



Policy Title	Records Retention & Disposal Policy	
Policy Number	CPA2019-11	Effective: 07/18/2019

## 1. Purpose

The purpose of this Records Retention and Disposal Policy (Policy) is to ensure that necessary records and documents of the Clean Power Alliance of Southern California (CPA) are adequately protected and maintained and to ensure that records that are no longer needed by CPA or are of no value are discarded at the appropriate time. This policy is also for the purpose of aiding employees of CPA in understanding their obligations in retaining electronic documents - including e-mail, web files, text files, draft documents, PDF documents and all Microsoft Office or other formatted files.

## 2. Policy

This Policy represents the CPA policy regarding the retention and disposal of records and the retention and disposal of electronic documents.

## 3. Administration

Attached as Appendix A is a Records Retention and Disposal Schedule that is approved as the initial maintenance, retention and disposal schedule for physical records of CPA and the retention and disposal of electronic documents. The General Counsel is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure the Records Retention and Disposal Schedule is followed. The General Counsel is authorized to: make modifications to the Records Retention and Disposal Schedule when required to ensure that it is in compliance with local, state and federal laws and includes the appropriate document and record categories for CPA; monitor local, state and federal laws affecting record retention; conduct an annual review of the record retention and disposal program; and monitor compliance with this Policy.

Unless an original is required pursuant to this Policy, to a contract provision, or required by law, CPA may destroy physical copies of records or duplicate electronic copies of records and keep an electronic copy as a permanent record, provided the retained electronic record accurately and legibly reproduces the original thereof in all details and the electronic copy does not permit additions, deletions or changes to the original document images.

#### **4. Suspension of Records Disposal in Event of Litigation or Claims**

In the event CPA is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning CPA, becomes aware of or receives a claim governed by or exempt from the Government Code §§ 900, et seq., such employee shall inform the Executive Director and the General Counsel and any further disposal of documents shall be suspended until such time as the General Counsel determines otherwise. The General Counsel shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

#### **5. Applicability**

This policy applies to all physical records generated in the course of CPA's operation, including both original documents and reproductions. It also applies to the electronic documents described above.

This policy was approved by the Board of Directors of CPA on July 18, 2019.

**Revised Appendix A**  
**Records Retention and Disposal Schedule**  
**August 3, 2020**

<b>Record Type</b>	<b>Required Retention</b>	<b>Descriptions (if applicable)</b>
<b>Board Documents</b>		
Final Board Agenda and Agenda Packets	Permanent	
Board Approved Documents	Permanent	Resolutions, policies, meeting minutes approved by the Board
Board Approved Budgets	Permanent	Final, approved budgets
Board and Committee Meeting Materials	Permanent	Agendas, staff reports, and any other materials provided to Board members for Board meetings
Board Form 700s	4 years after submission to FPPC	
Board Presentations	2 years after Board meeting	Any presentations or handouts given to the Board during a Board meeting
Elections	6 months after the election	Signed ballots and any correspondence transmitted with ballots, tally sheets.
Joint Powers Agreement and Bylaws	Permanent	Includes all versions approved by the Board
<b>Contracts and Related Documents</b>		
Executed contracts, including any amendments, change orders, task orders	10 years after termination or expiration of contract	Energy agreements and related documents or ancillary agreements, contracts with vendors or consultants.
Drafts of non-energy contracts	4 years after termination of contract	
Non-disclosure agreements	2 years after the expiration of the term of the agreement, if term specified; otherwise, permanent	All non-disclosure agreements
Completed vendor forms	4.5 years after effective date of Contract	Vendor Campaign Contribution Forms or any forms that the Board may require.

Electronic signature of signed contract or amendment, unless wet signature required by counterparty	Consistent with the required retention period of the signed document.	Electronic signatures are sufficient unless a counterparty requires a wet signature.
<b>Customers</b>		
Ad Hoc Customer Reports and Lists	Destruction after staff use is complete	Mailing lists, analysis reports
Customer Data Requests	2 years after customer request	Cost comparison, bill analyses, usage history, billing history, rate comparisons, customer service emails
Customer Database Information	5 years after close of customer account	Customer database reports, usage history, billing data, account balances, program participation, opt-out data
AMI Data Lists and Report	Destruction after staff use is complete	Non-aggregated customer AMI data
<b>Human Resources</b>		
Employee personnel records	7 years after employee leaves CPA	Resumes, offer letters, change of status, benefits, performance reviews, terminations, new hire forms, and leave requests
Employee benefit information	6 years after plan year	Benefit plans (such as insurance)
Benefit Plan Claims	Permanent	
California Family Rights Act or Family Medical Leave (if applicable) records	3 years	Request/claim for benefit; basic employee data, including name, address, occupation, rate of pay, terms of compensation, daily and weekly hours worked per pay period, additions to/deductions from wages and total compensation. Dates of leave taken by eligible employees, etc.
COBRA records	6 years from the date of the record	Written notices, forms, etc.
Miscellaneous personnel information	2 years after date of termination	I-9 form, background checks, confidential medical records
Payroll Records	8 years from the payroll period	Timecards and employee wage records
Payroll tax records	8 years from date tax paid	Amounts of wages subject to withholding. Agreements with employee to withhold additional tax. Actual taxes withheld and

