

SOUTHERN OREGON HUMANE SOCIETY

RECORDS RETENTION and DESTRUCTION POLICY

INTRODUCTION

Records retention and document destruction are distinct but complementary issues. Records retention balances the need for SoHumane to maintain accurate and appropriate files that preserve institutional history for strategic planning, regulatory compliance, and legal purposes.

The Sarbanes-Oxley Act of 2002 forbids purging of documents when any organization is under federal investigation. This document destruction policy provides guidelines for the proper disposal of records and the prevention of destruction of relevant documentation if the organization is involved in any litigation. It is a federal crime to alter, cover-up, falsify, or destroy any document to prevent its use in an official proceeding.

OVERVIEW

The law and this Policy requires SoHumane to maintain certain types of corporate records for a specified period of time. Failure to retain those records for those minimum periods could subject you and SoHumane to penalties and fines, obstruct justice, spoil potential evidence in a lawsuit, place the organization in contempt of court, or seriously disadvantage SoHumane in litigation.

GENERAL INSTRUCTIONS

All employees of SoHumane shall fully comply with this Records Retention and Destruction Policy and the attached Schedule. If you believe or SoHumane informs you, that records are relevant to litigation, or potential litigation, you must preserve those records until you receive further instruction. In this regard, the Executive Director may issue a notice, known as "legal hold" suspending the destruction of records due to pending, threatened, or otherwise anticipated litigation, audits, government investigations, or similar proceedings. No records specified in any legal hold may be destroyed, even if the scheduled destruction date has passed, until the legal hold is withdrawn in writing by the Executive Director or Board President.

The Executive Director is responsible for the ongoing process of identifying its records, which have met the required retention period, and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

From time to time, SoHumane may amend this Records Retention and Destruction Policy or attached Schedule for specific categories of records to ensure legal compliance and to accomplish other objectives, such as cost containment. Several categories of documents that bear special consideration are identified below.

Tax Records

Tax records include, but may not be limited to, documents concerning payroll, expenses, proof of deductions, business costs, accounting procedures, and other documents concerning SoHumane's revenues and expenses. Tax records shall be retained for at least seven years from the date of filing the applicable return.

Employment Records/Personnel Records

SoHumane is to keep recruitment, employment, and personnel information. All personnel files that reflect performance reviews and any complaints brought against SoHumane or individual employees. SoHumane shall also keep all memoranda and correspondence reflecting performance reviews and actions taken by or against personnel in the employee's personnel file. Employment and personnel files shall be retained for seven years from termination or departure unless otherwise specified.

Board and Board Committee Materials

Meeting minutes shall be retained in perpetuity in SoHumane's Minute Book and in its online "Drop Box." A clean copy of all Board and Board Committee materials should be retained for no less than four years unless otherwise specified.

Press Releases/Public Filings

SoHumane shall retain permanent copies of all press releases and publicly filed documents under the theory the organization should have its own copy to test the accuracy of any document a member of the public can produce against SoHumane.

Legal Files

Legal counsel shall be consulted to determine the retention period of particular documents, but legal documents will generally be maintained for a period of 10 years.

Marketing and Sales Documents

SoHumane shall keep final copies of marketing and sales documents for the same period of time it keeps other corporate files, generally four years. An exception to this four year policy may be sales invoices, contracts, leases, licenses, and other legal documentation. These documents will be kept for at least seven years beyond the life of the agreement.

Contracts

Final execution copies of all contracts entered into by SoHumane shall be retained for at least four years beyond the life of the contract.

Electronic Mail

Email that needs to be saved should either be i) printed in hard copy and kept in the appropriate file or ii) downloaded to a computer file and kept electronically or on disk as a separate file. The retention period depends on the subject matter of the e-mail, as covered elsewhere in the policy.

Failure to comply with this Records and Retention and Destruction Policy and/or the attached Schedule, which is incorporated herein, may result in appropriate action being taken against the employee, including suspension or termination. Questions about this Policy shall be referred to the Executive Director, Secretary to the Board or Board President.

