

Rocky Mountain Conservancy
Records Retention and Destruction Policy



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The Rocky Mountain Conservancy promotes stewardship of Rocky Mountain National Park and similar lands through education and philanthropy.

RECORDS RETENTION AND DESTRUCTION POLICY

This Records Retention and Destruction Policy (“**Policy**”) identifies the responsibilities of the Rocky Mountain Conservancy, LLC (“**RMC**”) related to the storage, retention and destruction of documents, communications and other materials that are written, recorded or otherwise machine readable, including electronic documents, received or created in the course of RMC’s business which are needed for business or legal purposes (“**Company Records**”).

ARTICLE I PURPOSE

Section 1.01 This Policy provides for the systematic review, retention and destruction of Company Records. This Policy has been developed to provide guidance to employees, independent contractors, officers, directors and volunteers in the proper management of the Company Records.

Section 1.02 These policies are designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of Company Records and to facilitate RMC’s operations by promoting efficiency and freeing valuable storage space.

ARTICLE II STORAGE PROCEDURES FOR COMPANY RECORDS

Section 2.01 Storage of Company Records. Company Records must be stored in a safe, secure, and accessible manner in accordance with this Policy. Company Records should be stored on the RMC premises or systems, or at a secure off-site location or website approved by RMC that provide physical or electronic storage facilities.

Section 2.02 Electronic documents. Electronic documents must be retained as if they were paper documents. Therefore, any electronic files, including information received online, that fall into one of the document types described in this Policy must be stored and retained for the appropriate amount of time as set forth in this Policy.

Section 2.03 Personnel Records. “**Personnel Records**” means those records described in Section 2.05 (a) through (d) below. Personnel Records are a subset of the Company Records and are subject to the document storage procedures outlined below.

Section 2.04 Storage of Personnel Records.

(a) The following items are stored in each employee’s personnel record within Paylocity on-line platform:

- (i) Personal Contact Information
- (ii) Copy of Driver’s License
- (iii) Direct Deposit Information
- (iv) Compensation History

- (v) Pay Stubs and itemized pay statements
- (vi) Timecards for hourly employees
- (vii) IRS W-4 Form
- (viii) USCIS Form I-9 with supporting forms of identification
- (ix) Employee Handbook & Acknowledgement
- (x) Emergency Contact Information
- (xi) Safety Handbook & Acknowledgement
- (xii) Employment Offer Letter (not applicable for employees hired prior to Paylocity)

(b) The following items are stored in each employee's physical personnel file:

- (i) RMC employee property checklist
- (ii) Employee Handbook acknowledgement
- (iii) Employment applications
- (iv) Employment offer letters
- (v) Benefit information (enrollment summary, plan changes, etc.)
- (vi) Performance reviews
- (vii) Compensation changes
- (viii) IRS W-9 (if applicable)
- (ix) Personnel Action Forms (warnings, write-ups)
- (x) Exit interviews

(c) The following items are stored in a legally required separate physical file in access restricted storage:

- (i) Medical paperwork (physician notes, test results, work releases, Family & Medical Leave Act (FMLA) paperwork, etc.)
- (ii) Workers Compensation file including all supporting documentation, photos, claim/injury documents
- (iii) USCIS Form I-9 with copies of supporting identification

(iv) all written or oral complaints of discriminatory or unfair employment practices that includes the date of the complaint, the identity of the complaining party, if the complaint was not made anonymously, the identity of the alleged perpetrator, and the substance of the complaint

(d) The following items are stored on the local server located at Q48:

(i) AmeriCorps participant files & High School Learning Corps participant files:

- (A) Interview notes
- (B) Offer letters
- (C) Reference checks
- (D) IRS W9 forms
- (E) 2-3 forms of identification
- (F) Conditional offer letter
- (G) Performance reviews
- (H) Performance improvements: Warnings & write ups
- (I) CPR/First Aid/Wilderness First Aid (WFA) certification
- (J) Direct Deposit information
- (K) Criminal History Consent Form
- (L) Background Check Adjudication results (Fieldprint & Truescreen)
- (M) Participant Health Form
- (N) GSA Form 301A – Volunteer Service Agreement
- (O) Immunization records
- (P) Master Service Agreement (MSA)
- (Q) Workers Compensation First Report of Injury Forms (FROI) and documentation
- (R) Exit interviews

(ii) Employee files:

- (A) Interview notes
- (B) Employment offer letters
- (C) Reference checks
- (D) RMC employee property checklists
- (E) Housing packets and signed documentation
- (F) Performance reviews
- (G) Performance improvements: Employee warnings and write ups
- (H) Workers Compensation First Report of Injury Forms (FROI) and documentation
- (I) Exit interviews

(e) To fulfill legal requirements, completed USCIS I-9 forms are kept in a secure location separate from all other personnel files.