		dates withheld. Reason for any difference between total tax payments and actual tax payments. Withholding forms (W4, W4-E).
Recruitment files	2 years after hiring decision	Job announcements, interview notes, recruitment materials, correspondence
Retirement plan records	Permanent	
Safety Data	5 years from date of the record	Logs, records, or summaries of occupational injuries and illnesses.
W-2 or 1099 forms	7 years after employee leaves CPA	
Workers' comp documents	Permanent	
<b>Financial Documents</b>		
Accounts payable or receivable ledgers, schedules, and trial balances	5 years	
Audit reports	Permanent	
Bank statements, cancelled checks, deposit slips, and related documents	5 years	Includes bank reconciliations
Cash books	Permanent	
Cash receipts and disbursements	5 years	
Chart of accounts	Permanent	
Checks (cancelled, all other)	5 years	
Checks (cancelled, for important payments, i.e. taxes, property purchases, special contracts, etc. File checks with the transaction papers)	Permanent	
Credit Applications (Business)	2 years after notification	
Electronic fund transfer documents	5 years	
Equipment records & invoices	5 years after disposition	
Expense reports, analyses and distribution schedules	5 years	

Federal, state and local tax returns	Permanent	
Financial statements (end-of-year trial balances)	Permanent	
Fixed asset records and appraisals	Permanent	
Forecasts & projections	5 years	
Garnishments	3 years	
General Ledgers (end-of- year trial balances)	Permanent	
Interim and year-end financial statements and trial balances	Permanent	
Invoices from contractors or vendors	2 years after completion of contract	Invoices submitted by Vendors seeking payment from CPA
Original Letters of Credit or Guarantees	Term of Letter of Credit or Guarantee	Copies of a Letter of Credit or Guarantee shall be considered a "Loan document"
Licenses	Permanent	
Loan documents, notes	Permanent	Original signatures may be maintained for these types of documents.
Monthly trial balances	Permanent	
Tax exemption documents, including application for exemptions	Permanent	
Reimbursement requests	5 years after request submission	Director, CAC member, or CPA employee
<b>Internal Documents</b>		

General E-mails	<p>12 months for transitory e-mails</p> <p>2 years after creation for non-transitory emails or as otherwise required by this Policy.</p>	<p>Transitory e-mails that are routine communications or information exchanges that do not have lasting value, and do not document CPA business to be preserved for future reference. These are considered preliminary materials that may be discarded after it is no longer needed.</p> <p>Non-transitory communications are all other e-mail messages that do not fall under the “transitory e-mail” description and include e-mails that are vital to performance of job duties.</p> <p>Email correspondence vital to the performance of a staff member’s job are non-transitory emails and should be either copied to an appropriate folder or location unless the email relates to a record under another category in this Policy, in which case it should be filed with the records it relates to.</p>
Drafts of internal/business documents	30 days after final version is approved	Drafts of program documents, marketing materials, etc.
Marketing, General Educational, or Informational Material	2 years after public distribution	Flyers, brochures, electronic advertisements, reports, electronic information
<b>Legal Files and Papers</b>		
Court Orders	Permanent	

Legal Memoranda and Opinions	Permanent	
Claims / Litigation Files	5 years after the conclusion of litigation	Claim, complaint, discovery, pleadings, correspondence, etc.
Claims / Litigation Final Settlement	Permanent	Settlement Agreements, Release, Memorandum of Understanding, and other ancillary documents related to settlements.
<b>Property Records</b>		
Lease agreements	7 years after termination	Includes any sub-lease, rental agreements.
Permits	Permanent	Tenant improvements, etc.
<b>Solicitations (RFP, RFQ, Bids)</b>		
Bids & Proposals (Awarded)	7 years after close of solicitation	Including Q&A
Bids & Proposals (Unsuccessful)	2 years after close of solicitation	Including Q&A
Correspondence with bidders	2 years after close of solicitation	
Published Solicitations	2 years after close of solicitation	
Drafts of Solicitations	30 days after final version is approved	Drafts of program documents, marketing materials, etc.
<b>Training Records</b>		
Attendance Records	7 years after training	
<b>Electronic Chat Communications (Text or Chat Messages)</b>		
Transitory Chat Messages	30 days after creation.	Transitory chat messages are routine communications or information exchanges that do not have lasting value, and do not document CPA business to be preserved for future reference. These are considered preliminary materials that may be discarded after it is no longer needed.
Non-transitory Chat Messages	2 years after creation or as otherwise required by this Policy	These are all other chat messages that do not fall under the description of "transitory chat messages" and include chat messages that are vital to performance of job duties. These chat messages should be copied to an appropriate folder or location.