



BUREAU OF HUMAN RESOURCES

RECORDS RETENTION AND DESTRUCTION SCHEDULE

State of South Dakota

Bureau of Administration

Records Management Program

(605) 773-3589

ACKNOWLEDGEMENTS

PREPARED BY:

Bureau of Administration
Records Management Program
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2018

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The employees of the Bureau of Human Resources who contributed their time to explain the purpose and review the content of each record.

STATE RECORD DESTRUCTION BOARD

Scott Bollinger, Commissioner
Bureau of Administration
(Chairman)

Pat Archer
Office of the Attorney General

Chelle Somsen, State Archivist
Department of Education

Jenna Latham
Office of the State Auditor

Marty Guindon, State Auditor General
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Dana Hoffer
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DEPARTMENT OF
EXECUTIVE MANAGEMENT

BUREAU OF
ADMINISTRATION

PMB 01234

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104 S Garfield Avenue; Bldg E
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MEMORANDUM

TO: State Agencies

FROM: Dana Hoffer
State Records Manager

SUBJECT: **Records Retention and Destruction Schedule Manual**

DATE: January 4, 2019

In 1967, the South Dakota Legislature established the Records Management Program and the Records Destruction Board. In the same act, the Legislature required every State agency to develop a records retention and destruction schedule and declared that “No record shall be destroyed or otherwise disposed of by any agency of the State unless it is determined by majority vote of such board (Records Destruction Board) that the record has no further administrative, legal, fiscal, research or historical value.”

According to Administrative Rule 24:52:11:01, any State government agency planning to destroy agency records shall notify the State Archivist 30 days before the date of the proposed destruction. The request shall include the name or title of the records, inclusive dates, information content of the records, and quantity. This rule applies to all records, including those granted exclusive or continuous disposal authorization by the Records Destruction Board, with the following exceptions: vouchers and supporting documents; warrants; personnel and payroll records; client/case files; capital asset inventories; cash receipts; and duplicate copies of state publications.

The State Archivist has 30 days to certify that the records have no permanent value and may be destroyed, or to make arrangements to transfer the records to the archives. If the Archivist fails to make a recommendation within this time, the records may be destroyed, provided that the agency has received authorization from the Records Destruction Board.

Finally, if you have any questions about implementing this manual or about your records in general, please contact Records Management at 773-3589. We will welcome an opportunity to discuss the proper implementation of sound records management practices.

PETITION FOR AUTHORITY TO DESTROY RECORDS

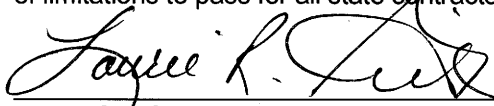
I, Laurie Gill (name), acting in my position as the Commissioner of the Bureau of Human Resources (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Bureau of Human Resources (department) consists of 30 pages and contains record series number(s) BHR-1 (consecutively re-numbered) through BHR-37.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

Authority is also requested to delete "Records Retention and Destruction Schedule" Authorization of the Bureau of Human Resources (department) record series numbers(s) BOP-5, BOP-8, BOP-11, BOP-12, BOP-24, BOP-25, BOP-28, BOP-29, BOP-35, and BOP-39.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Laurie Gill, Commissioner of the Bureau of Human Resources

12-3-13

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



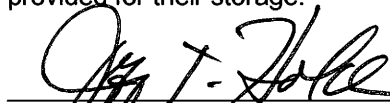
Dana Hoffer, State Records Manager

12/5/13

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 12th day of December, 2013, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Signature, Chairman of the Board

12-12-13

Date

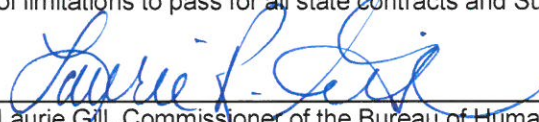
PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Laurie Gill (name), acting in my position as the Commissioner of the Bureau of Human Resources (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Bureau of Human Resources (department) consists of 2 pages and contains record series number(s) BHR-33 and BHR-36.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Laurie Gill, Commissioner of the Bureau of Human Resources

11-30-16
Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.

