive	Consistent with Investments; GC §26202

MCERA -- Record Retention Guidelines

Office of Record (OFR)	Item No. OR Classification	Title and Description	Retention Period / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-Site) P=Permanent	Total Retention P=Permanent	Media	Image: S=Scan M=Micro-fiche I=Import	Destroy Paper after Imaged	
<p><i>If the record is not listed here, refer to the Retention for County-Wide Standards</i></p> <p><i>Litigation, complaints, requests for records and/or claims suspend normal retention periods (retention begins after final action - settlement).</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p>									
MCERA		RETIREMENT CHECK REGISTER (monthly)	2 years after audit	P	P	Mag, OD, Mfr, Ppr	S/I	Yes: When Inactive	Department preference; GC §26201
Auditor		RETIREMENT CHECK REGISTER (monthly)	2 years after audit	P	P		S / I	Yes: When Inactive	Department preference; GC §26201
MCERA		Audiotape of Board and Committee meeting, if any	Until Board adoption of minutes of meeting, but no sooner than 30 days after the recording	NA	Until Board adoption of minutes of meeting, but no sooner than 30 days after the recording				Gov. Code section 54953.5

RECORDS RETENTION SCHEDULE LEGEND

OFR (Office of Record): The department that keeps the original or “record copy.” Usually, it is the department that originates the record.

Classification: The method of filing and retrieving records (File Number). Most will be alphabetical; some will be numeric, geographic, or subject (depending upon type of record).

Records Description / Folder Subject: The record series (a group of like records).

Retention/Disposition:

Active: How long the file remains in the immediate office area

Inactive: How long the file is in off-site storage, stored on Optical disk or Microforms

Total Retention: The total number of years the record will be retained

For file folders containing documents with different retention timeframes, use the document with the longest retention time.
P = Permanent

Vital = Those records that are needed for basic operations in the event of a disaster.

Media Options: The form of the record –

Mag = Computer Magnetic Media (hard drive, disks, tapes, etc.)

Mfr = Microforms (aperture cards, microfilm, microfiche, or jackets)

Ppr = Paper

OD = Optical Disk, WORM, CD-R or other media which does not allow changes

Scan / Import: “S” indicates the record should be scanned into the document imaging system;
“I” indicates the record should be electronically imported into the document imaging system;
“M” indicates the records should be microfilmed

Destroy Paper after Imaged & QC’d: QC’d= Quality Checked. “Yes” indicates the paper version may be destroyed if the document has been imaged (microfilmed, scanned or imported onto Optical Disk – CD, WORM or DVD), and then each page Quality Checked (“QC’d”).

Legend for legal citations

AHIMA: American Health Information Management Association

CC: Civil Code (CA)

CFR: Code of Federal Regulations (US)

FC: Family Code (CA)

H&S: Health & Safety Code (CA)

Ops. Atty. Gen.; Attorney General Opinions (CA)

R&T: Revenue & Taxation Code (CA)

USC: United States Code (US)

CCP: Code of Civil Procedure (CA)

EC: Elections Code (CA)

FTB: Franchise Tax Board (CA)

HUD: Housing & Urban Develop. (US)

UAC: Uniform Administrative Code

VC: Vehicle Code (CA)

B&P: Business & Professions Code (CA)

CCR: California Code of Regulations (CA)

EVC: Evidence Code (CA)

GC: Government Code (CA)

LC: Labor Code (CA)

PC: Penal Code (CA)

UBS: Uniform Building Code

W&I: Welfare & Institutions Code (CA)