

**GENERAL SCHEDULE #26 – Local Government Human Resources**

This Retention and Disposal Schedule covers records that are commonly found in the **Human Resources** offices of counties, cities, townships, villages, public schools, local authorities, public colleges and public universities. The records that are described on the attached pages are deemed necessary (1) for the continued effective operation of Michigan government, (2) to constitute an adequate and proper recording of its activities, and (3) to protect the legal rights of the government of the State of Michigan and of the people. We, the undersigned, believe that this schedule meets the administrative, legal, fiscal and archival requirements of the State of Michigan.

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*July 31, 2008*

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# GENERAL RETENTION SCHEDULE #26 LOCAL GOVERNMENT HUMAN RESOURCES INTRODUCTION

## **Public Records**

The Michigan Freedom of Information Act (FOIA) ([MCL 15.231-15.246](#)) defines public records as recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

## **Retention and Disposal Schedules**

Michigan law (MCL [399.5](#) and [750.491](#)) requires that all public records be listed on an approved Retention and Disposal Schedule that identifies the minimum amount of time that records must be kept to satisfy administrative, legal, fiscal and historical needs. Local situations may require retention beyond the periods listed, and nothing prevents an office from retaining records longer than the specified period of time. Schedules also identify when records may be destroyed, and when certain records can be sent to the Archives of Michigan for permanent preservation.

*Records cannot be destroyed unless their disposition is authorized by an approved Retention and Disposal Schedule.* All schedules are approved by the Records Management Services, the Archives of Michigan and the State Administrative Board. There are two types of schedules that government agencies may use:

- A “general schedule” will cover records that are common to a particular type of government agency, such as a human resources office. General schedules may not address every single record that a particular office may have in its possession. *General schedules do not mandate that any of the records listed on the schedule be created.* However, if they are created in the normal course of business, the schedule establishes a minimum retention period for them.
- Any record that is not covered by a general schedule must be listed on an “agency-specific schedule” that will address records that are unique to a particular government agency. Agency-specific schedules always supersede general schedules. Agency-specific schedules only address the records of the agency named on the schedule, and may not be used by another agency.

This schedule covers personnel and payroll records maintained by local governments including counties, cities, townships, villages, school districts, local authorities, public colleges and public universities.

## **Unofficial Documents**

General Schedule #1 addresses the retention of “nonrecord” materials. These documents are broadly defined as drafts, duplicates, convenience copies, publications and other materials that do not document agency activities. These materials can be disposed of when they have served their intended purpose. Government agencies need to identify the “office of record” when multiple offices possess copies of the same record. The “office of record” is responsible for

following the retention period that is specified, duplicates do not need to be retained. A more comprehensive definition of “nonrecords” can be found in the approved schedule (available online at [http://www.michigan.gov/documents/hal\\_mhc\\_rms\\_GS1\\_local\\_110758\\_7.pdf](http://www.michigan.gov/documents/hal_mhc_rms_GS1_local_110758_7.pdf)).

## **Record Maintenance**

Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc. The retention periods listed on this general schedule do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, government agencies should work with their information technology staff to develop preservation plans for retaining electronic records with long-term (more than 10 years) retention requirements. Various laws (including the Records Reproduction Act, [MCL 24.401-24.406](#)) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws.

## **Suspending Destruction**

Government agencies must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an audit, investigation or litigation has commenced. If relevant records exist in electronic formats (such as e-mail, digital images, word processed documents, databases, backup tapes, etc.), the agency may need to notify its information technology staff. Failure to cease the destruction of relevant records could result in penalties.

## **HAL Can Help!**

The State of Michigan Records Management Services is available to assist government agencies with their questions about record retention and acceptable recording media. Agencies may contact the Records Management Services at (517) 335-9132. Additional information is also available from the Records Management Services’ website <http://www.michigan.gov/recordsmanagement/>, including records management manuals, general schedules, e-mail retention guidelines, microfilming standards and digital imaging standards, etc.