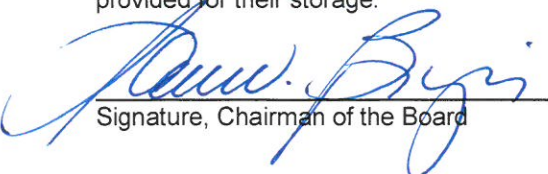


Dana Hoffer, State Records Manager

12-1-2016
Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 20th day of December, 2016, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Signature, Chairman of the Board

12-20-16
Date

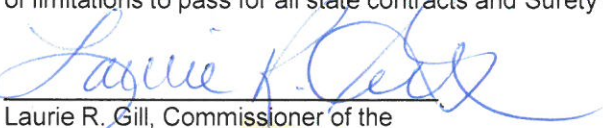
PETITION FOR AUTHORITY TO DESTROY RECORDS

I, Laurie R. Gill (name), acting in my position as the Commissioner of the Bureau of Human Resources (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the Bureau of Human Resources consists of 3 pages and contains record series number(s) BHR-10, BHR-17.1, BHR-33, and BHR-34.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Laurie R. Gill, Commissioner of the
Bureau of Human Resources

11-16-18

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



Dana Hoffer, State Records Manager

11-16-18

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 6th day of December, 2018, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Scott Bollinger, Chairman of the Board

1-3-19

Date

South Dakota Codified Laws:

1-27-1. Public records open to inspection and copying. Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in § 1-27-1.1, are hereby fully empowered and authorized to examine such public record, and make memoranda and abstracts there from during the hours the respective offices are open for the ordinary transaction of business and, unless federal copyright law otherwise provides, obtain copies of public records in accordance with this chapter.

Each government entity or elected or appointed government official shall, during normal business hours, make available to the public for inspection and copying in the manner set forth in this chapter all public records held by that entity or official.

1-27-1.1. Public records defined. Unless any other statute, ordinance, or rule expressly provides that particular information or records may not be made public, public records include all records and documents, regardless of physical form, of or belonging to this state, any county, municipality, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form remains a public record when maintained in any other form. For the purposes of §§ 1-27-1 to 1-27-1.15, inclusive, a tax-supported district includes any business improvement district created pursuant to chapter 9-55.

1-27-9. Records management programs--Definition of terms. Terms used in §§ 1-27-9 to 1-27-18, inclusive, mean:

(2) "Record," a document, book, paper, photograph, sound recording, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records as used in §§ 1-27-9 to 1-27-18, inclusive.

1-27-11. Board to supervise destruction of records--State records manager as ex officio member--Permission required for destruction. There is hereby created a board consisting of the commissioner of administration, state auditor, attorney general, auditor-general, and state archivist to supervise and authorize the destruction of records. The state records manager shall also serve as an ex officio member in an advisory capacity only. No record may be destroyed or otherwise disposed of by any agency of the state unless it is determined by majority vote of the board that the record has no further administrative, legal, fiscal, research, or historical value.

1-27-15. Destruction of non-record materials. Any non-record material not included within the definition of records as contained in § 1-27-9 may be destroyed at any time by the agency in possession of such materials without the prior approval of the commissioner of administration.

Definitions:

Superseded: To take the place of; replace.

Obsolete: No longer in use.

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**STATE OF SOUTH DAKOTA
 RECORDS RETENTION &
 DESTRUCTION SCHEDULE
 AUTHORIZATION FORM
 (Std Form RM-1 Rev 1/03)**

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Administrative
PROGRAM: _____
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1179

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

BHR-1. ADMINISTRATIVE RULES AND PROMULGATION FILES:

13-004

This series contains Civil Service System, State Employee Benefits, Dual Compensation, Drug Screening Program, Longevity Compensation and notices of public hearing, affidavits of publication of notices, written comments from the public, transcripts of hearings, correspondence, notes, and working papers, including the final draft of Administrative Rules. Files have little reference activity once the hearing has been held unless someone requests a copy of the transcript. Information is maintained to document the proper promulgation of administrative rules pursuant to SDCL 1-26.

RETENTION: Retain 2 years in office, then transfer documentation to the Secretary of State's Office and Legislative Research Council.

(Note: SDCL 1-26-7 states in part that "each agency shall keep the original records, documents and instruments required by this chapter." There is no time frame included for these records. Since SDCL 1-26-6.8 provides that "No agency rule may be enforced by the courts of this state until it has been adopted," the records must be maintained at least until a curative statute has been adopted by the Legislature similar to SDCL 1-26A-2, which cures all defects in the adoption of rules appearing in the 1974 printed ARSD.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Administrative
PROGRAM: _____
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1179

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BHR-2. ADMINISTRATIVE REFERENCE FILE:

13-004

This series is arranged by subject matter and contains information used in the daily operation of the Bureau. Information may include, but is not limited to: budget, equipment, inventory, legislation, organization/association, property management information, monthly reports, research materials, policies and procedures, development/review documents, memorandums, reference manuals, logs, rules and regulations, mailing lists, general correspondence and any other related information. South Dakota Codified Laws, Administrative Rules of South Dakota, the Employee Civil Service Handbook, convenience copies of meeting minutes, grievance procedures, overtime compensation plans, seasonal plans, task force materials, needs analysis reports, public relations materials, and miscellaneous materials of importance to the Commissioner. Information is maintained for reference and administrative decision-making purposes.

