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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 23 – DEPARTMENT OF LABOR AND TRAINING RECORDS (DLT)

23.1 Purpose, Authority, Severability, and Destruction

23.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

23.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

23.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

23.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

DLT1 Reserved

DLT1.1 Workforce Regulation & Safety/Professional Regulation

DLT1.1.1 Board of Examiners Records

Documents the business of the various boards whose role is to review trade license applications for approval, renewal, or denial. Boards include the Board of Examiners of Electricians, the Board of Examiners of Plumbers, the Board of Examiners of Hoisting Engineers, the Board of Telecommunications, the Bureau of Pipefitters, Refrigeration Technicians, Sprinkler Fitters, Sheet Metal Workers, and Oil and Heat Contractors. Includes meeting announcements, agendas, and minutes. (R.I. Gen. Laws Chapters 5-6, 28-26, 28-27, 5-20, and 5-70)

DLT1.1.1A Minutes

Retention: Permanent.

DLT1.1.1B All Other Records

Retention: Retain five (5) years.

DLT1.1.2 Trade Licensure Records

Documents the licensing of individuals in various trades and professions falling within the Professional Regulation's jurisdiction including the following: plumbing, electrical, hoisting engineers; pipefitters, refrigeration, sprinkler fitters, sheet metal workers, and telecommunication. License applications, completed examination (if applicable), photo of the applicant, letter(s) of employment, invoice printouts, and the most recent license renewal. (R.I. Gen. Laws Chapters 28-26, 28-27, 5-6, 5-20, and 5-70)

Retention: Retain current and last license or retain ten (10) years, whichever period is longer.

DLT1.1.3 Apprenticeship Council Records

Documents the daily administration of the program by the State Apprenticeship Council. Includes sponsor and apprentice fee schedules, standards for apprenticeship sheets, work processes models, on-site compliance review standards, and related correspondence. (R.I. Gen. Laws Chapter 28-45 and 29 C.F.R. Parts 27-29 and 29-30)

Retention: Retain five (5) years.

DLT1.1.4 Apprenticeship Agreement Records

Documents sponsors and apprentices who are part of the apprenticeship training program. Includes sponsor background materials, site compliance review materials, approval and registration of sponsor companies, apprenticeship agreements, sets of standards, work processes, apprentice summary record cards, certificates of completion, and related correspondence.

DLT1.1.4A Apprenticeship Agreements and Certificates of Completion

Retention: Retain ten (10) years.

DLT1.1.4B All Other Records

Retention: Retain five (5) years.

DLT1.1.5 Prevailing Wage Complaint Records

Documents investigative findings on complaints filed for non-payment of proper wages on publicly owned construction projects for the purpose of bringing contractors into compliance with the provisions of R.I. Gen. Laws Chapters 37-12 and 37-13 and related rules and regulations. Includes complaint forms, examiner's disposition, first notice letter, certified weekly payroll reports, computation of wages calculations worksheets, general wage decision in effect at time of project, subpoenas, in addition to the following (if applicable); notice of hearing, copy of hearing officer's order, consent order, P.W. employee questionnaire.

Retention: Retain seven (7) years after final action.

DLT1.1.6 Coke and Coal License Records

Documents licensure of wholesale or retail companies or persons selling and distributing quantities of one thousand (1,000) pounds of coke or coal in compliance with R.I. Gen. Laws Chapter 5-4. Includes applications for licenses, duplicates of the license issued.

Retention: Retain current and previous license records, or retain ten (10) years, whichever period is longer.

DLT1.1.7 Petroleum Dealers License Records

Documents the licensure of companies selling #2 fuel oil to homeowners in compliance with R.I. Gen. Laws § 47-8-8. Includes applications, notices for insurance changes, and copies of required insurance forms, non-issued licenses, and related correspondence.

Retention: Retain current and previous inspection records, or retain ten (10) years, whichever period is longer.

DLT1.1.8 Fuel Oil Truck Meter Inspection Records

Documents relating to the inspection of meters for #2 fuel oil trucks. Includes work reports, cash, checks, invoice vouchers.

Retention: Retain current and previous inspection receipts, records, or retain ten (10) years, whichever period is longer.

DLT1.1.9 Farm Milk Holding Tank Inspection Records

Documents the departments mandate to calibrate, test, and seal milk holding tanks. The division provides farmers with calibration charts indicating the number of gallons of milk held by the tank at various stick (inch) markings. Includes records of most recent farm milk tank charts and the previous

Retention: Retain current and previous inspection records, or retain ten (10) years, whichever period is longer.

DLT1.1.9A Administration: General Office Administrative Record, Fiscal Records, Reference Records **[SUPERSEDED]**

See Also: For associated retention, see Subchapter 10 of this Chapter (General Records Retention Schedules).

DLT1.1.9B Administration: Personnel Records, Payroll Records **[SUPERSEDED]**

See Also: For associated retention, see Subchapter 10 of this Chapter (General Records Retention Schedules).

DLT1.1.10 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT1.2 Workforce Regulation & Safety/Occupational Safety

DLT1.2.1 Code Commission for Occupational Safety and Health Records

Documents the actions of the commission and its advisory committees whose role is to establish codes for the elimination of safety and health hazards in the workplace. Includes codes certified as filed under the Secretary of States office, code background support documentation, rules and regulations materials, code variance requests and grants, board and committee minutes and agendas, appeals to the review board, and related correspondence.

DLT1.2.1A Documentation Relating to the Introduction, Proposal, and/or Establishment of New Codes or Code Changes

Retention: Permanent.

DLT1.2.1B Documentation Relating to Routine Administrative Matters

Such as code variance requests.

Retention: Retain seven (7) years after final resolution of the request or activity.

DLT1.2.2 OSHA Review Board Records

Documents the actions of the board whose role is to review cases involving contests of safety compliance orders or decisions. Board also assesses penalties for noncompliance. Includes employer statements and materials, investigation background materials, hearing minutes, board determinations and decisions, and related correspondence. May also include court orders and injunctions for cases under judicial appeal.

DLT1.2.2A Board Minutes

Retention: Permanent.

DLT1.2.2B All Other Records

Retention: Retain seven (7) years after final disposition of the case.

DLT1.2.3 Safety Compliance Education and Training

Documents OSHA sponsored education and training classes for public employees. Includes schedules and arrangement documents, training materials and notes, and related correspondence.

DLT1.2.3A Final Publications (One (1) Fair Copy of Each)

Retention: Permanent.

DLT1.2.3B All Other Records

Retention: Retain until updated or superseded.

DLT1.2.4 Safety Compliance Inspection Records

Documents OSHA inspections and investigations of state and municipality agencies, and public and private schools to determine if they are complying with R.I. Gen. Laws Chapter 28-20 requirements to establish and maintain effective and comprehensive occupational safety and health programs. Includes complaints, compliance inspector notes, general inspection certifications, reports of noncompliance (violations), compliance orders, emergency temporary codes, re-inspection documentation, review board determinations, hearing materials, court orders, and related correspondence. (R.I. Gen. Laws Chapter 28-20)

Retention: Retain seven (7) years after final action relating to an inspection or violation.

DLT1.2.5 Boiler and Pressure Vessel Inspection

Documents the inspection of all state boilers and pressure vessels except those that are specifically exempted under R.I. Gen. Laws § 28-25-18. Includes certificate inspection reports, insurance inspection reports, certificates authorizing operation, repair/alteration notices, installation applications and permits, orders to cease operation or repair, and related correspondence. (R.I. Gen. Laws Chapter 28-25)

Retention: Retain for the life of the installation plus ten (10) years.