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Item Number	Series Title and Description	Total Retention
<b>Personnel</b>		
100A	<u>Personnel Files</u>	ACT+6
	<p>These files are maintained on each employee of the local government. They document hiring, promotion, demotion, transfer, layoff, performance, discipline, termination, etc. They may include employment applications and resumes, job descriptions and classification history, clippings, correspondence, service record change forms, attendance, evaluations, investigations, COBRA, training records, blood borne pathogen training, contracts, disciplinary records, layoff notices, recall notices, apprenticeships, transcripts, tuition reimbursement, policy acknowledgements, property sign-out forms, certifications, current driver's licenses, driving records, police accident reports, exit interviews, severance agreements, etc. <b>ACT = term of employment.</b></p>	
100B	<u>Personnel Files—Temporary Employees</u>	ACT+6
	<p>These files are maintained on all temporary, seasonal and student employees. They may contain the same documents listed in item #100A, as well as work permits and certificates of age for minors. <b>ACT = term of employment.</b></p>	
100C	<u>Personnel Files—Contractual Employees</u>	EXP+6
	<p>These files are maintained on all contractual employees. They may include 1099 forms, W-9 forms, verification of insurance, copies of contracts, etc.</p>	
101	<u>Employee Database</u>	ACT+6
	<p>Local governments may maintain electronic data to administer personnel and payroll functions including timekeeping, tenure, payroll, retirement, etc. <b>ACT = term of employment.</b></p>	
102	<u>Employment Verification Forms</u>	CR+30 days
	<p>These forms are received from mortgage or credit companies that want to verify the employment status of an employee.</p>	
103	<u>Background Files</u>	ACT+6
	<p>These files document that the local government conducted appropriate background checks on employees. These files may contain release forms</p>	

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	to conduct criminal history checks, fingerprint checks and professional conduct checks, and the results of those checks. They may also include driving records, drug and alcohol tests, physical exam results, polygraph test results, credit history reports, etc. <b>ACT = term of employment.</b>	
104	<u>Medical Files</u>	ACT+30
	These files document private medical information for a specific employee, including disability accommodations. They may contain insurance forms, physician correspondence, tuberculosis tests, polygraph test results, off-work notices, Family Medical Leave Act forms and requests, long and short-term disability paperwork, drug and alcohol tests, physical exams, accident reports, personal requests, etc. [29 CFR 1910.1020(d)] These records must be retained separately from personnel files (see item #100A). The medical records of employees who have worked for less than 1 year for the employer need not be retained beyond the term of employment, if they are provided to the employee upon the termination of employment. <b>ACT = term of employment.</b> Note: this series does not include the official copy of insurance claims, which are usually retained by the business or finance office.	
105	<u>Employee Test Results</u>	CR+6
	Some employees attend professional development, continuing education, licensing and/or certification training. These records will document the results of tests that employees may take when completing these courses. Other training records are kept in the employee file (see item #100).	
106	<u>Commercial Drivers License Test Results</u>	CR+5
	Employers of individuals holding commercial drivers licenses maintain records about their alcohol misuse and controlled substances use prevention programs. These records contain test results for alcohol or controlled substances, test refusals, driver evaluations and referrals, calibration documentation, test administration documents, calendar year summaries, etc. 49CFR382.401.	
107	<u>I-9 File</u>	EVT
	Federal Form I-9 includes verification by employers of identity and immigration status of all new employees. These files will contain Employment Eligibility Verification form, copy of one document from List A or copy of one document from List B and C. This file may also include a copy of driver's license and any Department of Homeland	

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Item Number	Series Title and Description	Total Retention
	Security correspondence and subsequent documentation regarding “no match” verification. Note: These files are maintained separately from the basic personnel file. <b>EVT = 8 CFR 274 a.2 (1998) requires that employers maintain signed copies of I-9 forms for 3 years after the date of hire or one year after termination, whichever is later.</b>	
108	<u>Policies and Procedures</u>	SUP+6
	These records document employee policies and procedures adopted by the local government. Drafts and other development documents should be retained until the final document is adopted.	
109	<u>Grievances</u>	ACT
	These files document employee grievances against the local government and the resolution of the grievance. They may include written grievances, correspondence, summary sheets, legal documents, employee history information, etc. <b>ACT = until the contract that the grievance is related to expires.</b>	
110	<u>Complaints</u>	ACT+6
	These records document the filing and investigation of a complaint. Complaints may relate to affirmative action, sexual harassment, labor practices, disability issues, etc. <b>ACT = until complaint is dismissed or resolved.</b>	
111	<u>Investigations</u>	ACT
	If an employer has reasonable cause to believe that an employee is engaged in criminal activity which may result in loss or damage to the employer’s property or disruption of the employer’s business operation, and the employer is engaged in an investigation, then the employer may keep a separate file of information relating to the investigation. ACT = upon completion of the investigation, if disciplinary action is not taken (MCL 423.509). If disciplinary action is taken, the investigation file shall be retained for 4 years after the completion of the investigation. A disciplinary report will be retained in the employee’s personnel file (see item # 100A).	

