

## **ALLENTOWN RESCUE MISSION RECORD RETENTION AND DESTRUCTION POLICY**

### **1. Purpose**

This Allentown Rescue Mission Record Retention and Destruction Policy (“Policy”) represents the Policy of the Allentown Rescue Mission and any future affiliate companies (individually and collectively, the “Mission”) regarding the retention and disposal of records. The purpose of this Policy is to ensure that necessary records and documents of the Mission are adequately protected and maintained and to ensure that records that are no longer needed by the Mission or are of no value to the Mission are discarded at the proper time. This Policy is also for the purpose of aiding the Mission in understanding the legal obligations regarding the retention of records and/or documents, whether in hard copy or electronic form.

### **2. Applicable Governance**

The Mission has structured this Policy to comply with applicable provisions of laws and regulations imposed by Sarbanes-Oxley, Gramm Leach Bliley, and the Internal Revenue Code and applicable state laws such as wage and hour laws, Federal Rules of Civil Procedure and applicable statutes of limitation.

Attached as Appendix A is a Record Retention Schedule that is approved as the initial maintenance, retention and disposal schedule for records of the Mission. The Director of Administration for the Mission or such person’s designee (the “Administrator”) is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Record Retention Schedule is followed. The Administrator is also authorized to: (a) make modifications to the Record Retention Schedule from time to time to ensure that it is in compliance with local, state and federal laws and includes the appropriate document and record categories for the Mission; (b) monitor local, state and federal laws affecting record retention; (c) annually review the record retention and disposal program; and (d) monitor compliance with this Policy.

### **3. Suspension of Record Disposal in Event of Litigation or Claims- Legal Hold**

In the event the Mission is served with any subpoena or request for documents or any employee, agent, representative, or any other person involved on the Mission’s behalf (collectively, “Discovering Party”) becomes aware of a governmental investigation or audit concerning the Mission or the threat or commencement of any litigation against or concerning the Mission, such Discovering Party shall inform the Administrator, and any further disposal of documents pertaining to the subject matter of the litigation, audit or investigation shall be placed on “Legal Hold” and suspended until such time as the Administrator, with the advice of counsel, determines otherwise. The Administrator shall take such steps as is necessary to promptly inform all staff of any Legal Hold in the further disposal of documents.

4. **Applicability**

This Policy applies to all physical records generated in the course of the Mission's operation, including both original documents, reproductions and electronically stored documents regardless of format.

**APPENDIX A**

**RECORD RETENTION SCHEDULE**

The Record Retention Schedule is organized as follows:

- A. Accounting and Finance
- B. Contracts
- C. Organizational Records
- D. Correspondence and Internal Memos
- E. Insurance Records
- F. Legal Files and Papers
- G. Miscellaneous
- H. Property Records
- I. Tax Records
- J. Contribution Records
- K. Back-up of Electronic Records
- L. Enforcement

**A. Accounting and Finance**

<b>Record Type</b>	<b>Retention Period</b>
Accounts Payable and schedules	10 years
Accounts Receivable and schedules	10 years
Annual Audit Reports of accountants	Permanent
Annual Plans and Budgets	2 years
Tax Returns	Permanent
Bank Statements	10 years
Deposit slips	10 years
Checks (canceled)	10 years

\*Checks for important payments, including taxes, property, special contracts, etc., shall be retained permanently

Cash Books	10 years
Investment Records	7 years
Capital Stock and Bond Records	7 years
Donation Records of endowment funds	Permanent
*Donation records shall include a written agreement between the donor and the charity with regard to any contribution, or an email communication, notes or recordings of an oral discussion between the donor and the charity pursuant to which the donor pledges to make a contribution.	
Depreciation schedules	10 years
Expense analysis and distribution records	10 years
Invoices from vendors	10 years
End of year Financial Statements	Permanent
General Ledgers	Permanent
Subsidiary Ledgers	10 years
Payroll Records, Summaries	10 years
Purchase orders	3 years after the expiration of any warranty
Sales Records	10 years
Voucher register and schedules	10 years

**B. Contracts**

<b>Record Type</b>	<b>Retention Period</b>
Contracts and Leases	10 years after expiration or termination, unless the retention period as specified by the terms of the Contract provide for a longer period of retention, in which case, the terms of the Contract shall control.