RETENTION: Retain current in office. Destroy superseded or obsolete.

Review files yearly to avoid a buildup of superseded or obsolete materials.

**STATE OF SOUTH DAKOTA
 RECORDS RETENTION &
 DESTRUCTION SCHEDULE
 AUTHORIZATION FORM
 (Std Form RM-1 Rev 1/03)**

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Administrative
PROGRAM: _____
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1179

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

BHR-3. CONTRACT/BUSINESS ASSOCIATES AGREEMENT FILES:

13-004

This series contains original contracts and original business associates agreements (BAA) such as lease agreements, equipment contracts, service contracts, consultant contracts, and audit contracts negotiated to establish services for various goods and services. Service contracts for the state employee health plans may include: legal, actuarial, consulting, data aggregation, management, administrative, or financial services. Information in this series may include: scope of work, terms and conditions of the agreements, fees, and funding sources. Information is maintained for reference and documentation purposes, pursuant to state law and statute of limitations for contracts. Business associates agreements shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: Retain current in office. Transfer terminated contracts to storage for 6 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

SDCL 1-24A-1 requires that one copy of all consultant contracts be filed with the State Auditor within five days after such contract is entered into and finally approved by the contracting parties. All consultant contracts should be filed with the Office of State Auditor prior to the work being performed and will be placed on OPENS. One copy of all space agreements is filed in the Bureau of Administration.

**STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)**

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Administrative
PROGRAM: _____
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1179

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

BHR-4. RECORDS MANAGEMENT FILES:

13-004

This series contains records management information. Information may include: copies of the standard records transfer receipt forms; Records Retention and Destruction Schedule (RRDS); copies of microfilm project registration forms; inventory listings; and microfilm and box destruction authorization forms. This record series is maintained for tracking records sent to Records Management storage, to document the time each record series must be legally maintained, and to document authorization granted to RM for destruction of obsolete records.

RETENTION: RECORDS DESTRUCTION AUTHORIZATION FORMS: Retain 3 years in office, then destroy.

ALL OTHER INFORMATION: Retain current in office. Destroy superseded or obsolete.

BHR-5. SURPLUS PROPERTY FILES:

13-004

This series contains the form submitted to the director of South Dakota Property Management for approval to dispose of State-owned personal property and the written notification received from Property Management designating the manner of disposal. Information may include: agency name; date; address or location of property; phone number; name of individual requesting; Property Management Officer's name; description of item(s); quantity; serial number; equipment number; desired method of disposal as authorized; reason for declaring property as surplus; estimate of current value; suggested selling price; minimum acceptable price; statement of content; fixed asset number, if applicable; and any other information deemed necessary. This record series is maintained pursuant to SDCL 5-24A.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Administration
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1179

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BHR-6. CIVIL SERVICE COMMISSION (CSC):

13-004

This series is arranged chronologically and contains the official records of meetings and decisions of the Civil Service Commission, which oversees human resources functions. Information may include, but is not limited to: agendas, copies of minutes, pay grade changes (class/comp updates), grievance decisions, correspondence, investigation notes/results, and recordings of meetings. The information is maintained for documentation and reference concerning actions and for formulating new policies regarding the CSC. The official minutes are emailed and maintained permanently in the "Civil Service Commission Minutes" files for reference and documentation purposes, pursuant to Equal Employment Opportunity Commission requirements.

RETENTION: Retain tape recordings 2 years in office, then erase for reuse.

ALL OTHER RECORDS: Retain 2 years in office, then transfer to storage for 3 years. Destroy after 5 years, provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

LAW ENFORCEMENT RECORDS—DCI, Highway Patrol, G,F&P Conservation Officers: Retain 2 years in office, then microfilm and maintain film for 38 years. Destroy microfilm after 40 years.

(Note: On 12/03/2012, Career Service & Law Enforcement Civil Service Commission was combined pursuant to SDCL 3-6D-7.)

Review files at least once each year to avoid build-up of superseded, obsolete, or duplicate material.