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Item Number	Series Title and Description	Total Retention
112	<u>Benefit Plans</u>  These documents define the terms of benefit plans that are available to employees. These files may include the plan documents, plan descriptions, reports, etc.	SUP+6
113	<u>Employee Injury Records—Exposure</u>  These files include any reports of accidents or injuries involving exposure to toxic substances or blood-borne pathogens. These files are maintained separately from the personnel file. These files may include incident reports, medical reports, responses by supervisors and management, requests for medical leave, insurance forms, applications for continuation of insurance, supporting medical documentation, etc. [ 29 CFR 1910.1020]	CR+30
114	<u>Employee Injury Records—Non-exposure</u>  These files include any reports of accidents or injuries involving an employee. Records of injuries are kept separate from the personnel file. These files may include incident reports, responses by supervisors and management, requests for medical leave, insurance forms, application for continuation of insurance, etc. OSHA requires that any information pertaining to a job-related illness and injury be kept on file for five years after the end of the fiscal year in which the event occurred.	CR+5
115	<u>Employee Injury Records--OSHA 300 Log</u>  This log identifies all employee injuries within a calendar year. In accordance with 9 CFR 1904.33, this log and other supplementary records shall be retained for 5 years following the calendar year that the records cover.	CR+5
116	<u>Job Classifications and Descriptions</u>  These records document job classification systems and all existing positions. Job descriptions may include a summary of responsibilities, functions, applicant requirements, salary and benefit classifications, etc.	SUP+6
117	<u>Salary Studies</u>  These records document the analysis of employee salaries to ensure fair compensation. They may include research, surveys, reports, etc. ACT = while of reference value.	ACT

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Item Number	Series Title and Description	Total Retention
118	<u>Position Re-classifications</u>  These records document requests to have a position re-classified. They may contain the request, copies of existing and proposed job descriptions, decisions affecting the request and other related documents.	CR+6
119	<u>Job Advertisements/Postings</u>  These records document the advertising of available positions that the local government intends to fill, both internally and externally. They may include notices, published advertisements, etc.	CR+1
120	<u>Job Applications</u>  These files document applicants for positions who were not hired, regardless of whether they were interviewed (this includes unsolicited applications, unless the local government has a written policy prohibiting the acceptance of unsolicited applications). They may include resumes, letters of interest, applications, regret letters, qualification exam scores, and supporting documents. <b>ACT = If the application is unsolicited (no position is currently available) or if the person is determined to be ineligible for the position to which they applied, retain for one year from the date that the decision was made not to hire the individual. If the person was considered for a posted position, retain for 2 years from the date the position is filled.</b>	ACT
121	<u>Selection Files</u>  These records contain all documents that support the appointment and selection of employees. They may contain employment lists, transfer lists, selection criteria, evaluations of candidates, position descriptions, applications, interview questions, reference checks, rating forms, and appointment recommendations/notifications. ACT = until the position is filled.	ACT+2
122	<u>Job Qualification Exams</u>  These records are used to test potential employees' qualifications for employment. They include the master exam and master answer sheet, as well as test development documentation (if applicable).	SUP+6

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Item Number	Series Title and Description	Total Retention
123	<u>Emergency Contacts</u>  These records identify the people that the employee wants to be contacted if they are involved in an emergency situation.	SUP
124	<u>Workers Disability Compensation Files</u>  These files document any claims made for workers disability compensation benefits. They may consist of a copy of the report of the incident/injury made by the employee (original is sent to the insurer), a copy of all reports from the occupational health center, etc. Any litigation is kept in a separate file. <b>ACT = until the claim is settled.</b>	ACT+7
125	<u>Worker Disability Compensation Reports</u>  These reports are received from disability insurance providers. They identify the amount of benefits that were paid from the policy.	FY+7
126	<u>Labor Agreements and Negotiations</u>  These files document labor negotiations and resulting contracts with individual employees and employee groups. It may include salary and benefit schedules, ground rules proposals and counter proposals, secondary negotiations, meeting minutes, any agreements, final contracts, etc. Separate files are maintained for each employee negotiating group. <b>Note: Select records may need to be kept longer, if they are needed to document retirement benefits that an employee is entitled to.</b>	EXP+10
127	<u>Union Files</u>  These files are maintained on each union that represents employees. They may include correspondence, dues information, etc.	FY+7
128	<u>Seniority Lists</u>  These documents are sent to union presidents for notification of seniority status.	SUP+1
129	<u>Affirmative Action Plans</u>  These records document the local government's plans to comply with affirmative action requirements. They may include the plan, supporting documentation, analyses, raw data, tests given to employees, validation studies, etc.	EXP+2