DLT1.2.6 Elevators, Escalators, and Dumbwaiters Inspection Records

Documents the inspection and certification of state elevators, escalators, and dumbwaiters in compliance with R.I. Gen. Laws Chapter 23-33. Includes inspection reports, orders to cease operations or make repairs, notices of new installation, secondary copies of certificates, reports of refusal or cancellation of insurance, compliance orders, letters of violation, out of service notifications, accident reports, and related correspondence. (R.I. Gen. Laws Chapter 28-25)

Retention: Retain for the life of the installation plus ten (10) years.

DLT1.2.7 Designated Substances List

Central list of all substances designated as hazardous in the state. (R.I. Gen. Laws §§ 28-21-6 and 28-21-13)

Retention: Retain thirty (30) years.

DLT1.2.8 Chemical Inventory Forms

Central file of Chemical Inventory Reports submitted by employers in compliance with SARA Title III sections 311 and 312 which includes information on chemical types, amounts, and locations. Includes chemical lists, site plans, material safety data sheets, emergency response plans, and related correspondence. (R.I. Gen. Laws Chapter 28-21)

Retention: Retain thirty (30) years.

DLT1.2.9 Hazardous Substance Registration Forms

Forms record the identity of employers who may be subject to the Hazardous Substances act. Forms information includes company name, location, phone, contact person, years registered, and proof of training. (R.I. Gen. Laws Chapter 28-21)

Retention: Retain thirty (30) years.

DLT1.2.10 Material Safety Data Sheets

Hazardous substances data sheets submitted by employers when the levels of hazardous substances housed at their facility surpasses certain thresholds established by federal rules and regulations. (R.I. Gen. Laws Chapter 28-21)

Retention: Retain thirty (30) years.

DLT1.2.11 SARA Inventory Records

Documents hazardous substances in a community for emergency planning purposes, disaster response, pollution containment, and the communities' right-to-know. Includes Tier II inventory forms listing substances, amounts and locations, cover letters, site plans, material safety data sheets, emergency response plans, and related correspondence. Emergency Planning and Community. Right-to-Know Act (Superfund Amendments and Reauthorization Act of 1986 (40

C.F.R. 355), SARA Title III). (40 C.F.R. Parts 300-330, Pub. L. No. 99-499, and R.I. Gen. Laws Chapter 28-21)

Retention: Permanent.

DLT1.2.12 Hazardous Substances Inspection Records

Documents record the results of inspections or investigations conducted to verify employers' compliance with the Hazardous Substances Act (15 U.S.C. §§ 1261-1278). Includes inspection reports, noncompliance notifications (violations), requests for exemptions and variances, denial letters, and related correspondence. (29 C.F.R. Part 1910 and R.I. Gen. Laws Chapter 28-21 and § 12-12-17(e))

Retention: Retain thirty (30) years.

DLT1.2.12A Administration: General Office Administrative Records, Fiscal Records, Reference Records [SUPERSEDED]

See Also: For associated retention, see GRS1 (Executive, High-Level, and Policy-Making Records).

DLT1.2.12B Administration: Personnel Records, Payroll Records [SUPERSEDED]

See Also: For associated retention, see GRS2 (Legal Records).

DLT1.2.13 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT1.2.14 Safety Awareness Board Records

All contractors performing work on municipal and state construction projects with a total project cost of one hundred thousand dollars (\$100,000.00) or more, must have an OSHA (Occupational Safety and

Health Administration) “ten (10) hour construction safety program” for their on-site employees per R.I. Gen. Laws § 37-23-1. This requirement led to the creation of the Board of Safety Awareness per R.I. Gen. Laws § 37-23-2. This Board is appointed by the Director of the Department of Labor and Training. The Board’s primary responsibility is to monitor this mandated training. The records in this series may include, but are not limited to, violation records, cease and desist orders, decisions on appeal, recommendations, correspondence, and OSHA-10 verifications.

DLT1.2.14A Minutes

Retention: Permanent.

DLT1.2.14B All Other Records

Retention: Retain seven (7) years after last activity. If in litigation, retain seven (7) years after all litigation has ended.

DLT1.3 Workforce Regulation & Safety/Labor Standards

DLT1.3.1 Sheltered Workshop License Records

Documents the process to issue licenses to employers authorizing them to pay handicapped workers below the minimum wage. Includes application forms, copies of licenses, inspection reports, and related correspondence.

Retention: Retain ten (10) years.

DLT1.3.2 Labor Law Complaint/Investigation Records

Documents complaints against businesses for alleged labor law violations such as unpaid wages or child labor abuses. Includes complaint forms, unpaid wages claim forms, examiner’s reports, company pay scales and benefit policies, wages worksheets, employee timesheets, index to complaints by individual companies, hearing and court decisions, and related correspondence.

DLT1.3.2A Landmark or Policy-Setting Cases (Entire File)

Retention: Permanent.

DLT1.3.2B Summary List of Complaints by Business

Retention: Permanent.

DLT1.3.2C All Other Records

Retention: Retain seven (7) years after case settlement.

DLT1.3.3 Reserved

DLT1.3.4 Wage Collection Records

Documents efforts by Labor Standards to collect wages from companies that owe their employees back pay. Labor Standards distributes any collections directly to the affected employees. Includes claims and complaints forms, check registers and logs, disbursement support documentation, and related correspondence.

Retention: Retain seven (7) years after claim is satisfied or abandoned.

DLT1.3.5 Child Labor Work Site Inspection Records

Documents health and safety inspections of company facilities with permits to employ children. Permits granted by the local school departments may be voided if businesses do not pass inspection. Includes secondary copies of permits, inspection reports, and related correspondence.

Retention: Retain seven (7) years.

DLT1.3.6 Certificates of Age Records

Provides a record of the ages of individual workers between the ages of sixteen and seventeen as certified by the local school departments or authorized agents. Certification is not required by law, but Labor Standards may ask businesses to obtain the certificates in order to pass inspection audits. Includes certificates and related correspondence.

Retention: Retain four (4) years from date certificate is issued.

DLT1.3.7 Special Limited Permit to Work Monitoring Records

Documents the monitoring of permits issued by local schools or authorized agents to children fourteen to fifteen years of age to work limited, specified hours. Labor Standards verify that minors are not working in hazardous conditions and that labor laws are being followed. Includes copies of permits, inspection reports, and related correspondence.

Retention: Retain seven (7) years.

DLT1.3.8 Jewelry Contract Shop Permits

Documents the process to issue annual labor permits to the contracted jewelry manufacturing shops. Includes applications, copies of permits, inspection reports, payment documentation, and related correspondence.

Retention: Retain seven (7) years.

DLT1.3.9 Labor Law Business Audits (Routine) Records

Documents routine (where no complaint has been filed) audits of individual businesses to monitor compliance with applicable labor laws.

Retention: Retain seven (7) years from date audit completed.

DLT1.3.10 Industrial Home Work License Records

Documents the licensing process for companies wanting to employ home workers. Includes application form, inspection reports, and related correspondence.

Retention: Retain ten (10) years.

DLT1.3.11 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1.10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT1.4 Workforce Regulation & Safety/Labor Relations Board

DLT1.4.1 Unfair Labor Practices Case Files

Records document charges of unfair labor practices filed in accordance with R.I. Gen. Laws §§ 28-7-13 and 28-7-13.1. Includes the charge or amended charge, the pleadings, complaint or amended complaint, notices of hearings, notices of argument, motions, orders, stenographic report, exhibits, depositions, briefs, findings of fact, and conclusions of law. (R.I. Gen. Laws Chapter 28-7 and General Rules and Regulations § 58)

DLT1.4.1A Cases that Were Abandoned, Dismissed, or Addressed Informally

Retention: Retain three (3) years after last action.

DLT1.4.1B Cases Resulting in a Formal Board Decision or Appeal to Court

Original complaint, the formal Board decision, and the final court decision.