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DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Administration
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1179

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

BHR-7. RECEIPTS:

13-004

This database series is arranged chronologically by fiscal year and contains information encoded from checks/payments received for insurance, training costs, refunds, unemployment insurance, etc. Information includes a control number (matching endorsement of check and computer receipt of check); check boxes to designate check, money order, or cash; check number; last name; first name; amount; check boxes to designate health premium, life premium, training fee, health insurance refund, workers' compensation refund, flex refund, insurance subrogation, workers' compensation subrogation, and other (with comment section); and check boxes to designate reason for refund--duplicate payment, wrong provider, uncovered charge, overpayment/wrong amount, other (and a section for comments). Information is maintained for audit purposes.

RETENTION: Retain database 3 fiscal years, then purge and delete provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

BHR-8. VOUCHERS:

13-004

This series contains copies of direct vouchers, receiving vouchers, non-cash vouchers and journal vouchers, along with copies of any supporting invoices or receipts. Vouchers are used to enter transactions on the central accounting system.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Insurance Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1168

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BHR-9. BENEFIT RECONCILIATION REPORTS:

13-004

This series is maintained to provide documentation of premium payments received for active employees, Retirees, and COBRA participants. Information includes amounts paid for various types of insurance and reconciliation of Regent participants', Retirees, and COBRA premium payments. Benefit reconciliation reporting shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: Retain active in office. Transfer inactive to storage for 5 years. Destroy after 5 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

**STATE OF SOUTH DAKOTA
RECORDS RETENTION &
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DEPARTMENT: Executive Management
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OFFICE: Commissioner
PROGRAM: Insurance Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1168

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BHR-10. BENEFIT RECORDS OF PARTICIPANTS:

18-009

This series is arranged numerically by participant’s benefit alternate ID, name, DOB, and/or employee number and contains applications, and information updates for membership in the state group health insurance program, the state group life insurance program, the short term disabilities program, and the state flexible benefits program (Section 125). Information may include: membership application, coverage revisions, correspondence, underwriting requests, change of beneficiaries’ forms, eligibility determinations, and appeals. This record series is maintained to document and administer the various membership programs within the state employee benefit programs. A corresponding computer database (Lawson) is maintained, pursuant to SDCL 15-2-13 to reflect each participant’s current coverages and status. Benefit records of participants shall meet the requirements of the Patient Protection Affordable Care Act (PPACA) as well as the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 6 years after termination of benefits, then destroy provided all litigation claims and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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(Std Form RM-1 Rev 1/03)**

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Insurance Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1168

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

BHR-11. SOUTH DAKOTA RISK POOL AND FEDERAL RISK POOL:

13-004

This series is arranged alphabetically by participant’s last name and contains South Dakota Risk Pool and Federal Risk Pool insurance files. Information may include: completed application form, most recent certificate of coverage, termination of coverage letter, verification of SD residency, health risk assessment form (scanned to separate folder), automatic bank withdrawal form, check for two months premium--until approved, case notes, agent information, bank return if applicable, correspondence, and any other supporting documentation. This record series used for reference and is maintained to document and administer the South Dakota Risk Pool pursuant to SDCL 58-17-115. The Federal Risk Pool records are maintained pursuant to U.S. Department of Health & Human Services/Centers for Medicare & Medicaid Services. Benefit records of participants shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: SOUTH DAKOTA RISK POOL: Retain electronically in an Electronic Document Management System (EDMS) for 30 years after terminated or denied, then destroy provided all litigation claims and audit findings involving the records have been resolved and final action has been taken.

FEDERAL RISK POOL: Retain electronically in an Electronic Document Management System (EDMS) for 6 years after terminated or denied, then destroy provided all litigation claims and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
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AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Insurance Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1168

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BHR-12. SUBROGATION FILES:

13-004

This series is arranged alphabetically by name of complainant and contains all correspondence and legal documents in regard to the subrogation. Information may include: notes, hearing results, investigation data, appeals, and Bureau of Human Resources findings. This information is used to investigate claims, determine financial responsibilities, and to document reasons for actions taken. Subrogation records of participants shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: Retain 1 year in office after settlement, then transfer to storage for 4 years. Destroy 5 years after settlement provided all litigation and claims involving the record have been resolved and final action has been taken.