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Item Number	Series Title and Description	Total Retention
130	<u>Adverse Impact Determination</u>  State or federal agencies can audit or investigate for civil rights violations. These records are created after there has been a determination of adverse impact upon employees. They document that the cause of the adverse impact was eliminated.	CR+2
131	<u>Organization Charts</u>  These records document the organizational structure of the local government. They may include mission statements and other supporting documents. Note: these records may continue to have reference value after they are superseded.	SUP
132	<u>Employee Directories</u>  These records contain contact information for employees. Note: these records may continue to have reference value after they are superseded.	SUP
133	<u>Government Reports</u>  These reports include equal employment opportunity reports, veteran employment reports, census of government employment reports, etc.	CR+1
<b>Note:</b> The official copies of contracts are generally retained by the Clerk and are listed on the Clerk's Retention and Disposal Schedule (see General Schedules #6, 24, 25). Their minimum retention period is EXP+6.		

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Item Number	Series Title and Description	Total Retention
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**Payroll**

200A Employee Files—Employees Enrolled in a Pension Plan ACT

These files are maintained on each employee who is enrolled in a pension plan (such as the Municipal Employees Retirement System or a locally operated plan). *They document activities that affect payroll.* They may include W-4, hiring authorization, requisitions, pay increase/change of status notices, contract calculations, long-term disability, retirement purchases, current enrollment for benefits (including health, life, disability, dental, vision and supplemental insurance), credit union deposits, flexible spending accounts, investments in tax deferred accounts (such as 403B, 401K, 457, etc.), employee/employer deferral elections, employee/employer loan agreements, contribution limit testing, supporting documentation for garnishments, levies and deductions, tax deferred payment agreements, retirement beneficiary forms, final salary affidavit, electronic funds transfer applications, etc. **ACT = while individual is employed by the local government plus 50 years, or until retirement plus 6 years, whichever is sooner.**

200B Employee Files—Employees Enrolled in Defined Contribution Plans Only ACT+6

These files are maintained on each employee who is enrolled in a defined contribution plan only and does not receive a pension. *They document activities that affect payroll.* They may include W-4, hiring authorization, requisitions, pay increase/change of status notices, contract calculations, long-term disability, current enrollment for health benefits, credit union deposits, flexible spending accounts, investments in tax deferred accounts (such as 403B, 401K, 457, etc.), employee/employer deferral elections, employee/employer loan agreements, contribution limit testing, supporting documentation for garnishments, levies and deductions, tax deferred payment agreements, beneficiary forms, final salary affidavit, electronic funds transfer applications, etc. **ACT = term of employment. Note: if an employee's abandoned wages are reported and remitted to the Michigan Department of Treasury, the employee's name and last known address need to be retained by the employer for 10 years.**

201 Salary and Benefit Schedules CR+6

These records document the rate of pay for employees and define the benefits that are offered.

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Item Number	Series Title and Description	Total Retention
202	<u>Payroll Registers</u>  These reports are produced to document payroll activities. Information in the report may include the employee name, social security number, employee identification number, gross wages, deductions, net pay, current pay period, year to date earnings, etc. <b>Note: if none of the local government's employees that are listed on the register are enrolled in a pension plan, these records can be retained for FY+7, in accordance with item #203.</b>	FY+50
203	<u>Payroll Reports</u>  Various reports are generated for each pay cycle to verify the accuracy of the payroll. These reports may include payroll summaries, pay journals, check registers, account distributions, payroll liabilities, payroll transactions, payroll account creation reports, gross pay balance, deduction registers, etc.	FY+7
204	<u>State Retirement Reports</u>  These reports are prepared to track employee and employer contributions into state retirement plans. Information in the report includes the payroll date, employee name, social security number, employee identification number, retirement hours, wage code, classification, retirement wages, withholding for the member investment plan, district contribution, rate of pay, contract dates, number of payments per year, etc.	FY+7
205	<u>Time and Attendance</u>  These records are submitted by employees for each pay period to document hours worked and leave time used. In addition, these records contain the statement that is furnished to each employee at the time of payment. The statement will identify the hours worked by the employee, the gross wages paid, the pay period for which payment is being made, itemized deductions, itemized fringe benefits, wage assignments, garnishments and levies. <b>Note: if the local government's final average compensation calculation is longer than 3 years, it will need to retain these records for at least that calculation timeframe.</b>	FY+3
206	<u>Federal/State Tax Deductions</u>  These records document payment of financial liabilities for monies withheld from employee wages. The records may include the quarterly form 941 reporting to the Internal Revenue Service for taxes withheld,	FY+7