(f) Current year paper documents of Personnel Records are kept in a locking cabinet in a locked accounting office at Q48. All historic Personnel Records are to be kept in a secure, locked file cabinet and can be accessed only by authorized staff and kept in the locked server room in the Q48 basement.

(g) Background checks are conducted via an online platform. Only an adjudication is saved to prove qualifying date for AmeriCorps purposes. No hard copies are stored of any background check report.

(h) Each year, all the paper documents of Personnel Records are stored in banker boxes, labeled by year of activity, and stored in the basement at Q48. All documents that are either confidential or of higher importance are kept in keyed storage cabinets in a locked server room at Q48.

(i) Digital Personnel Records are stored as Q48 server data, which is backed up to the cloud using TotalRescue, a third-party managed disaster recovery service. These data files are backed up multiple times per day.

ARTICLE III DOCUMENT RETENTION AND DESTRUCTION

Section 3.01 Retention Schedule. The document retention period for all Company Records is set forth in Section 3.03 below (“**Retention Schedule**”). Any Company Records that are part of any categories listed in the Retention Schedule must be maintained by RMC for the amount of time set forth in the Retention Schedule. A Company Record must not be retained

beyond the period set forth in the Retention Schedule unless a valid business reason (or a litigation hold or other special situation) calls for its continued retention.

Section 3.02 Additions to Schedule. The list of record types included in this Schedule is based on input from record users; and the retention periods are based on business needs and legal requirements. If you maintain any types of Company Records that are not listed in this Schedule, and it is not clear from the existing record types and examples which category applies to your Company Records, please notify the Director of Administration. An appropriate retention period will be assigned, and the record type will be added to this Schedule. If any person is unsure whether to retain a certain Record, then that person should contact the Director of Administration

Section 3.03 Retention Periods. Company Records shall be retained for the periods set forth below.

(a) Except as set forth in Section 3.02(b), Personnel Records are kept for at least three years; however, RMC has elected to maintain these records for five years.

(i) Colorado employers must keep an employee's Personnel Records for at least three years after the employee's compensation is due, and for the duration of any pending wage claims. This includes the employee's name, address, occupation, date of hire, date of birth, daily hours worked, credits claimed, tips, and pay information. Employers can keep these records in a spreadsheet, physical or electronic folder, or HRIS software, as long as they are kept in a designated location and maintained accurately.

(ii) Colorado employers must keep an employee's itemized pay statements for at least three years after the compensation was due.

(iii) These Personnel Records must be available for inspection by the division, and employers must provide copies upon request.

(b) Colorado law requires an employer to preserve the following Personnel Records the employer made, received, or kept for at least five years after the later of (i) the date the employer made or received the record; or (ii) the date of the personnel action about which the record pertains or of the final disposition of a charge of discrimination or related action, as applicable:

requests for accommodation; employee complaints of discriminatory or unfair employment practices, whether written or oral; application forms submitted by applicants for employment; other records related to hiring, promotion, demotion, transfer, layoff, termination, rates of pay or other terms of compensation, and selection for training or apprenticeship; and records of training provided to or facilitated for employees.

(c) The following Company Records are kept for at least seven years:

(i) Auto Accident Reports, Claims

(ii) Accounts Payable Ledgers and Schedules

- (iii) Accounts Receivable Ledgers and Schedules
- (iv) Bank Statements and Reconciliations
- (v) Cancelled Checks
- (vi) Tax Records
- (vii) Expense Distribution Schedules
- (viii) Expired Contracts, Leases and Insurance Policies
- (ix) Inventory: Merchandise
- (x) Invoices to Customers
- (xi) Notes Receivable Ledgers, Schedules
- (xii) Payroll Records
- (xiii) Purchase Orders
- (xiv) Records related to net operating losses (NOL's)
- (xv) Receiving Vouchers
- (xvi) Requisitions for donated fund expenditures
- (xvii) Sales Records
- (xviii) Departmental Ledgers
- (xix) Travel and Entertainment Records

(d) Donor Records. Company Records related to donations and individual donors (“**Donor Records**”) are retained for the periods set forth below.