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PROGRAM: Insurance Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 1168

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BHR-13. WORKERS' COMPENSATION BENEFITS:

13-004

This series is arranged alphabetically by last name, employee number, date of birth and/or social security number and contains South Dakota Workers' Compensation benefit amounts authorized for payment from the State Third Party Administrator. Information may include: amount, date for the current payroll cycle, and banking information. Information is maintained to track amounts paid per disability and for reference and documentation purposes. Workers' compensation records of state employees shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: WORKERS' COMPENSATION BENEFITS: Retain electronically in an Electronic Document Management System (EDMS) for 40 years, then destroy provided all litigation claims and audit findings involving the records have been resolved and final action has been taken.

HEARING FILES: Retain electronically in an Electronic Document Management System (EDMS) for 40 years after the employee is deceased, then destroy provided client is deceased and all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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RECORDS OFFICER: Mary Weischedel
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BHR-14. WORKERS' COMPENSATION FILES:

13-004

This series is arranged by last name, employee number, date of birth and/or social security number and contains personal health information of employees requesting and/or receiving workers' compensation benefits. Information may include: First Report of Injury (EFROI), medical records related to injury, treatment and/or disability, work status reports from providers, correspondence, case management reports, South Dakota Department of Labor and Regulation forms, and legal documents. The EFROI may be used as a South Dakota state employee's claim for compensation for work-related injury, disability, or death. Files are maintained, pursuant to Equal Employment Opportunity Commission requirements, to document benefits provided to South Dakota state employees through the Workers' Compensation Plan. Workers' compensation records of state employees shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 40 years, then destroy provided all litigation claims and audit findings involving the records have been resolved and final action has been taken.

HEARING FILES: Retain electronically in an Electronic Document Management System (EDMS) for 40 years after the employee is deceased, then destroy provided client is deceased and all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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DEPARTMENT: Executive Management
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 OFFICE: Commissioner
 PROGRAM: Personnel Management
 RECORDS OFFICER: Mary Weischedel
 RM CUSTOMER #: 0037

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BHR-15. ADA AND FMLA FILES:

13-004

This series is arranged alphabetically by name and contains a separate folder for each employee which contains records relating to employee's health condition and medical treatments—American with Disabilities Act (ADA); Family Medical Leave Act (FMLA); employment accommodations; leave of absence; drug screen information; etc. Access of documents containing PHI is limited as required under the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules).

RETENTION: Retain electronically in personnel file for 3 years after termination, then destroy.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

BHR-16. AFFIRMATIVE ACTION PLANS:

13-004

This series is arranged alphabetically by department and contains the most recent affirmative action plans developed and submitted for state agencies required by federal funding regulations to submit affirmative action plans to federal granting authority.

RETENTION: Retain current in office, then destroy provided no litigation is pending.

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BHR-17. ANNOUNCEMENT/APPLICATION FILES:

13-004

This series contains the electronic on-line files for the Bureau of Human Resources' electronic applications and electronic requisition list for each job announcement for Civil Service System, Unified Judicial System, Intern Program, and exempt jobs for any other state agency. Announcement information may include: Job ID numbers, job titles, locations, salary range(s), job requirements, application closing dates, notices regarding announcement revisions, notes, and attachments. Applications will include the applicant profile (such as: name, address, telephone number(s), and email address); and may include question results; employment history; education; competencies and skills; credentials; achievements; attachments (such as: resume, references, recommendations, and emails to applicant regarding status of the application); and EEO information may be stored in each electronic application. The electronic requisition list includes a list of candidates and the final status for the announcement. A working copy of the requisition is provided to supervisors of the position. The information is maintained pursuant to Fair Labor Standards Act, Equal Employment Opportunity Act, and Equal Pay Act requirements and for reference purposes for BHR.

RETENTION: REQUISITION LIST: Retain on N drive for 3 years, then destroy provided no grievance is pending.

SUCCESSFUL APPLICATIONS: Transfer to the respective Personnel File.

All application information is stored electronically and is retained by BHR for 5 years, then destroyed.

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BHR-17.1. BACKGROUND INVESTIGATIONS-CRIMINAL HISTORY
RECORD INFORMATION (CHRI):

18-009

This series contains federal and state background investigation results for individuals who have access to Federal Tax Information (FTI). Federal CHRI investigation includes: information collected by criminal justice agencies on individuals consisting of identifiable description and notations of arrests, detentions, indictments, information or other criminal charges, any dispositions arising from sentencing, correctional supervision, and release. Federal CHRI does not include driver history records. Federal CHRI is provided to BHR by Federal Bureau of Investigation (FBI). State background investigation information includes similar information specific to South Dakota activity and is provided by a state entity.