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	quarterly transfer of state withholding and sales taxes, Medicaid wage detail, quarterly reports, etc.	
207	<u>W-2 and W-3 Forms</u>	FY+7
	This form documents the annual gross wages, federal, state, Medicare, Social Security, and local taxes withheld for the purpose of reporting income taxes.	
208	<u>Michigan Employment Security Commission (MESC) Reports</u>	FY+7
	These reports are generated for both contributing and reimbursing employers, generally on a quarterly basis, to identify employees, their wages, social security numbers, etc.	
209	<u>Unemployment Claims</u>	FY+1
	These records are received from the Unemployment Agency. They identify people who are claiming unemployment benefits from the local government. They are used to verify that the people are entitled to these benefits, and to resolve discrepancies. They may include correspondence, appeals, etc.	
210	<u>Wage Differential Reports</u>	CR+2
	These records explain any wage differential between sexes and substantiating documents.	

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Item Number	Series Title and Description	Total Retention
<b>General Administrative Records</b>		
300	<u>Subject Files</u>  These records are used to support administrative analysis, program and project planning, procedure development, and programmatic activities. <b>Subject files are generally organized alphabetically by topic.</b> Document types may include periodic activity reports (narrative and statistical), special reports, topical correspondence (including electronic mail), research materials, project planning notes, organizational charts, etc. Subject files do NOT include files related to individual projects. For topics of continuing interest, files may be segmented into annual files. <b>ACT = while topical file is of interest for ongoing administration.</b>	ACT+5
301	<u>General Correspondence</u>  General correspondence does not pertain to a specific issue and it <b>is often organized chronologically or by correspondent's name.</b> General correspondence may include referral correspondence. If the correspondence does pertain to a specific issue it should be filed with other relevant records. General correspondence may exist in a variety of formats, including memos, letters, notes and electronic mail messages. This series also includes automated or manual tools that index and/or track when correspondence was received, the topic of the correspondence, who is responsible for responding to the correspondence, and when the correspondence is considered closed for further action.	CR+2
302	<u>Transitory Correspondence</u>  Transitory correspondence is any form of written communication with a short-term interest that has no documentary value. This type of correspondence has limited administrative and evidential value that is lost soon after the communication is received. <b>Transitory messages do not set policy, establish guidelines or procedures, certify a transaction or become a receipt.</b> Examples of transitory correspondence include letters of transmittal that do not add information to the transmitted materials, routine requests for information that require no administrative action, policy decision, special compilation or research. This type of record also includes invitations to work-related events, notifications of an upcoming meeting, and similar records. <b>EVT = need not be retained more than 30 days after receipt.</b>	EVT

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Item Number	Series Title and Description	Total Retention
303	<u>Freedom of Information Act (FOIA) Requests</u>  This file will document any requests for information or public records. They may include requests for information, correspondence, a copy of the information released, and billing information.	CR+1
304	<u>Contact Lists/Directories</u>  These records contain contact information for individuals and groups that the agency may need to contact for ongoing and special projects, programs, activities, events, surveys, etc. They may contain names, affiliations, address, phone numbers, e-mail addresses, etc. They may exist in paper or electronic form. SUP = retain current information for current contacts or until the list is obsolete.	SUP
305	<u>Planners/Calendars</u>  These may be electronic or manual planners and calendars that are used to track an individual staff member's work-related meetings, assignments, and tasks. Individual employees are responsible for retaining their planners/calendars for the duration of this retention period.	CR+2
306	<u>Staff and Project Meeting Records</u>  These records document staff meetings, meetings with other government agencies, etc. They may include meeting minutes, agendas, and distribution materials, etc. Meeting records may also be retained in subject files (see item #300), if they relate to a specific topic.	CR+2
307	<u>Annual Reports</u>  These reports document the department's activities, and they may contain both narrative and statistical information.	CR+10
308	<u>Grants</u>  These files are used to administer grants that are applied for by the human resources department from state, federal and private agencies. These files may contain applications, budgets, worksheets, adjustments, plans, rules and regulations, award letters, committee records, staffing sheets with account numbers, grant evaluation/monitoring reports, audits, periodic progress reports, etc. <b>ACT = until the grant is closed out, plus any additional time that is required by the granting agency for auditing</b>	ACT