Retention: Permanent.

DLT1.4.1C Supporting Documentation such as Hearing Transcripts, Exhibits, and Briefs of the Parties

Retention: Retain ten (10) years after case closed and all appeals exhausted. Note in file as to which documents destroyed.

DLT1.4.1D Supporting Documentation from Landmark or Policy-Setting Cases

Retention: Permanent.

DLT1.4.2 Labor Union Representation Petition Records

Records document attempts by public sector employees to establish a labor union in their place of work. Includes petition or amended petition, notices of hearing, notices of argument, motions, orders, stipulations, stenographic report, exhibits, direction of election, report upon secret ballot and objections thereto, certification, dismissal or decision and order, ballots, and related correspondence. (R.I. Gen. Laws Chapter 28-7 and General Rules and Regulations § 59)

DLT1.4.2A Ballots (If No Court Appeal)

Retention: Retain one (1) year.

DLT1.4.2B Cases that Were Abandoned, Withdrawn or Dismissed Prior to Formal Board Decision or Appeal to Court

Retention: Retain three (3) years after last action.

DLT1.4.2C Cases Resulting in an Election, Formal Board Decision or Appeal to Court – Original Petition, Amended Petition, Consent Agreement or

Stipulations, Report upon Secret Ballot, Certification or Dismissal Order, Formal Board Decision and Final Court Decision

Retention: Permanent.

DLT1.4.2D Supporting Documentation

Such as hearing transcripts, exhibits, and briefs of the parties.

Retention: Retain ten (10) years after case closed and all appeals exhausted.

Note: Note in files as to which documents destroyed.

DLT1.4.2E Supporting Documentation from Landmark or Policy-Setting Cases

Retention: Permanent.

DLT1.4.3 Bargaining Unit Clarification Records

Records document the process by which an employer or labor organization requests changes to existing bargaining units. Includes Clarification request, investigation report, notices of hearing, notices of argument, motions, orders, stipulations, stenographic report, exhibits, dismissal or decision and order, and related correspondence.

DLT1.4.3A Requests that were Abandoned or Withdrawn

Retention: Retain three (3) years after last action.

DLT1.4.3B Cases Resulting in a Dismissal Order, Formal Board Decision, or Appeal to Court

Initial request, investigator's report, Dismissal Order, Board decision and final court decision.

Retention: Permanent.

DLT1.4.3C Supporting Documentation

Such as hearing transcripts, exhibits, and briefs of the parties.

Retention: Retain ten (10) years after case closed and all appeals exhausted. Note in files as to which documents destroyed.

DLT1.4.3D Supporting Documentation from Landmark or Policy-Setting Cases

Retention: Permanent.

DLT1.4.4 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT2 Unemployment Insurance Program

DLT2.1 Unemployment Insurance Claims

The Unemployment Insurance Program is a federal/state program that provides benefits to insured and eligible persons who are out of work through no fault of their own. The program is financed by an employer payroll tax. The program encompasses two functions: the processing of claims and the adjudication of disqualifying issues. Besides processing routine claims, the program also administers several special programs designed to respond to specific circumstances affecting the labor market. These currently include: Workshare Program, which allows employers to retain employees while maintaining acceptable payroll by collecting a percentage of UI benefits for up to fifty-two (52) weeks; Trade Adjustment Assistance program (under the US Department of Labor Employment and Training Administration) targets unemployed individuals in parts of the economic sector that may be adversely affected by economic and trade conditions; Federal and State Extended Benefit Programs which provide additional weeks of benefits during periods of high unemployment; unemployment compensation programs for former Federal Military Personnel (UCX) and Unemployed Civilian Federal Employees (UCFE); the Interstate Claims office administers unemployment claims filed by individuals who worked in RI and live out of state; the Combined Wage Claim office administers unemployment claims that typically include the wages of two or more states; Disaster

Unemployment Assistance program provides Federal unemployment benefits to individuals impacted by a natural disaster; and other Federal UI programs as determined by the Department of Labor. This record series documents the processing of claims under these different programs. The unemployment insurance claims process and the documentation establishing the nature and validity of the claim remain much the same whether an individual who has lost employment files a routine claim, or a claim is being filed under one of the special programs. The process is now also almost entirely electronic – claims can be filed electronically on-line or by phone where UI staff field calls and complete electronic screens. Each individual file includes, but is not limited to, the following kinds of documentation and information: initial completed application, wage history, UI payment history, child support-related records, employee reports on termination, tax withholding and 1099 forms, monetary determination information, direct deposit information, and related correspondence, audits, purged accounts, and UI decision documentation.

Retention: Retain six (6) years after case completed.

DLT2.2 Central Adjudication Unit Files

Applications for Unemployment Insurance result in decision to grant benefits or to reject a claim as ineligible. Applicants denied benefits have the right to appeal a decision rendered. The Central Adjudication Unit (CAU) is responsible for addressing disputed UI claims and rendering determinations on each case. Upon reaching its conclusions, the CAU issues a notice to the claimant stating the basis of unemployment, the issue and the statute governing the situation, and the final decision. Claimants can appeal CAU decisions to the Board of Review and, ultimately, to the District Court. The Central Adjudication's work is conducted largely in electronic form. These records document the non-monetary determination process. The documents relate to investigations and review of decisions on eligibility for benefits. They do not cover monetary entitlement decisions. Decisions may be appealed both electronically and in paper form. The records include the initial appeal form (available on-line), statements from employer and claimant concerning the original employment offer, claimant data, employer data, and employer and claimant statements relating to grounds for "separation." UI has an adjudication expert system featuring a decision module. The program consists of a suite of questions, with twenty-five (25) decision types available to claims adjudicators. The program is customized and takes into account model circumstances and variations. Based on the data entered, the program produces a formatted response, though adjudicators can add additional comments. The decisions are currently stored on a networked server. (R.I. Gen. Laws Chapters 28-42, 28-43, 28-44, and 42-16)

Note: Board of Review hears appeals of Central Adjudication Unit decisions. The Board of Review is a separate entity from UI. Therefore, this schedule does not include the records of the Board of Review.

DLT2.2A Decisions Not Appealed to Board of Review

Retention: Retain eighteen (18) months from issuance of decision.

DLT2.2B Decisions Appealed to Referee

Retention: Retain three (3) years from date of CAU decision.

DLT2.2C Decisions Appealed to Full Board of Review

Retention: Retain three (3) years from date of decision.

DLT2.2D Decision Appealed to the District Court

Retention: Retain twenty (20) years from date of decision.

DLT2.2E Precedent Setting Cases

Retention: Permanent.

DLT2.3 The Benefit Accuracy Measurement (BAM) Program

The Benefit Accuracy Measurement program is a diagnostic tool used by Federal and State agencies to determine the accuracy of Unemployment Insurance (UI) claims – those that have generated payment and those that have been denied. It is the responsibility of the BAM unit to determine the precision of the benefit tabulation, the cause and party responsible for any payment error, and corrective action to be taken by DLT. BAM covers the three largest permanently authorized unemployment insurance compensation programs: State UI, Unemployment Compensation for Federal Employees, and Unemployment Compensation for Ex-Service Members. The BAM program's documentation includes files containing the following types of records: claimant questionnaires, base period, benefit year wages, separation information, labor organization verification, work search verifications, and interstate requests of an individual's employment status.

Retention: Retain three (3) years.