RETENTION: Retain until review has been completed, then destroy provided no grievance is pending.

(Note: BHR authorized personnel will oversee the destruction of the information, including in-house destruction or destruction by a contracted vendor.)

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**BHR-18. CLASSIFICATIONS SPECIFICATIONS/CLASSIFICATION
 & COMPENSATION UPDATES:**

13-004

This series is arranged chronologically by date and contains additions, deletions, and changes in Class Code (job title) specifications which have been approved by the Civil Service Commission after study and recommendations by the Bureau of Human Resources. Information included on the Classification & Compensation Update includes: Class Code status, whether it is new, being deleted, or if changes are being made in title, pay grade, or other revisions; and effective date. The information is maintained to keep Class Codes standardized throughout State Government so employees are treated fairly and uniformly. Copies of the updates and new/revised class specification are scanned to EDMS. Images are kept as a chronological record of each Class Code.

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 32 years, then destroy.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-19. CONTROL LOG, PAYROLL CHANGES:

13-004

This weekly series contains a log of on-line payroll changes generated by the Payroll/Personnel Action Forms (PA32s). The log is used for audit purposes to verify that all PAs are encoded accurately.

RETENTION: Retain 3 years in office, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

BHR-20. DISCIPLINARY ACTION LETTERS:

13-004

This series is arranged alphabetically and contains copies of letters from supervisors statewide regarding personnel disciplinary actions they have taken. Information is maintained for reference and documentation purposes, pursuant to Equal Employment Opportunity Commission requirements.

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 3 years after termination, then destroy provided no grievance is pending.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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PROGRAM: Personnel Management
RECORDS OFFICER: Mary Weischedel
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RECORD SERIES NO.	TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE	R.D.B. AUTHORITY NUMBER
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BHR-21. ERGONOMICS:

13-004

This series contains job site/task analysis questionnaire, workstation ergonomic onsite checklist, worksite evaluation notes, and memorandum for each employee who has undergone the assessment. Assessments are done to educate the employee in order to prevent or alleviate injuries in the workplace due to improper setup of workstation, improper lifting, excessive repetitive motion, or working for extended periods of time in awkward postures. The employee's final ergonomics assessment document/memo is scanned into employee medical file. Records shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 6 years, then destroy.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-22. EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATISTICS:

13-004

This series is arranged by department and contains bi-annual statistics regarding South Dakota’s responses to the federal EEO-4 report. The information is taken from HRIS payroll and personnel database. The report is divided into eight EEO categories and fifteen functions, and includes detailed lists of statistics by race, gender, and salary stratification. The information is maintained by the Commissioner of Bureau of Human Resources for reference, documentation, and federal audit purposes.

RETENTION: Retain 6 years in office, then destroy.

BHR-23. GRIEVANCE FILES:

13-004

This series is arranged alphabetically by name of employee and contains all correspondence and legal documents in regard to the grievance or possible grievance. Information may include: filed complaint, notes, hearing results, investigation data, and Bureau of Human Resources findings. This information is used to investigate grievances, determine if a mutually agreeable solution is available, and to document reasons for actions taken. Records are retained in accordance with EEOC federal regulations.

RETENTION: Retain 1 year in office after settlement or dismissal, then transfer to storage for 2 years. Destroy 3 years after settlement or dismissal provided all litigation and claims involving the records have been resolved and final action has been taken.

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BHR-24. LAW ENFORCEMENT TEST RESULTS:

13-004

This series is arranged chronologically by date and contains Law Enforcement test results in an on-line database. Information on the original test includes: social security number, name, number of questions wrong, number of questions correct, percent score, and total points. Information must be maintained because nothing can be printed on test scores. Records shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: ORIGINAL TEST: Retain 1 year in office, then transfer to storage for 2 years. Destroy after 3 years.

ON-LINE DATABASE TEST SCORES: Retain until the current version of the Law Enforcement test is revised.

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BHR-25. MEDICAL FILES:

13-004

This series is arranged by employee number and/or employee name and contains a folder (if medical information is present) for each state employee. Information may include: ergonomics assessments; medical records regarding Commercial Driver Licensing (CDL) related drug and alcohol testing; immunizations and vaccinations required for employment within an agency; asbestos certification; and advance sick leave requests. These records are maintained separate from the personnel file for reference purposes and pursuant to Occupational Safety and Health Administration (OSHA) medical regulations. Records shall meet the requirements of the Health Insurance Portability and Accountability Act Final Rules (HIPAA Final Rules) by addressing the privacy and security of all personal health information (PHI).