(i) Donor contact information and gift records made directly to the organization or through third-party fundraisers are retained for 7 years after the most recent donation or engagement.

(ii) Donor Records related to major donors or planned giving contacts are retained indefinitely, unless otherwise requested.

(iii) Donor acknowledgment letters are retained 7 years.

(iv) Donor Records that are inactive (no contact with donor for over 7 years) may be anonymized or securely deleted unless needed for other legal or historical purposes.

(v) Fundraising materials are retained for 10 years or longer as needed for historical purposes.

(vi) Private grants, including proposals, agreements, and grantee reports are retained for 7 years from date of final expenditure report or as required in grant document.

(vii) Government grants, including proposals, agreements, and grantee reports are retained for 7 years from date of final expenditure report or as required in grant document.

(viii) Donor Records of disposition of donated goods, including sale of securities and property are retained for 7 years.

(e) The following Company Records shall be kept indefinitely:

- (i) Audit Reports from CPAs/Auditor
- (ii) Board and Committee Meeting Minutes
- (iii) Charts of Accounts
- (iv) Current Contracts still in effect
- (v) Corporate Documents (Articles of Incorporation, Board Policies, Bylaws, etc.)
- (vi) Documents substantiating fixed asset additions
- (vii) Real estate records including deeds, mortgages and bills of sale
- (viii) Depreciation Schedules
- (ix) Financial Statements (Year-End)
- (x) General Ledger & Year-End Trial Balances
- (xi) Insurance Records: current accident reports, claims, policies
- (xii) IRS 990s and worksheets
- (xiii) Non-routine journal entries
- (xiv) Legal records, correspondence
- (xv) Retirement: 401(k) audit and tax returns

Section 3.04 Emails. If an email is material to any item in Section 3.03, it will be printed and attached to the stored document to which it pertains.

ARTICLE IV DESTRUCTION

Section 4.01 Destruction. The Administrator or their designee is responsible for the continuing process of identifying the Company Records that have met their required retention period and supervising the destruction process. Generally, the destruction procedure shall proceed as follows:

(a) When the retention period for particular Company Records expires (as specified in the Retention Schedule), the Administrator or their designee shall destroy the Company Records in accordance with this Policy.

(b) The destruction of confidential, financial, and personnel-related physical Company Records should be conducted by shredding or other comparable technology.

(c) Non-confidential physical Company Records may be destroyed by recycling.

(d) The destruction of electronic Company Records must be coordinated with the Administrator.

(e) Disposable Information may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose. **“Disposable Information”** means Company Records with no enduring business or operational value and for which there are no legal retention requirements and may be safely destroyed without violating this Policy. Examples of such Company Records include: (i) duplicates of originals that have not been annotated; (ii) preliminary drafts of letters, memoranda, reports, worksheets, and informal notes that do not represent significant steps or decisions in the preparation of an official record; (iii) Spam and junk mail; (iv) general company-wide, division-wide or departmental announcements, notices or updates that you receive; (v) routine and general correspondence having only an immediate or short-term value; and (vi) personal files, emails or other documents.

(f) The destruction of Company Records must stop immediately upon notification from the Executive Director, Director of Administration, Human Resources Coordinator or outside counsel that a litigation hold is to begin because RMC may be involved in a lawsuit or an official investigation.

ARTICLE V ADMINISTRATION

Section 5.01 Administrator. RMC’s Director of Administration (the **“Administrator”**) shall be in charge of the administration of this Policy.

Section 5.02 Exceptions. Exceptions to these rules and the Retention Schedule may be granted only by the chairperson of the Board of Directors or the Executive Director, after approval of the Executive Committee.

Section 5.03 Compliance. Failure on the part of organization's staff, volunteers, members of the board of directors, committee members and outsiders (independent contractors via agreements with them) to follow this Policy can result in possible civil and criminal sanctions against RMC and possible disciplinary action against responsible individuals. Questions concerning these policies, the applicability of certain records to the retention or destruction policies, must be addressed to the Administrator or other individual as designated by the Administrator.

Section 5.04 Internal Review and Policy Audits. The Board of Directors or Executive Director will periodically review this Policy and its procedures with legal counsel or RMC's CPA firm, to ensure that:

- (a) RMC is in full compliance with this Policy.
- (b) The procedures under this Policy are reasonable and effective for RMC's current operations.