

RECORD AND DATA RETENTION AND DESTRUCTION POLICY

I. PURPOSE AND BACKGROUND

The Board of Retirement may establish efficient records management procedures, which may include, but need not be limited to, maintenance and, when determined by the board to be necessary, disposal of records in its jurisdiction (Gov. Code § 31537). The Records Retention Policy is intended to establish timeframes for the retention and destruction of retirement system records in compliance with legal and regulatory authority.

II. POLICY OBJECTIVES

The objectives of the policy are to ensure that:

- A. MCERA properly maintains its records for the appropriate time period; and
- B. MCERA properly destroys records once the appropriate time period has passed in the appropriate manner; and
- C. MCERA staff is apprised of the retention periods for the records entrusted to their care.

In this policy, record(s), file(s), and document(s) are used inclusively regardless of physical form or characteristics to include all official MCERA records.

III. COVERED RECORDS

This policy applies to records generated or received in the course of MCERA operations, including original and reproductions, and information created through the use of, and contained in, social media applications, including but not limited to:

- A. Typed, printed or handwritten hardcopy (paper) documents.
- B. Electronic Records and documents (i.e., Web, Text, PDF, and other files)
- C. Photographic, video or digital files and images
- D. Electronically stored information contained on network services and/or document management systems.

- E. Copies of original records can become a “new” record and become subject to the records retention policy when annotations of a substantive nature are made to a duplicate record giving it added value as a separate record.

MCERA will take all reasonable steps to securely store and safeguard physical and electronic records to minimize potential improper access or manipulation of records.

IV. POLICY GUIDELINES

The attached Records Retention Schedule is hereby adopted by the Board of Retirement. For any records not addressed by the Schedule, the minimum retention period of a record must be consistent with applicable laws, orders, rules or regulations. When no such criteria exist, a retention period will be established based on MCERA’s needs and the usefulness of the information. Employees will retain documents consistent with the Schedule and good practice.

Board action is not required for the destruction of documents or electronic records in accordance with the Record Retention Schedule.

Destruction of documents shall be achieved by shredding and recycling. Destruction of electronic medium consists of purging or deleting of files through an electronic document management system or from system servers.

Employees shall dispose of all expired records, as required by the Records Retention Schedule. Drafts, notes, and interagency or intra-agency correspondence may be destroyed if they are no longer needed and there is no legal or policy requirement that they be retained.

Employees are required to prevent the disposal of records or information following notification by MCERA management or Counsel that disposal must be suspended for litigation or other reasons.

V. ELECTRONIC AND IMAGED FILES

MCERA may receive or create files in electronic formats that never pass through a paper state.

If the content of an electronic communication (i.e., Teams chat or email) is necessary for, or convenient to, the conduct of MCERA business and was made for the purpose of preserving its informational content, employees are required to store the communication as a PDF file in the relevant file (i.e., member’s file) to be kept in accordance with the Records Retention Schedule.

Electronic files are deemed to be an “original” record when stored in a manner consistent with the applicable requirements for Imaged Files below.

Imaged files or other electronic production of records shall be deemed to be an “original” record of the paper record, and the paper record may be destroyed upon a determination by the Executive Director that:

- A. The records were imaged on a medium that does not permit additions, deletions, or changes to the original document:
- B. The device used to reproduce the document accurately and legibly reproduces the original in all details and does not permit additions, deletions, or changes to the original document;
- C. No page of any document can be destroyed if any page of that document cannot be reproduced will full legibility.

VI. POLICY REVIEW

This Policy is subject to change in the exercise of the Board's judgment. The Board shall review this policy at least every three years to ensure that it remains relevant and appropriate and consistent with state and federal laws and regulations. In the event of legislative changes to the pertinent sections addressed in this policy, the Board will review the policy as appropriate.

VII. POLICY HISTORY

This policy was adopted by the Board of Retirement on May 18, 2016

The Board reviewed this policy on September 20, 2023.

MCERA RECORDS RETENTION SCHEDULE

Notes:

1. This retention schedule replaces all other retention schedules that were in effect in the past. Therefore, it is possible that some records that this retention schedule places on a permanent retention period were destroyed under prior policies that did not provide for permanent retention.
2. Each broad category of records is in bold and all caps. The descriptions of specific types of records, which appear underneath those broad categories, are non-exhaustive examples.

MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION RECORDS RETENTION SCHEDULE

A retention period given for a Category (in **bold**) applies to all document types in the category unless a separate retention is provided
 Active means the duration of MCERA's relationship with the topic - i.e., a trustee's term, a contract, or holding of an investment.