RETENTION: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SUPERFUND EMPLOYEES: Retain electronically in an Electronic Document Management System (EDMS) for 30 years after termination, then destroy.

COMMERCIAL DRIVER'S LICENSE FILES CONTAINING DRUG AND/OR ALCOHOL TESTING: Retain electronically in an Electronic Document Management System (EDMS) for 10 years after termination, then destroy.

EMPLOYEES INVOLVED IN AN ASBESTOS ABATEMENT PROGRAM: Retain electronically in an Electronic Document Management System (EDMS) for 20 years after termination, then destroy.

ALL OTHERS: Retain electronically in an Electronic Document Management System (EDMS) for 3 years after termination, then destroy.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-26. PAYROLL AUTHORIZATION CONTROL REPORTS:

13-004

This semi-monthly printout is arranged numerically by agency and employee name and contains exception lists of selected pay elements and other changes for the pay period. Employee payment information may include: paid leave in the event of termination, large amounts of overtime, excessive regular hours, taxable commutes and other miscellaneous payroll information. This record series is maintained for internal control purposes and monitored for compliance with current rules and regulations.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

BHR-27. PAYROLL AUTHORIZATION FILES:

13-004

This paper copy series is arranged chronologically and contains a record of each department's semi-weekly payroll. Information includes: a summary of hours paid and leave taken by pay code and payroll deductions for each process level. Documentation contains signature of person who authorized that payroll.

RETENTION: Retain electronically on M drive for 4 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

Note: The State Auditor's Office also maintains these records.

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BHR-28. PAYROLL FILES:

13-004

These semi-monthly reports are arranged chronologically, then by agency and contains payroll files. Payroll reports from TKS include: Additional Leave Reports (including Termed Leave) and Average Daily Hours for Holiday, Inconvenience Usage, Employee Time and Leave Summary by Center, Timeform Hours Error Report, Employee Hours vs Pay Period Hours, Hourly Employee LA Verification, TKS vs Lawson hours and Lawson Exports, including error report after final export. Payroll reports from Lawson include: PR530 totals page, PR136, PR135 first run total page and Tareport, PR37, PR137 output, PR140 total page with authorization signature, and PR135 3rd run total page with authorization signature. Information may include: employee name, employee number, employee type, hours worked, hours of leave taken, hours paid, and other miscellaneous payroll data. This series documents hours and payroll processing for audit purposes and is monitored for internal control and compliance with current rules and regulations.

RETENTION: Retain electronically on M drive for 4 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-29. PAYROLL/PERSONNEL ACTION FORMS:

13-004

This standard Bureau of Human Resources form is arranged chronologically and contains copies of personnel action forms used when hiring new employees, or to initiate changes in salaries, classifications, and position numbers. This series also contains white and yellow original personnel action forms submitted by all state agencies and used by the Bureau of Human Resources for reference to monitor the payroll/personnel activities within each agency. Information may include: social security number, date, address, effective date, base pay, position number, hire date, and any changes in data. This information is used to document any changes requested on the database and to insure accuracy of changes. The copies are maintained for audit purposes, pursuant to Fair Labor Standards Act and Equal Pay Act requirements.

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 4 years, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken..

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-30. PERFORMANCE COMMUNICATION DOCUMENTS:

13-004

These documents (Accountability & Competency Evaluation—ACE, Performance Planning and Review—PPAR, and Performance Communication Documents—PDC) are scanned to the employee personnel file in the Human Resource Office. Information includes a checklist denoting the areas discussed and supervisor and employee comments. Evaluations are required to ensure communication between supervisors and employees and to provide documentation of employee performance. Information is maintained for audit purposes, pursuant to Equal Employment Opportunity Commission requirements.

RETENTION: Retain electronically in personnel file for 3 years after termination, then destroy.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-31. PERSONNEL FILES:

13-004

This series is scanned and may be retrieved primarily by employee name or employee ID number and contains personnel records. Information may include: applications for employment, personal data sheets, personnel action forms (PA32s), authorizations for payroll deductions, letters of reprimand and commendation, resumes, service records, notices of resignation, I-9 forms, training records, supervisor's reports of employee separation, and exit interview. These files serve as a history of employees' service and training, provide payroll information, and are maintained to review work history of employees, pursuant to Title VII, Executive Order 11246, Age Discrimination in Employment Act; Immigration and Reform and Control Act; Fair Labor Standards Act (includes Equal Pay Act); Rehabilitation Act; Vietnam-Era Veteran's Readjustment Act; and ADA requirements.