Read, understood and agreed:

Employee Signature

Date

RECORD RETENTION AND DESTRUCTION SCHEDULE

CORPORATE RECORDS	TIME PERIOD
Articles of Incorporation and Amendments	Permanent
IRS Determination Letter	Permanent
IRS Form 1023	Permanent
By-laws	Permanent
Board Policies – unless amended	Permanent
Resolutions	Permanent
Board Meeting Minutes and Agenda	Permanent
Sales Tax Exemption Documents	Permanent
Tax or Employee ID	Permanent
Annual State Corporate Filings	Permanent
Charitable Solicitation Registrations	Permanent
Correspondence, General	4 years
Internal Reports, Miscellaneous	4 years

ANIMAL RECORDS	TIME PERIOD
Adoption Records	4 years
Euthanasia Records	4 years
Other	4 years

TAX RECORDS	TIME PERIOD
IRS Form 990	Permanent
IRS Form 1099	Permanent
Payroll Registers	Permanent
Payroll Tax Withholding	7 years
Earning Records	7 years
Payroll Tax Returns	7 years
W-2 Statements	7 years

FINANCIAL RECORDS	TIME PERIOD
Chart of Accounts	Permanent
Fiscal Policies and Procedures	Permanent
Audit and/or Review Reports	Permanent
Financial Statements	Permanent
General Ledgers and End of Year Statements	Permanent
Depreciation Schedules	Permanent

Accounts Payable Ledgers and Schedules	10 years
Accounts Receivable Ledgers and Schedules	10 years
Bank Statements	10 years
Check Registers/Books	7 years
Business Expense Documents	7 years
Bank Deposit Slips	7 years
Cancelled Checks (with exception below)	7 years
Checks (cancelled for important payments: e.g., taxes, purchase of property, contracts – checks should be filed with the papers pertaining to the transaction.	7 years
Invoices	7 years
Investment Records	7 years
Property/Asset Inventories	4 years
Petty Cash Receipts/Documents	4 years
Credit Card Receipts	4 years

CONTRACTS AND OTHER LEGAL DOCUMENTS	TIME PERIOD
Construction Contracts	Permanent
Loan/Mortgage Contracts	7 years after completion of obligation
Leases	7 years after termination
Vendor Contracts	7 years after expiration
Warranties	7 years after expiration
Technology Software Licenses and Agreements	7 years after obligation ends

PERSONNEL RECORDS AND PERSONNEL FILES	TIME PERIOD
Employee Offer Letters	7 years after termination/departure
Employee Acceptance Letters	7 years after termination/departure
Employee Contracts	
If Applicable, Benefit Descriptions Per Employee	7 years after termination/departure
Employee Applications and Resumes (hired)	7 years after termination/departure
Employee Applications and Resumes (not hired)	4 years
Promotions, Demotions, Letter of Reprimand, Termination	7 years after termination/departure

Job Descriptions and Performance Goals	7 years after termination/departure
Workers Compensation Reports	7 years
Salary and/or Wage rangers per job description	4 years
Time Reports	7 years after termination/departure
Volunteer Records	7 years after termination/departure
IRS Form I-9	3 years
Employee Handbooks	Permanent
Consulting Contracts	7 years after obligation ends

INSURANCE RECORDS	TIME PERIOD
Property Insurance Policy	Permanent
Directors and Officers Insurance Policy	Permanent
Workers Compensation Insurance Policy	Permanent
General Liability Insurance Policy	Permanent
Insurance Claims Applications	Permanent
Insurance Disbursement Denials	Permanent
Fire and Safety Reports	7 years
Accident Reports	7 years

DONATION/FUNDING RECORDS	TIME PERIOD
Donation Records of Bequests, Endowment and Significantly Restricted Funds	Permanent
Donation Records, Other	7 years
Grant Applications and Contracts	7 years after completion
Vendor Contracts	7 years after completion
Warranties	7 years after expiration

MANAGEMENT PLANS AND PROCEDURES	TIME PERIOD
Strategic Plans	7 years
Staffing, Programs, Marketing, Finance, Fundraising, etc.	7 years
Disaster Recovery Plan	7 years

SoHumane RECORD RETENTION - 2017