DLT2.4 Fraud Investigation Files

The Fraud Unit is a field unit of the Unemployment Insurance (UI) program and the Temporary Disability Insurance (TDI) program. It works to preserve the integrity of both programs by investigating suspicious activity and identifying potential overpayments. The unit investigates complaints, which may originate from within or outside the department and government. The goal of the Fraud Unit's investigations is to make determinations with respect to overpayment of individuals. Upon completion of an investigation the unit prepares a report of its findings, together with supporting documentation, to either the UI or TDI program. The records are case files arranged by month and year of completed investigation, and the name of the investigator. Retrieval is assisted by a computer database containing case profile information: name of individual, social security number, and case number. The records include background information supplied by other DLT units and consisting of historical unemployment, income support payment, and adjudication data. The file may also contain copies of business records (bank statements, payroll records, cancelled checks) provided by companies as evidence of an individual's employment status. Finally, the file includes a copy of the report. Records the Fraud Unit collects during an investigation are sent to UI and TDI, where they are ultimately scanned and digitized.

Retention: Retain three (3) years after case closed.

DLT2.5 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT3 Temporary Disability Insurance

DLT3.1 Temporary Disability Insurance Claim Files System

Temporary Disability Insurance (TDI) provides benefit payments to insured Rhode Island workers during periods of unemployment caused by a non-work related illness or injury. The program is responsible for processing TDI claims. This involves the intake of applications and

supporting claims-related documents, the entering of data into the TDI automated system, and the determination of monetary and medical eligibility on both an initial and continuing basis. The program makes claims payment authorizations, and issues terminations and disqualification. The program also deals with dependency and child support issues as they may affect payments. TDI program documentation currently resides in a variety of forms and formats. Claims-related transactions are currently being conducted almost entirely electronically and stored on an IBM server (AS 400). TDI has designated the AS 400 system as the site for the keeping of the program's official records. Claim files typically include TDI applications for benefits forms, notices of claim received form, medical records (statement of attending physician), employment verification reports (wage records and payment records), tax-on-wages records, benefit computation statements, tracking records, remark records and, finally, termination of benefit forms. Where circumstances require it, claim files may also include agent beneficiary records, family court records, worker's compensation records, overpayment records, and direct deposit records. In addition, the claims file may also include a wide variety of supplementary documents (currently approximately fifty different types of forms and correspondence), though files do not often contain all of these forms. This additional documentation relates to the verification of various transactions in the process, various additional attestations concerning the status of the claimant, and other documentation that may affect the granting, calculation, or withdrawal of benefits. Retrieval of data can key on SSN number, benefit year ending date, claim number and form type. TDI also runs an imaging program that scans and stores all correspondence and completed paper forms. This information forms a source of information for the AS400 system, which TDI has designated the official repository for its records. This documentation is backed up on CD's and at another site. TDI now scans and stores all forms, correspondence, and other documentation that continues to exist in paper. (R.I. Gen. Laws Chapters 28-39, 28-40, and 28-41)

Retention: Retain ten (10) years after claim is satisfied or abandoned.

DLT3.2 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT4 Reserved

DLT5 Division of Workers' Compensation

This section is a consolidation of two previously approved records retention schedules. These two schedules cover the records of two formerly separate entities within DLT, the Division of Injured Worker Services and the Fraud Prevention and Compliance Unit. The Workers' Compensation (Injured Worker Services) schedule was approved in 2002, and an amended Fraud Prevention and Compliance schedule was approved in 2006. A few record series numbers have changed and redundant record series have been eliminated. This consolidation does not involve any revision of duly approved records retention periods in these two schedules. Subsequent amendments are noted within particular record series.

DLT5.1 Reserved

DLT5.1.1 Referral Files

Allegations of workers' compensation fraud that do not result in case files because allegation is determined to be unfounded or does not provide sufficient evidence to open an investigation case file. Files include but are not limited to intake sheets.

Retention: Retain ten (10) years.

DLT5.1.2 Investigation Case Files

Case files relating to allegations of workers' compensation fraud that are determined to warrant full investigation. Upon completion of investigation, case is either determined unfounded and closed or referred to the Attorney General's Office for potential prosecution. File includes, but is not limited to, the initial allegation as documented on the referral form; the investigator's activity summary reflecting the steps taken by the investigator; legal and administrative notes, documents obtained from the insurer reflecting benefits paid, medical treatment, independent medical examinations, surveillance reports, and report of earnings forms; documents created/obtained during the investigation, including witness interviews, pay records, corporate records, and final disposition.

Retention: Retain ten (10) years from final disposition.

DLT5.1.3 Information Charging Package

After completing an investigation, the fraud investigator develops an information package. The package contains: a criminal face sheet listing all documents in the package; an investigative narrative setting forth the facts of the case; witness statements; and all other documents necessary to prove workers' compensation fraud (e.g. medical reports, benefit checks, proof of earning while receiving benefits, and surveillance reports and videos.) This package is turned over to the Department of the Attorney General for prosecutorial review.

Retention: Retain twenty (20) years or until defendant's sentence, including probation and/or parole is completed, whichever occurs later.

Note: The Fraud unit keeps the original of this file for resource material and sends an exact copy to the Attorney General.

DLT5.1.4 First Report Investigation Files

Employers are required to file First Report of Injury forms within ten (10) days of an injury that requires medical attention, or which prevents employees from performing their duties. The Fraud Prevention and Compliance Unit conducts investigations where there have been allegations that the required First Report of Injury was not filed. These files contain documents relating to these investigations, including investigative notes and correspondence, copies of the first report, hearing notices and orders, and a copy of the penalty check.

Retention: Retain seven (7) years from date of final closure.

DLT5.1.5 Computer Case Management Data System

Computer index of all allegations received by the Workers' Compensation Fraud Prevention and Compliance Unit, including allegations not investigated as well as those resulting in the creation of case files. Includes, but is not limited to, case number, subject's name, insurance company involved, source of the allegation, investigator assigned to the case, case disposition (i.e. criminal charges, restitution ordered), state of the investigation (i.e. open or closed). System is used to track all open investigations, and also for historical and statistical analysis.

Retention: Retain twenty (20) years.

Note: Ensure migration of records to successive generations of technology and systems, and other necessary maintenance to enable retention of and access to

accurate, reliable and complete records throughout their authorized lifecycle.

DLT5.1.6 Division Annual Report

Annual report of the Workers' Compensation Fraud Prevention and Compliance Unit. (R.I. Gen. Laws § 42-16.1-12)

Retention: Permanent.

DLT5.1.7 Proof of Insurance Coverage Records

Documents employer compliance with Workers' Compensation law requiring them to provide WC coverage for their employees. Includes Proof of Insurance Cards, waivers and exemptions, Form DWC-06: Notification of Issuance or Renewal of Policy, Form DWC-06a, Notification to Director of Acceptance of WC Act (obsolete), Form DWC-07, Notification of Cancellation, Non-Renewal, Expiration or Termination of Policy, Electronic Reporting Records, and related correspondence. (R.I. Gen. Laws §§ 28-29-8, 28-29-17, 28-29-19, 28-33-17.3, 28-36-12, and 28-36-15)

Retention: Retain thirty (30) years from policy termination.

Note: Retention of these records can be for the length of an employee's work history, especially in occupational disease cases and apportionment of liability amongst successive employers.

See Also: Formerly DLT Workers Compensation Schedule, see DLT5.2.1 (Proof of Insurance Coverage Records).

DLT5.1.8 Lack of Insurance Complaints/Investigations Records

Documents proof of coverage complaints against employers for not providing insurance for their employees as mandated by R.I. Gen. Laws §§ 28-29-6 and 28-36-15. Includes referral forms initiating investigations, employer information, copies of WC claim records, wage records, policy information, investigation notes and determinations, notices of hearings, orders of the Department, notices of appeal, notices of fines/penalties, and proof of payment of the fines/penalties, court decrees, summary reports of investigations, and related correspondence. Business Sweep Investigations program records include similar records documenting results of DLT random spot checks of Rhode Island businesses and companies for proper WC coverage. (R.I. Gen. Laws §§ 28-29-6, 28-36-15, and 28-33-17.3)

See Also: Formerly DLT Workers Compensation Schedule, see DLT5.2.3 (Lack of Insurance Complaints/Investigations Records).