RETENTION: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SUPERFUND EMPLOYEES: Retain electronically in an Electronic Document Management System (EDMS) for 30 years after termination, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

DEPARTMENT OF CORRECTIONS AND DEPARTMENT OF HUMAN SERVICES: Retain electronically in an Electronic Document Management System (EDMS) for 5 years after termination, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

ALL OTHERS: Retain electronically in an Electronic Document Management System (EDMS) for 4 years after termination, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

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BHR-32. POSITION HISTORY FILES:

13-004

This series is arranged chronologically by position number and contains the position description questionnaires and classification action notices pertaining to the history of the position. Information includes, but is not limited to: class titles, class code numbers, names of persons who have held positions, job evaluation point summaries, analyses, desk audits, and various correspondence. Information is maintained, pursuant to Fair Labor Standards Act and Equal Pay Act requirements, to keep a history on each position authorized for the State and to use in study and review of classifications and salaries of each position.

RETENTION: Retain electronic images current in an Electronic Document Management System (EDMS). Destroy superseded or obsolete.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

(Note: BHR also maintains old Position History Files on microfilm jackets.)

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BHR-33. SALARY SCHEDULES:

18-009

This series is created electronically and contains all Salary Structures including Longevity, which are updated and published each fiscal year. Information includes: pay grades and corresponding salaries from a range of minimum, market value, and maximum. Pay structures are used to manage salaries of state employees, announce positions, hire employees, and provide ongoing compensation for employees.

RETENTION: Retain electronic files for 32 years on the M drive, then destroy provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

BHR-34. SELECTION PROCESS DOCUMENTATION:

18-009

This series is arranged chronologically and contains documentation on the selection process used to fill vacancies. Information may include: requisition lists of applicants, and information included for those applicants interviewed but not appointed (NA)—applications, interview questionnaires/notes, reference forms, and may include background investigation results not provided by the Federal of Bureau of Investigations (FBI). This record series is maintained to document the selection process in case legal action is taken against the hiring authority.

RETENTION: Retain electronically in an Electronic Document Management System (EDMS) for 3 years, then destroy provided no grievance is pending.

Retain scanned paper until all images have been verified to be accurate and complete, then destroy provided a system-level backup of the records has been completed.

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Personnel Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 0037

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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BHR-35. TEST VALIDATION RAW DATA:

13-004

This series is arranged alphabetically by title and contains competency model test validation raw data required to be kept under federal Uniform Selection Guidelines on Employee Selection Procedures (1978). Information includes: job analysis information competency model information, reliability, and performance assessments. This information is used for analysis of competency models, selection tools, and performance appraisals.

RETENTION: Destroy 3 years after materials become obsolete.

**STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)**

DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Personnel Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 0037

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

BHR-36. TIME SHEETS/LEAVE REQUESTS:

16-006

This computer database (TKS) series is arranged chronologically by quarters of the fiscal year and contains semi-monthly timesheets and corresponding leave requests submitted by employees. Information includes: name, social security number, pay period ending date, dates worked, dates of leave, hours worked, hours of leave taken, type of leave taken, explanation for sick leave, total hours for the period, and signatures of employee and supervisor. This record series is maintained, pursuant to Fair Labor Standards Act requirements to document hours worked and to initiate the payroll process. Only a limited number of timesheets are submitted in paper format.

RETENTION: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SUPER FUND EMPLOYEES: Retain 30 years, then destroy.

FEDERAL AND STATE FUNDED AGENCIES: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.*

*(Note: Department of Education Time Sheets/Leave Requests, the retention of these records begins on the day the grantee submits its final expenditure report to the Federal Department of Education. Financial records, supporting documents, statistical reports, and all other non-Federal entity records pertinent to a Federal award must comply with the retention requirements of 2 CFR § 200.333.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
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DEPARTMENT: Executive Management
DIVISION: Bureau of Human Resources
OFFICE: Commissioner
PROGRAM: Personnel Management
RECORDS OFFICER: Mary Weischedel
RM CUSTOMER #: 0037

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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**BHR-37. TRAINING COURSE REGISTRATION FORM AND
DATABASE, BHR:**

13-004

This database is generated from information received from emails received from employees and the private sector who register for BHR training classes. Information may include: name, employee ID number, department, work address, city, state, zip code, telephone number, program billing number, course name, course date, course location, and special accommodation needs.

RETENTION: Retain current in database.