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Item Number	Series Title and Description	Total Retention
	<b>purposes. Final reports and products of the grant may be kept longer for use and reference purposes.</b>	
309	<u>Denied Grant Applications</u>  These records document grants that were applied for, but were not received. They may have reference value for preparing future grant applications. They may contain application forms, budget proposals, letters of support, narrative plans, supporting documentation, etc.	CR+1
310	<u>Departmental Budget Planning</u>  These records document budget planning and tracking activities for the human resources department. They may include budget requests, statistics, budget amendments, budget summaries and balance sheets, etc.	CR+5
311	<u>Publications</u>  These records may include press releases, brochures, newsletters and other items that are published by the department. <b>ACT = while of reference value.</b>	ACT
312	<u>Memorabilia</u>  This series includes photographs, news clippings, certificates, awards, etc. that document events and activities of the department. <b>ACT = while of reference value.</b>	ACT
313	<u>Audio-Visual Materials</u>  These records include photographs, video recordings, audio recordings, slides, etc. in analog and digital formats. They document general program activities, facilities, people, etc. <b>ACT = while of reference value.</b>	ACT
314	<u>Visitor Logs/Registers</u>  These records document who visited the office. They record the visitor's name, date and time of the visit, etc. They may be used for security purposes or to track visitor statistics.	CR+2
315	<u>Employee In/Out Logs</u>  These logs document the time/date when staff arrive and depart throughout each day.	CR+1

**Michigan Department of History, Arts and Libraries  
Records Management Services**

**Frequently Asked Questions  
About General Schedules**

**Q: What is a public record?**

**A:** The Michigan Freedom of Information Act (FOIA) ([MCL 15.231-15.246](#)) defines public records as recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

**Q: Are all records considered to be “official” records?**

**A:** No. General Schedule #1 addresses the retention of “nonrecord” materials. These documents are broadly defined as drafts, duplicates, convenience copies, publications and other materials that do not document agency activities. These materials can be disposed of when they have served their intended purpose. Government agencies need to identify the “office of record” when multiple offices possess copies of the same record. The “office of record” is responsible for following the retention period that is specified, duplicates do not need to be retained. A more comprehensive definition can be found in the approved schedule (available online at [http://www.michigan.gov/documents/hal\\_mhc\\_rms\\_GS1\\_local\\_110758\\_7.pdf](http://www.michigan.gov/documents/hal_mhc_rms_GS1_local_110758_7.pdf)).

**Q: Are the retention periods that are listed on general schedules minimum amounts of time that a record should be kept?**

**A:** Yes. General schedules authorize, but do not require, public officials to dispose of records after the expiration of the assigned retention period. Local situations may require retention beyond the periods listed, and nothing prevents a government agency from retaining records longer than the specified period of time. If records are kept for less than the amount of time listed, the agency can be penalized for unlawful destruction of records. In addition, if records are kept too long, they can waste valuable storage space, and they can become a liability to the agency if it receives a FOIA request, or if it becomes involved in litigation.

**Q: Does my government agency have to follow a general schedule?**

**A:** Records cannot be lawfully destroyed without the authorization of an approved Retention and Disposal Schedule. The purpose of a general schedule is to ensure that all government agencies are following consistent retention practices, and to prevent individual agencies from having to develop an agency-specific schedule. However, if your government agency does not want to follow an approved general schedule, it would need to get an agency-specific schedule approved. [Note: agency-specific schedules always supersede a general schedule.] Internal policies do not have the force of law that an approved Retention and Disposal Schedule has.

**Q: What is an agency-specific schedule?**

**A:** Agency-specific schedules are Retention and Disposal Schedules that only apply to the agency listed on the document. They are intended to cover records that are unique to that specific agency. Records that are listed on an approved general schedule should not be listed on an agency-specific schedule, unless the agency has a unique situation that justifies a different retention period than the one everyone else is following. The instructions and forms for agency-specific schedules are available online at <http://www.michigan.gov/recordsmanagement/>.