DLT5.1.8A Cases that Were Unfounded, or Addressed Informally

Retention: Retain three (3) years after last action.

DLT5.1.8B Cases that Resulted in a Formal Administrative Decision/Appeal

Retention: Retain ten (10) years from final case activity.

DLT5.1.8C Cases that Resulted in Criminal Charges

Retention: Retain twenty (20) years or until defendant's sentence, including probation and/or parole is completed, whichever occurs later.

DLT5.1.8D Cases that Set Policy or Were Otherwise Historically Significant

Retention: Permanent.

DLT5.1.9 Independent Contractor Files

Documents relating to the establishment of independent contractor status of individuals. This series consists primarily of notice of designation as Independent Contractor forms (DWC-11-IC) as well as Notice of Withdrawal of Designation as Independent Contractor forms (DWC 11-11-ICR). These forms include the name of the contractor, date of the filing, and the name of the hiring entity. (R.I. Gen. Laws § 28-29-17.1)

Retention: Retain fifty (50) years.

DLT5.1.10 Carrier Penalty Investigation Files

These reports relate to investigations of insurance carriers failing to report proof of insurance coverage to the DLT, as required by R.I. Gen. Laws § 28-36-12. These files include investigative notes and correspondence, workers' compensation insurance policy information, and a copy of the penalty check.

Retention: Retain seven (7) years from date of final closure.

See Also: DLT5.2.4 (Workers' Compensation Claim Records).

DLT5.2 Reserved

DLT5.2.1 Proof of Insurance Coverage Records [SUPERSEDED]

See Also: For associated retention, see DLT5.1.7 (Proof of Insurance Coverage Records).

DLT5.2.2 Self-Insurance Program Records

Documents employer compliance with Workers' Compensation law requiring them to provide WC coverage for their employees where the employer has elected to pay claims directly. The program is responsible for the certification of the employers as solvent self-insurers. Includes applications and certificates of self-insurance, claim loss information, excess policy information, surety bond or letter of credit documentation, annual assessment data, and related correspondence. (R.I. Gen. Laws §§ 28-36-1, 28-36-2, and 28-36-13)

Note: Employers must re-certify on an annual basis. The WC Department holds surety to cover claims that may be filed against self-insured employers in the future, in case of bankruptcy or insolvency.

DLT5.2.2A Certificates of Self-Insurance, Excess Policy Information, and Surety Bond or Letter of Credit Documentation

Retention: Retain thirty (30) years following termination.

DLT5.2.2B All Other Records

Retention: Retain ten (10) years.

DLT5.2.3 Lack of Insurance Complaints/Investigations Records [SUPERSEDED]

See Also: For associated retention, see DLT5.1.8 (Lack of Insurance Complaints/Investigations Records).

DLT5.2.4 Workers' Compensation Claim Records

Documents all claims for job-related injuries or illnesses covered by the Rhode Island Workers' Compensation Act. Includes injury reports (lost time and no lost time claims); claim forms, uninsured protection claim files, employer proof of coverage, wage schedules, claim documentation,

court decisions and decrees, and related correspondence. (R.I. Gen. Laws §§ 28-35-57, 28-35-45, and 28-53-1)

Retention: Retain fifty (50) years.

Note: State employee claims files are maintained and paid by a third-party administrator; however, the third-party administrator must file claims with the Department of Labor and Training Workers' Compensation Unit, just as any other insurer/self-insured company. Retention of these records can be for the length of an employees' work history, especially in occupational disease cases and apportionment of liability amongst successive employers.

DLT5.2.5 WCAF Assessment Records

Documents the Departments' assessment and billing of insurers, self-insurers, group self-insurers, and municipalities. Also documents the subsequent payment of these assessments which are put into the Workers' Compensation Administration Fund (WCAF). Includes assessment calculation materials, billing documentation, payment documents, vouchers, Licensed Insurers Assessment Return Form, Licensed Insurers Informational Request Form and Insurers Bill, Self-Insurers Assessment Return Forms, Self-Insurers Assessment Billing Forms, check stubs, copies of checks, Receipts Transmittal vouchers, Billing Amounts reports, audit reports, and related correspondence. (R.I. Gen. Laws §§ 28-37-13, 28-37-14, 28-37-15, and 28-37-16)

Retention: Retain ten (10) years.

Note: WCAF revenues provide the base funding for the Workers' Compensation Division of the Department of Labor and Training's yearly budget allotment. Assessment revenues are also a source of funding for WC claims listed under R.I. Gen. Laws § 28-37-1. Assessments are based on the ratio of Departments' total need for the year and the total amount of premiums paid by employers, self-insurers, group self-insurers, and municipalities. A percentage is then calculated from the result.

DLT5.2.6 WCAF Claim Records

Documents the handling of supplemental WC claims which are not covered by Employers' Insurance Policies due to changes in legislation or other extenuating circumstances. Includes injury reports, claim forms, error payment claim forms, Cost of Living Adjustment (COLA) claim

forms, partial incentive bonus claim forms, employer proof of coverage, payment schedules, claim re-opening documentation, court decisions and decrees, and related correspondence. (R.I. Gen. Laws § 28-37-1)

Retention: Retain fifty (50) years.

DLT5.2.7 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT5.2.8 Rehabilitation Facility Patient Files and Medical Reports

The Workers' Compensation Unit of the Department of Labor & Training oversees rehabilitation facilities for patients injured on the job in Rhode Island. Patients are referred to these facilities by their healthcare providers and the Rhode Island Workers' Compensation Court. They are eligible for care at these facilities if they were injured in Rhode Island and if their employers pay into the Workers' Compensation Administrative Fund. They are also eligible for this coverage if injured while temporarily working in another state for a Rhode Island based employer due to extraterritorial coverage. There are situations in which if the injury occurs in another state, extraterritorial coverage will be insufficient to cover the employee. However, these same employees may be eligible for coverage by the other state's coverage depending on the employer's policy. The services these facilities provide may include, but are not limited to, comprehensive physical therapy, occupational therapy, massage therapy, physical rehabilitation, rehabilitation counseling, chronic pain management, cognitive therapy, work hardening/simulation, vocational counseling, case management and physician consultations. Patients can also request vocational counseling and they can be referred for that by attorneys and staff working in Workers' Compensation Insurance. The records in this series may include, but are not limited to, reports generated by staff, patient case notes, and comprehensive health records provided to the facilities by other entities. These provider organizations may include, but are not limited to, healthcare providers, insurers, attorneys, and the Rhode Island Workers' Compensation Court. (216-RICR-40-05-1 and Pub. L. No. 104-191 (HIPAA))

Retention: Retain seven (7) years after the last encounter with the patient. If the records relate to a minor, retain three (3) years after the minor reaches the age of eighteen (18) years or seven (7) years after the last encounter with the minor patient, whichever is later.

DLT6 Workforce Development

DLT6.1 State Workforce Investment Office Records

The State Workforce Investment Office bears responsibility for fiscal and programmatic monitoring of the Workforce Investment Act (Pub. L. No. 105-220, passed in 1998). The office oversees policy and compliance issuances for the act (passed by the 105th United States Congress in 1998) and maintains customer records for statewide programs funded through this legislation per 29 C.F.R. §§ 97.42 and 95.53. The records may include, but are not limited to, customer folders for these programs, financial monitoring reports, and program monitoring reports. The customers' folders may include, but are not limited to, application forms, copies of eligibility documentation, vocational assessment plans, wage records data, employment information, driver's license information, and personal data. The financial and program monitoring is accomplished in conformity with United States Department of Labor policy issuances. The State Workforce Investment Office submits quarterly reports noting levels of participation and program accomplishments (as compared to performance standards and expenditures). The Office also submits annual reports that address the programs, strategies, and accomplishments under the Workforce Investment Act. The annual reports also include table sections with the Workforce Investment Act Financial Statement for all sources of funding, performance outcome information (at state and local levels), and costs of program activities.