RECORD TITLE AND DESCRIPTION	Comments	RETENTION
ACTUARIAL INFORMATION		
Actuary Reports		Permanent
Correspondence with Actuary	Email between MCERA staff and the actuary that are deemed important for the administration should be preserved in accordance with the 5-year retention schedule.	Active + 5 years
Information exchanged with Actuary		Active + 5 years
AUDIT INFORMATION		
Audit Reports		Permanent
Correspondence with Auditor		Active + 5 years
Information exchanged with Auditor	Email between MCERA staff and the auditor that are deemed important for the administration should be preserved in accordance with the 5-year retention schedule.	Active + 5 years
BOARD & COMMITTEE RECORDS		
Board Election Materials		
Ballots, voter ID envelopes, tally sheets & copy of roster		6 months after election date
Roster of eligible voters		5 years after election date
Meetings		
Meeting Agendas		Permanent
Meeting Minutes		Permanent
Meeting Packets/Materials	Agenda materials not subject to another retention category. Materials subject to another category shall be kept in accordance with the requirements for that category	10 years
Policies	Versions of policies that have been amended or rescinded shall be kept for a historical record	Permanent
Recordings of Meetings		Per County policy
Resolutions, ordinances		Permanent
Trustees Biographies/Publicity Photos		Active + 2 years
COMMUNITY OUTREACH, PUBLIC RELATIONS, and PUBLICATIONS		4 years
Brochures, flyers, FAQs and similar		
General Correspondence, surveys		
Event Registration/Attendance Lists, presentations,		
Media packets, press releases		
Newsletters, Member Handbooks		
Social Media documentation		

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RECORD TITLE AND DESCRIPTION	Comments	RETENTION
ELECTRONIC COMMUNICATIONS (email or instant messages)		
Emails and messages on County server		Per County policy
Specific e-communications needed to preserve informational content	Saved as PDF to legal, member, or other files as appropriate subject to the retention rules of the category the document is saved to.	Determined by Category
EMERGENCY MANAGEMENT/CONTINUITY PLAN		
Records of drills and employee training; PGSecure Testing; emergency contact lists; evacuation procedures; emergency plans; etc.		ACTIVE +7 years
FACILITIES OPERATIONS		
Contracts with Vendors Accounts Payables/Receivables Correspondence with vendors	"Active" means that MCERA still has some connection to the matter.	ACTIVE + 4 years
FINANCIAL TRANSACTION RECORDS		
Fixed Assets	"Active" means as long as the asset is owned	Active + 7 years
Budget General Ledger Work Papers General Ledger Year End	"Active" means the current fiscal year	
INVESTMENTS		
Capital Call Letters Contracts - Consultants/Managers.	"Active" means MCERA has funds or related activity in an investment/manager	Active + 7 years
Correspondence	Email between MCERA staff and the investment consultant/managers that are deemed important for the administration should be preserved in accordance this retention schedule	
Documentation of Investment Activity Investment RFP & Responses		
Investment Manager and Consultant Reports	Quarterly portfolio reviews and financial reports may be destroyed 4 years after receipt, as long as there is an annual report relating to the periods retained per this schedule	4 years
Wire Transfers		
LEGAL		
Legal advice in any form Litigation files	Email between MCERA staff and the counsel that are deemed important for the administration should be preserved permanently	Permanent

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RECORD TITLE AND DESCRIPTION	Comments	RETENTION
MCERA ADMINISTRATION		
		ACTIVE + 2 Years
General internal administrative records, including Administrative Appeal Decisions (non-Board items) Correspondence RFP/RFQ/RFI and related Routine reports generated by MCERA Information captured on a log or list Routine correspondence, memos, notes, and emails General requests, inquires, and complaints		
MEMBER/BENEFICIARY FILES		
Member Records - any status	Applies to all official records and reports relating to a member and all related beneficiaries	10 years after the <u>last</u> beneficiary's death
Member Records - any status	routine reports, benefit estimates	3 years
Withdrawn Members	Contribution refund records	50 years
Waived Membership	Waivers for employees who chose not to be part of the retirement plan.	While employed + 5 years after termination of employment
PLAN SPONSORS		
		Permanent
Agreements Correspondence Resolutions, ordinances Contribution Reports		
		Correspondence between MCERA staff and plan sponsors that are deemed important for the administration should be preserved in accordance with this schedule
PERSONNEL FILES		
		ACTIVE + 4 years
		This refers to items in MCERA's possession
TAX REPORTING		
		10 Years
Tax documents (1099-R, 1099NEC, etc.), submission files, reports, etc.		