**Q: What should my government agency do if we create a record that is not listed on the general schedule?**

**A:** The general schedule covers records that are common to most government agencies. However, general schedules do not claim to be inclusive of every record that all agencies create. Records that are not listed on general schedules cannot be destroyed without the authorization of an approved agency-specific schedule.

**Q: What should my government agency do if we do not create a record that is listed on the general schedule?**

**A:** Nothing. General schedules do not mandate that any of the records listed on the schedule be created. However, if they are created in the normal course of business, the schedule establishes a retention period for them.

**Q: What do the codes in the Total Retention column mean?**

**A:** The **retention codes** that appear on the schedule are used to establish how long records are retained by the creating agency before they are destroyed. Retention

codes determine how destruction dates will be automatically calculated by Versatile (Versatile is the records management software that is used by Records Management Services to manage the retention of records), and the date upon which the calculation will be based. Definitions of these codes can be found in the Records Management Manual that is available online at <http://www.michigan.gov/recordsmanagement/>.

**Q: What do the numbers in the Total Retention column represent?**

**A:** In addition to the retention code, a period of time, years and/or months, can be used in the calculation of the retention period. Years are expressed as whole numbers, and months are expressed as fractions. For example, the fraction "0/6" would represent 6 months. The retention code plus the period of time results in a mathematical formula that is used to determine a disposal date.

**Q: Do the general schedules only cover paper records, or do they cover databases and other electronic records too?**

**A:** Records can exist in a wide variety of formats, including paper, maps, photographs, digital images, e-mail messages, databases, etc. The retention periods listed on the general schedules do not specify the format that the record may exist in, because each government agency that adopts the schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that their records, regardless of format, are properly retained and remain accessible during this entire retention period. Various laws (including the Records Reproduction Act) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws.

**Q: Do the general schedules cover e-mail?**

**A:** Yes. Many of the record series that are listed on the general schedules may originate as e-mail. Those e-mail messages need to be retained for the period of time specified by the schedule. For more information about e-mail retention, please check out the online guide at <http://www.michigan.gov/recordsmanagement/>.

**Q: Can records be microfilmed or digitally imaged?**

**A:** Yes. The Records Reproduction Act (MCL 24.401-24.406) regulates the reproduction of public records by Michigan government agencies at all levels. This law requires the Michigan Department of History, Arts and Libraries to promulgate technical

standards to ensure the continued accessibility and usability of records that are microfilmed or digitized throughout their retention period. The standards are also intended to help state and local governments ensure the integrity and authenticity of their records. The Records Management Services administers competitively bid master contracts for microfilming and imaging services. State agencies and local governments are eligible to use these contracts to receive these services. More information is available online at <http://www.michigan.gov/recordsmanagement/>.

**Q: How can I determine which records that are listed on the general schedules contain confidential information that should not be released to the public?**

**A:** Select records series that are listed on the general schedules may be exempt from public disclosure, in accordance with the provisions of state and federal laws. Please consult with your attorney if you need additional information.

**Q: Is there an appropriate way to destroy records that contain confidential information?**

**A:** Yes. Some public records contain sensitive or confidential information. These records should not be placed in a regular trash or recycle bin when they are destroyed. It is important that government agencies ensure that these records are destroyed in a manner that prevents the inappropriate release of the information. The State of Michigan administers a master contract with a vendor that complies with the state's requirements for confidential destruction of records. Government agencies that are interested in using this contract should contact the vendor: Certified Document Destruction, attention: Brian Dorosz, (800) 433-7876. Confidential electronic records should be destroyed in accordance with the U.S. Department of Defense "Standard Industrial Security Program Operating Manual" (DoD 5220.22-M).

**Q: Who is responsible for ensuring that Retention and Disposal Schedules are followed?**

**A:** The Michigan Penal Code (MCL 750.491) establishes misdemeanor penalties for disposing of records without the authorization of an approved Retention and Disposal Schedule. Government agency directors are responsible for ensuring that relevant staff are aware of the provisions in the schedule and follow them. The Records Management Services does not audit agencies and assess penalties. However, courts may penalize agencies for failing to follow an approved Retention and Disposal Schedule.

**Q: What should I do if I have suggestions for revising a general schedule?**

**A: Contact the Records Management Services at (517) 335-9132.**