DLT6.1A Quarterly Reports

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.1B Annual Reports

Retention: Permanent.

DLT6.1C All Other Records

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.2 Trade Adjustment Assistance Records

Trade Adjustment Assistance (TAA) is available to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports. Under the Federal Trade Act of 1974 (Pub. L. No. 93-618), workers whose employment is adversely affected by increased imports may apply for TAA, which includes a variety of benefits and reemployment services to help unemployed workers prepare for and obtain suitable employment. Such employees may be eligible for training, allowances for job searches, allowances for relocation, and additional weeks of unemployment benefits after the exhaustion of regular benefits. Within Rhode Island, the Department of Labor and Training administers this program. The files may include, but are not limited to, customer folders, Trade Adjustment Participant reports, Trade Adjustment Assistance contracts, and Employment & Training Administration (ETA-563) quarterly activity reports. The last reports mentioned are reports of the allocation of funds and performance measurement. The customers' folders may include, but are not limited to, eligibility determination forms, copies of personal identification, assessment/test results, cases management records (including comprehensive plans of Individual Service Strategy), case notes, TAPR forms (which record the services received) wage record printouts, and return to work documents. The ETA reports may include, but are not limited to, application forms, copies of eligibility documentation (social security cards, driver's licenses, birth certificates, and other forms of identification), Comprehensive Assessment plans, wage record data, and return-to-work information. (29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.3 Workforce Partnership of Greater Rhode Island Records

The Workforce Partnership of Greater Rhode Island's (WPGRI) mission is to assist in meeting the human resource needs of Rhode Island employers and to help ensure a well-trained, self-sufficient and adaptable workforce. In fulfilling this mission, the Partnership

collaborates with business, labor, education leaders and community-based organizations. The services provided include technical assistance, training opportunities for customers, and acting as a source of information for employers and job seekers. The Partnership also brokers employment and training programs for businesses and workers to access public funding and community support for business and career development. Since the implementation of the Federal Workforce Investment Act (WIA) in 2000 (Pub. L. No. 105-220), the Partnership has included a Youth Council to assess the needs of younger people as they prepare to enter the workforce. The Partnership retains several permanent committees and subcommittees and also creates ad hoc committees to meet special needs or to handle specific grants. WPGRI assumed responsibility for the records of the Regional Employment & Training Board which performed many of the same functions but ceased to exist in 2003. Among the programs overseen by WPGRI in the past grew out of the Job Training Partnership Act (Pub. L. No. 97-300), the School to Career Program, and the Welfare to Work program. Similar programs continue to operate under WPGRI. The records in this series may include, but are not limited to, participant files (including individual case files), financial records (audits and invoices for vendors), monitoring reports (reports detailing how programs are conducted and whether or not they are in compliance with the law), contracts with training providers, contracts with employers, data validation files, contracts with vendors, application files, minutes, and copies of training materials distributed to participants.

DLT6.3A Minutes

Retention: Permanent.

DLT6.3B Monitoring Reports

Retention: Permanent.

DLT6.3C All Other Records

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain four (4) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.4 Work Opportunity and Welfare to Work Tax Credit Program Records

Employers in Rhode Island may apply for tax credits for providing opportunities for people who seek employment through the Work Opportunity and Welfare to Work programs. The files concerning this may include, but are not limited to, state and Federal forms applying for these benefits and any supporting documentation. Supporting documentation may include, but is not limited to, verifications of service from the Department of Human Services, and other agency verification forms such as Social Security statements, vocational rehabilitation records, and records of former felons.

Retention: Retain four (4) years from the date of certification, or from the date of issuance of the determinations which do not result in certification, or until all audit and litigation issues are resolved, whichever is later per ETA Handbook No. 408, November 2002 (amended March 2010).

DLT6.5 Labor Exchange Records

The state of Rhode Island maintains a One-Stop Career Center System, which is a partnership of professional labor, training, and education organizations. The centers (known as network RI centers) are located conveniently throughout the state and jobseekers and employers are matched there through employment programs and services. The centers are funded through U.S. Department of Labor programs per the Wagner-Peyser Act (Pub. L. No. 73-30) and 20 C.F.R. § 652.8(5)(i)(ii). Jobseekers fill out applications to begin receiving employment and training services funded by these programs. Jobseeker and employer records are assessed by staff to provide case management services, assess customer needs, match jobseekers to appropriate jobs, and enroll customers in appropriate programs. Data from these records is used to ensure compliance with Federal quarterly and annual reporting mandates for the Wagner-Peyser Program. These reports are submitted to the United States Department of Labor and are issued quarterly and annually. Records in this series may include, but are not limited to, application forms, work search histories, resumes, educational histories, and information on services requested by customers.

DLT6.5A Quarterly Reports

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.5B Annual Reports

Retention: Permanent.

DLT6.5C All Other Records

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.6 National Emergency Grant Participant Files

National Emergency Grants are made available to the states by the federal government to help in responding to major dislocation events that leave large numbers of employees out of work through no fault of their own. These events range from large-scale plant closures to natural disasters. In Rhode Island, the Department of Labor and Training administers these grants through the Workforce Development Unit as per regulations imposed by the Workforce Investment Act of 1998 (Pub. L. No. 105-220). The unit maintains records of displaced workers participating in these grant programs. The records may include, but are not limited to, application forms, copies of eligibility documentation (social security cards, driver's licenses, and birth certificates), Comprehensive Assessment plans, wage record data, and return-to-work information. The unit also submits quarterly reports to the Federal government concerning these grants.

DLT6.6A Quarterly Reports

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.6B Annual Reports (Workforce Investment Act Standardized Record Data)

Retention: Permanent.

DLT6.6C All Other Records

(29 C.F.R. §§ 97.42 and 95.53)

Retention: Retain three (3) years after the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

DLT6.7 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destructions forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 43-8.1.10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT7 Labor Market Information Division

DLT7.1 Surveys of Occupational Illnesses and Injuries

The Department of Labor and Training (Labor Market Division) maintains records of injuries and illnesses relating to the workplace that occur in Rhode Island each year. The records consist of forms documenting cases of injury or illness and any accompanying documentation. The forms note industry code, occupational code, injury type, time of injury, nature of injury, source of injury, any events that contributed to the injury, and demographic information on the injured person. They also note company contact information, the number of days away from work, and/or the number of days of job transfer or restriction resulting from the injury or illness.

Retention: Permanent (as mandated by the U.S. Department of Labor – Bureau of Labor Statistics).

DLT7.2 Local Area Unemployment Statistics

The Department of Labor and Training (Labor Market Division) estimates levels of employment and unemployment every month, both statewide and town-by-town. For the state as a whole and for each town, the Division provides statistics on the number of employed, the number of unemployed, and the percentage of unemployed. These statistics, compiled each month, constitute the records in this series.

Retention: Permanent (as mandated by the U.S. Department of Labor – Bureau of Labor Statistics).

DLT7.3 Occupational Projections

The Department of Labor and Training (Labor Market Division) projects future employment needs for various industries and occupational groups in Rhode Island. The statistics typically project needs ten (10) years beyond a specific year, showing the numbers of people employed in various jobs and in various industries at one point in the not-too-distant past and also giving estimates of the numbers needed ten years beyond that point. The statistics, aside from being broken down by various job categories and industries, are also broken down further by education levels. The lists also note the fifty occupations with the largest growth potential, the fifty (50) with the largest number of annual openings, and occupations in decline. These statistics constitute the records in this series.