Correspondence related contract	10 years after expiration or termination, unless the retention period as specified by the terms of the Contract provide for a longer period of retention, in which case, the terms of the Contract shall control.
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**C. ORGANIZATIONAL RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Organizational Records *This includes minute books, signed minutes of the Board of Directors' meetings, annual reports and the like.	Permanent
Bylaws and Articles of Incorporation	Permanent
Employee personnel records	7 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case, the terms of the employment contract shall control.
Employee Applications	3 years
Time sheets and cards	7 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case, the terms of the employment contract shall control.
W-2 and W-4 Forms	7 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case, the terms of the employment contract shall control.
Garnishments, Assignments	7 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case,

the terms of the employment contract shall control.

Unclaimed Wage Records

6 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case, the terms of the employment contract shall control.

Pension Records

Permanent

Commissions/ bonuses/ awards

7 years

Employee handbooks

1 most recently updated copy kept permanently

Employee medical records

6 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case, the terms of the employment contract shall control.

Employment contracts

7 years after termination of the employment relationship, unless an employment contract exists and specifies a longer period of retention, in which case, the terms of the employment contract shall control.

Job descriptions

3 years after superseded

Forms I-9

3 years after hiring or 1 year after separation if later

**D. Correspondence and Internal Memos**

**Record Type**

**Retention Period**

Correspondence, generally

4 years

Internal memos, generally

4 years

Correspondence with legal	Permanent
Legal memos	Permanent

**E. Insurance Records**

<b>Record Type</b>	<b>Retention Period</b>
Annual Loss Summaries	10 years
Audits and Adjustments	3 years after final adjustment
Certificates Issued to the Company	Permanent
Claims Files	Permanent
Group Insurance Plans Active Employees	Until Plan is amended or terminated
Group Insurance Plans – Retirees	Permanent or until 6 years after death of last eligible participant
Inspections	3 years
Insurance Policies (including expired policies)	Permanent
Journal Entry Support Data	7 years
Loss Runs	10 years
Releases and Settlements	25 years

**F. Legal Files and Papers**

<b>Record Type</b>	<b>Retention Period</b>
Legal Memos and Opinions	Permanent
Litigation Files	1 year after expiration of final appeals or time for filing final appeals
Court Orders	Permanent

Requests for Departure Retention Plan 10 years

**G. Miscellaneous**

<b>Record Type</b>	<b>Retention Period</b>
Inventories of products, supplies and materials	10 years
Volunteer records	3 years

**H. Property Records**

<b>Record Type</b>	<b>Retention Period</b>
Correspondence, Deeds, Assessments, Licenses, Rights of Way	Permanent
Original Purchase/Sale/Lease Agreement	Permanent
Property Insurance Policies	Permanent

**I. Tax Records**

General Principle: The Mission must keep books of account or records as are sufficient to establish amount of gross income, deductions, credits, or other matters required to be shown in any such return.

These documents and records shall be kept for as long as the contents thereof may become material in the administration of federal, state, and local income, franchise, and property tax laws.

<b>Record Type</b>	<b>Retention Period</b>
Tax-Exemption Documents and Related Correspondence	Permanent
IRS Rulings	Permanent

Excise Tax Records	Permanent
Payroll Tax Records	Permanent
Tax Bills, Receipts, Statements	Permanent
Tax Returns	Permanent
Sales/Use Tax Records	7 years
Annual Information Returns – Federal and State	Permanent
IRS or other Government Audit Records	Permanent

**J. Contribution Records**

<b>Record Type</b>	<b>Retention Period</b>
Records of Contributions	Permanent
Other documents evidencing terms of gifts	Permanent

**K. Back up of Electronic Records**

To protect the Mission’s electronic information and records from accidental erasure, hardware malfunction or disaster, to avail itself to the safe harbor provision of Federal Rule of Civil Procedure 37 (e) and to assure the Mission always has the necessary electronic records available to conduct its functions, back-up procedures for information and records stored on the Mission’s computers must be instituted, Mission staff shall determine on a regular back-up schedule and assign responsibility for insuring that the back-up schedule is kept.

In developing a regular schedule for the back-up of information a frequency of back-up must be determined. This should be based on the frequency with which changes are made, the volume of changes made and the importance of the records or information to the function of the Mission. For instance, if the database is updated daily and if the Mission would suffer operationally without the information in the database, then back-ups should be done on a daily basis.

The Mission staff shall also determine the need for off-site storage, taking into consideration what information or records would be necessary to resume operations in the event of a disaster. The Mission staff will select a back-up and off-site storage schedule (i.e., daily, weekly, monthly) that protects the Mission from loss of information necessary to the function of the Mission.



**L. Enforcement**

Employees will be informed of the Policy. Any employee found to have violated this Policy may be subject to disciplinary action, up to and including termination of employment.