Retention: Permanent (as mandated by the U.S. Department of Labor – Bureau of Labor Statistics).

DLT7.4 Monthly Employment Statistics

The Department of Labor and Training (Labor Market Division) compiles and maintains statistics on employment in Rhode Island on a monthly basis. These statistics note the level of employment, hours of work, and wages earned by Rhode Island workers each month. The statistics for each month are broken down by type of business or industry. In addition to serving as a monthly accounting of employment-per-industry in Rhode Island, these statistics provide useful data for the occupational projections that the Division compiles.

Retention: Permanent (as mandated by the U.S. Department of Labor – Bureau of Labor Statistics).

DLT7.5 Mass Layoff Statistics

The Department of Labor and Training (Labor Market Division) compiles and maintains statistics on any mass layoffs that occur in the state of Rhode Island. This is done to comply with the Mass Layoffs Statistics Program, a Federal/State Cooperative Statistical program that uses that state's Unemployment Insurance databases to identify, describe, and track the effects of significant job cuts at the state and national level. The program defines a mass layoff as one that involves thirty-five (35) or more initial unemployment claims filed against a single company in a five-week period. Such a layoff results in contact with the employer to ascertain the reason for and the duration of the layoff. The records may include, but are not limited to, initial claims files obtained from

Unemployment Insurance, statistics on monthly layoffs industry-by-industry, and statistics on monthly layoffs occupation-by-occupation.

Retention: Permanent (as mandated by the U.S. Department of Labor – Bureau of Labor Statistics).

DLT7.6 Employment & Training Administration Reports

The Department of Labor and Training (Labor Market Division) compiles monthly reports for Employment & Training Administration of the U.S. Department of Labor. These reports track data on Temporary Disability Insurance claims and Unemployment Insurance claims in Rhode Island. These reports are broken down by the industry codes and occupational codes involved. The records may include, but are not limited to, the actual reports and the source data.

DLT7.6A Reports

Retention: Permanent (as mandated by the U.S. Department of Labor – Bureau of Labor Statistics).

DLT7.6B Source Data

Retention: Retain three (3) years.

DLT7.7 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT8 Board of Review

DLT8.1 Board/Referee Case Files

The Board of Review hears appeals arising from the Department of Labor and Training's Unemployment Compensation, and Temporary Disability Insurance divisions, and from employers on certain contested tax status issues. When an individual is separated from employment, DLT makes an initial determination of eligibility for benefits through a

fact-finding interview with the employee (claimant) and the employer. An appeal can be made by the claimant, employer, or Director. The appeals come under the jurisdiction of the Board of Review and hearings are scheduled before hearing officers (referees). The hearing officers (referees) render decisions which may be appealed for another level of review to the Board of Review. The Board then renders decisions on those appeals. Decisions rendered by the Board of Review are final unless any party in interest, including the director, initiates judicial review by filing a petition with the clerk of the Sixth Division of the District Court within thirty (30) days as set forth in the Administrative Procedures Act (R.I. Gen. Laws Chapter 42-35) per R.I. Gen. Laws § 28-44-52. When this happens, the board appeal is transferred to the court. The Board is required to transmit two copies of the Board appeal file, one of which is redacted and one that is not. In these cases, the district court's decision is the final one. The files may include, but are not limited to, director's decisions, appeals, notices of hearings, referees' decisions, appeal letters, transcripts of hearings before referees, board notices, letters sent to interested parties (in the event the case goes to the full Board), and other information provided by the Department of Labor & Training. (R.I. Gen. Laws § 28-44-52)

DLT8.1A Landmark Cases

Retention: Permanent.

DLT8.1B All Other Cases Decided by Board

Retention: Retain three (3) years after final disposition.

DLT8.1C Cases Appealed to District Court

Retention: Retain twenty (20) years after final disposition.

DLT8.2 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws § 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT9 Business Affairs Division

DLT9.1 Federal Grant Financial Status Reports

For all Federal grants it receives, the Department of Labor & Training's Business Affairs Office prepares and submits quarterly and final reports of expenditures and revenues to the United States Department of Labor. The reports are supported by financial data extracted from the agency's internal Financial Accounting and Reporting System (FARS) and the State's Accounting System, RIFANS, in addition to Excel spreadsheets of accrued expenditures, and other pertinent data. Each quarterly report gives cumulative data as well as a list of expenditures for the quarter in question. The reports list payments for various items including, but not limited to, supplies, communications, advertising, postage, travel, maintenance, training, and equipment. Cash receipts, disbursements, and cash on hand are all noted. The original reports are filed online with the federal entity. Copies of the reports along with all supporting documentation must be retained for audit purposes. The records may include, but are not limited to, copies of Excel spreadsheets (in FARS format), supporting financial information (some from FARS reports), accrual reports, copies of reports from online reporting systems, and grant closeout reports.

Retention: Retain ten (10) years.

DLT9.2 Federal Grants Information Schedule

The state of Rhode Island requires that the Department of Labor & Training prepare a Federal Grants Information Schedule (FGIS). This series documents the preparation of that schedule which includes grant titles, information about grant sources, grant schedules, expenditures, and reconciliation data. The records may include, but are not limited to, copies of the prepared Federal Grants Information schedule, statements of free balance and cash resources reports, ledger expenditures lists, copies of submitted financial reports, internally prepared spreadsheets (illustrating reconciling items), and copies of transactions for reconciling items.

Retention: Retain ten (10) years.

DLT9.3 Child Support Payment Records

The Unemployment Insurance and Temporary Disability Insurance programs pay child support for those participating in either program. These records document those payments. The payments are made on a weekly basis and the records note the dates of payment and the amounts from each of the two (2) programs, which are posted to the

ledgers of the Department of Labor & Training. The records may include, but are not limited to, child support intercept transmittals and communications of data to the Treasury for payment to Family Court.

Retention: Retain ten (10) years.

DLT9.4 Monthly Reports from the U.S. Department of Labor

The Department of Labor & Training maintains copies of monthly financial reports submitted to the U.S. Department of Labor. These reports are required for audit purposes. The reports may include, but are not limited to, financial transactions of trust funds and benefit accounts, analyses of benefit payment accounts, analyses of clearance accounts, income/expense analyses of benefit payment checking accounts, income/expense analyses of clearance checking accounts, and quarterly statements of expenditures and financial adjustments of Federal funds for benefit accounts.

Retention: Retain ten (10) years.

DLT9.5 Payment Management System Inquiry Reports

The Department of Labor & Training receives numerous Federal grants and is required to maintain records of drawdowns on the grants and amounts remaining in each fund. This is done through Payment Management System inquiry reports. In addition to the actual reports these records may include, but are not limited to, internally prepared drawdown logs and reconciliations between the inquiries and the logs.

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

DLT9.6 Unemployment Insurance Monthly Billings

Each month, the Department of Labor & Training prepares billings for unemployment compensation benefits paid to state employees. These billings are sent to every state agency responsible for such payments and the Department retains copies of the billings. The billings list claimants' names, identification numbers, and time spans of benefits. The billings note funds drawn from the general fund as well as special funds and they also include statements for each individual agency.

Retention: Retain ten (10) years.

DLT9.7 Reports Required by the State

The Department of Labor & Training's business office prepares synopses of annual financial data concerning state-level programs and also the Department's interactions with Federal programs and agencies. This data is consolidated from a wide variety of sources and though it exists in other locations, these reports serve as the most complete package. Among the programs reported on are the Forging Industry Association and the Statistical Digest. These can change over time. The records may include, but are not limited to, copies of the prepared reports, accompanying questionnaires, expenditure reports, and documentation supporting the reports.

Retention: Retain ten (10) years.

See Also: The data in this series is also covered by DLT7 (Labor Market Information Division).

DLT9.8 Treasury Vouchers: Benefit Payments

The General Treasury prepares monthly benefit payment vouchers to document its reconciliation of benefit accounts with the Department of Labor & Training's ledgers. This reflects benefits made for all of Labor & Training's programs. The records may include, but are not limited to, the actual vouchers, journal entry requests for benefit payments, and any documentation that supports the voucher.

Retention: Retain ten (10) years.

DLT9.9 Combined Tax Worksheets

Tax receipts from private companies are allocated among the various programs of the Department of Labor & Training. These records document those allocations. The items covered by these receipts include, but are not limited to, Employee Security Clearance, Job Definition Format Workforce, and Re-Employment. The records may include, but are not limited to, Treasury reports, tax worksheets, and employer tax reports.

Retention: Retain ten (10) years.

DLT9.10 Employment Security Trust Fund Reports

The Employment Security Trust Fund is collected from the Employment Security Tax imposed on all employers that employ people in the state of Rhode Island. The fund is maintained to pay benefits for workers during periods of unemployment. These reports document the receipts and disbursements from this fund on a monthly basis. They may include, but are not limited to, reports from the United States Treasury that list all receipts and disbursements from the fund. They also include listings of

receipts and payments from other states in and out of the fund as well as state withdrawals from the Automated Standard Application for Payments (ASAP) system.

Retention: Retain ten (10) years.

DLT9.11 Monthly Interest Earnings on Custodial Accounts

The Department of Labor & Training earns interest on custodial accounts maintained for its various funds. These records document that. The records may include, but are not limited to, vouchers prepared by the Controller's office that note the amount of interest earned by each account and any associated documentation.

Retention: Retain ten (10) years.

DLT9.12 TDI Transfer Vouchers

The Temporary Disability Insurance Division maintains a reserve bank account. Periodically, it transfers funds from that account to the TDI Benefit bank in order to cover expenditures for that program. This series documents that. The records may include, but are not limited to, vouchers prepared by the Treasury and any backup documentation associated with the vouchers.

Retention: Retain ten (10) years.

DLT9.13 Combined Wage Transactions

Unemployment Insurance handles claims involving payments of unemployment benefits that cross state lines. These involve workers who live in Rhode Island but work in other states and also those that live in other states, but work in Rhode Island. As an example, a worker who lives in Rhode Island but works in Massachusetts and is laid off from a job there, would file for unemployment benefits in Rhode Island. Rhode Island would handle this person's claim, but Massachusetts would be obligated to reimburse Rhode Island for the benefits paid. The reverse is true for a person who lives in Massachusetts but is laid off from a job in Rhode Island. These payments from state to state are handled through the Automated Standard Application for Payments (ASAP). The claims filed by Rhode Island residents under this system produce forms maintained in Rhode Island, are referred to as Combined Wage Claims (CWC). The claims filed by other states against Rhode Island on behalf of their residents generate Interstate Benefit (IB6) forms that are maintained in Rhode Island. The records in this series may include, but are not limited to, CWC forms, IB6 forms, ASAP notification reports (receipts), and ASAP transfer confirmations (payments).

Retention: Retain ten (10) years.

DLT9.14 Monthly Adjustment Vouchers

The Department of Labor & Training issues vouchers for adjustments needed to correctly report payments to the monthly Unemployment Insurance Benefit Ledger. These payments involve various programs. For example, the State Employee Program involves State Benefit payments to employees that are documented in this ledger. Also, State Employee Benefit Reimbursements made from the state's Assessed Fringe Benefits Account to the Employee Security Clearance Account are noted here. The ledger includes Federal programs as well in terms of their involvement with the state of Rhode Island. Trade Readjustment Assistance, for example, is a Federal program that provides weekly benefits and training to recipients who have lost their jobs as a result of foreign competition. The records may include, but are not limited to, summaries of employee benefit payment charges, adjustment records, and transfer vouchers.

Retention: Retain ten (10) years.

DLT9.15 Reports for Audit

The Department of Labor & Training maintains reports on the financial activities of the Unemployment Insurance and Temporary Disability Insurance programs in order to satisfy audit requirements. Among the Unemployment Insurance items documented are reports and reimbursements for electronic card payments and corrections and adjustments to the program and the related vouchers. Among the Temporary Disability Insurance items documented are tax overpayment refunds that belong to Taxation, reports and reimbursements for electronic card payments, corrections and adjustments to the program and the related vouchers, reserve loans to the General Fund, and repayments of those loans. The files may include, but are not limited to, vouchers and backup documentation.

Retention: Retain ten (10) years or until audit, whichever is sooner.

DLT9.16 Program Maintenance Files

The Department of Labor & Training maintains records of balances in various funds it administers. These include funds for Federal, state, and restricted programs. At the Federal level, the funds are generally handled through the Federal Acquisition Regulation Supplement. The records may include, but are not limited to, ledger reports, expenditure reports, journal entries for expenditures and revenues, transfers of revenue from other state agency accounts, and reconciliations of

expenditures and receipts in the Federal Acquisition Regulation Supplement to the department's internal ledgers.

Retention: Retain ten (10) years.

DLT9.17 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6 (j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DLT9.18 Police, Fire, Rescue Personnel Widow/Widower Fund Records

The Department of Labor & Training maintains a program that pays annual stipends to the widows or widowers of any police, fire, or crash rescue personnel who are killed in the performance of their job-related duties or die of injuries sustained while performing these duties. The surviving spouses must verify on an annual basis that they are still alive and have not remarried in order to continue receiving the stipend. These benefits also extend to children of the deceased until said children reach the age of eighteen (18). The benefits for children may extend beyond that age if physically or mentally incapacitated from earning a living. If there is no surviving spouse, domestic partner, or child, parents or designated beneficiaries of the deceased may obtain the benefit. For police, the program is maintained per R.I. Gen. Laws § 45-19-4 and for firefighters and crash rescue personnel, the governing law is R.I. Gen. Laws § 45-19-12. The records in the series may include, but are not limited to, copies of death certificates, verifications of employment, marital status verifications, and other forms of verification of eligibility.

Retention: Retain thirty (30) years.

DLT9.19 Police, Fire, Rescue Personnel Family Education Fund Records

The Department of Labor & Training maintains a program that pays education costs for police, fire, or crash rescue personnel who sustain career ending injuries while performing their duties. Police officers are covered by R.I. Gen. Laws § 45-19-4.2. Fire fighters and crash rescue personnel are covered by R.I. Gen. Laws § 45-19-12.3. The benefits extend to any who are taking courses at any college or university operated by the state of Rhode Island. The aid is available for the

amount of time it would normally take to complete a degree at the institution in question. The maximum amount of time is four (4) years. The same benefits are available for the spouses and children of police, fire or crash rescue personnel who die or become permanently disabled in the line of duty, as a result of injuries sustained in the line of duty, or die of an illness contracted as a direct result of the job. The spouses and children of police are covered by R.I. Gen. Laws § 45-19-4.1. The spouses and children of fire and crash rescue personnel are covered by R.I. Gen. Laws § 45-19-12.1. All children involved must enter the college or university between the ages of sixteen (16) and twenty-one (21). The records in this series may include, but are not limited to, college applications, college-related bills, and statements of grades.

Retention: Retain thirty (30) years.

DLT9.20 Adjusting Journal Entries

The Department of Labor and Training's Business Office, like other business offices, posts adjusting entries transferring revenues or expenditures from one agency to another. The records in this series may include, but are not limited to, data compilations, spreadsheets, invoices, and copies of journal entries.

Retention: Retain ten (10) years.