

**Sierra County  
Board of Supervisors'  
Agenda Transmittal &  
Record of Proceedings**

<b>MEETING DATE:</b> May 21, 2019	<b>TYPE OF AGENDA ITEM:</b> <input type="checkbox"/> Regular <input type="checkbox"/> Timed <input checked="" type="checkbox"/> Consent
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<b>DEPARTMENT:</b> Personnel <b>APPROVING PARTY:</b> Margaret Long, Personnel Director <b>PHONE NUMBER:</b> 530-289-2879
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**AGENDA ITEM:** Resolution approving retention schedule for the Sierra County Personnel Department.

**SUPPORTIVE DOCUMENTS ATTACHED:**  Memo  Resolution  Agreement  Other  
Resolution and Personnel Records Retention Schedule

**BACKGROUND INFORMATION:** The proposed resolution is a result of hiring the Personnel Analyst position and the Personnel Department becoming a standalone department that is now responsible for maintaining a number of personnel and safety records for the County and requires a records retention schedule.

**FUNDING SOURCE:**  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** \$N/A N/A

<b>ARE ADDITIONAL PERSONNEL REQUIRED?</b>  <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	<b>IS THIS ITEM ALLOCATED IN THE BUDGET?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <b>IS A BUDGET TRANSFER REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**SPACE BELOW FOR CLERK'S USE**

<b>BOARD ACTION:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2019- _____ Agreement 2019- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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**COMMENTS:**  
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\_\_\_\_\_  
CLERK TO THE BOARD

\_\_\_\_\_  
DATE

**BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA**

**RESOLUTION APPROVING A RECORDS RETENTION SCHEDULE FOR THE SIERRA COUNTY PERSONNEL DEPARTMENT**

**RESOLUTION NO. 2019-**

**WHEREAS**, Government Code Section 26202 provides that the Board of Supervisors may authorize the destruction of any record, paper, or other document which is more than two years old, which was prepared or received in any manner other than pursuant to a state statute or county charter, and which is not expressly required by law to be filed and preserved; and

**WHEREAS**, Section 26202 further allows the Board of Supervisors to authorize the destruction of any record, paper or document which is more than two years old, which was prepared or received pursuant to state statute and which is not expressly required by law to be filed and preserved if the Board determines by a four-fifths vote that the retention of any such record, paper or document is no longer necessary or required for County purposes and providing that any such records, papers or documents need not be reproduced or microfilmed prior to their destruction and no copy thereof needs to be retained; and

**WHEREAS**, on January 8, 2019 the Sierra County Board of Supervisors created the position of Personnel Analyst under the supervision of the Personnel Director, thereby creating the Personnel Department which is now responsible for maintaining a number of personnel and safety records for the County; and

**WHEREAS**, the Personnel Director has prepared the attached records retention schedule, which represents an inventory of all records to be maintained by the Personnel Department.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Supervisors of the County of Sierra does hereby adopt the attached records retention schedule for the Personnel Department and authorize the Personnel Director or the Personnel Director's designee to retain the records pursuant to the schedule, and thereafter to destroy or otherwise dispose of documents that exist beyond the records retention periods specified.

**ADOPTED** by the Board of Supervisors of the County of Sierra on the 21<sup>st</sup> day of May, 2019, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

COUNTY OF SIERRA

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PAUL ROEN  
CHAIR, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
HEATHER FOSTER  
CLERK OF THE BOARD

\_\_\_\_\_  
DAVID PRENTICE  
COUNTY COUNSEL

## SIERRA COUNTY PERSONNEL DEPARTMENT RECORDS RETENTION SCHEDULE

ITEM NO. OR CLASSIFICATION	RECORD CATEGORY	TOTAL RETENTION	COMMENTS/REFERENCE
General Subject	EEO4 Reports; required by federal government	Three years after date of submission	Retention required by Title 29, Chapter XIV Code of Federal Regulations 1602.30
General Subject	Job specifications; outlining minimum qualifications as adopted by the Board of Supervisors – Exempt positions	Two years after superseded or obsolete	California Gov. Code § 26205; Title 29, Chapter XIV Code of Federal Regulations, 1602.31 and California Gov. Code §12946
General Subject	Personnel correspondence files; matters acted or advised on by the Director-Personnel not contained in other files or records	Current calendar year plus five years	Multiple Sources.
General Subject	County Job Descriptions	Two years after superseded or obsolete	California Gov. Code § 26205; and Title 29, Chapter XIV Code of Federal Regulations, 1602.31
General Subject	Salary surveys; conducted pursuant to MOU provisions	Three years after final draft approved by the Board of Supervisors	California Gov. Code § 26202
Recruitment	Applications for employment; lists of eligible candidates for employment; interview records; tests; job postings	Two years	California Gov. Code § 12946; 29 CFR 1602.31
Recruitment	Background files- Credential Checks	Five years from separation	29 CFR 1602.31 & 29, CFR 1627.3 (b)(ii), 8 CCR 3204 (d)(1) et seq., GC 12946 & 26202
Personnel File	Personnel files of current employees; applications, performance evaluations, commendations, disciplinary actions, personnel/payroll action forms	Kept current throughout employment; destroyed no sooner than five years from date of separation	California Gov. Code § 12946; 29 CFR 1602.31 – requires two years after separation
Personnel File	Discrimination complaints (grievance & arbitration); grievances and complaints of discrimination including agreements, settlements and arbitrator decisions	Five years after employee separation from employment	Title 29, Chapter XIV Code of Federal Regulations, 1602.31 and California Gov. Code §12946

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ITEM NO. OR CLASSIFICATION	RECORD CATEGORY	TOTAL RETENTION	COMMENTS/REFERENCE
Personnel File	I-9 Employee Verification; form for verification of eligibility to work in the United States	Three years after date of hire or one year after employment ends, whichever is greater.	Immigration Reform & Control Act of 1986 requires the report to be retained for a minimum of three years after hire, or one year after employment, whichever is greater.
Personnel File	Medical records; conditional offer medical examination results, fitness for duty results	Five years after employee separation from employment	Multiple Sources.
Personnel File	Oaths of Disaster Workers	Five years after termination of employment	California Gov. Code § 3105(f)
Personnel File	Personnel files on separated regular, term and extra help employees	Five years from date of separation	Multiple Sources.
Personnel File	<p>Records of alcohol misuse and controlled substances use prevention programs</p> <p>Driver alcohol test of .02 or greater and/or driver positive controlled substance test or refusal to take test</p> <p>Records related to alcohol and controlled substance collection process.</p> <p>Records of Negative and cancelled controlled substance test result or test results for less than .02 concentration of blood alcohol.</p> <p>Records of education and training for alcohol testing technicians, supervisors and drivers.</p>	<p>Various retention timeframes outlined in 49 CFR § 382.401</p> <p>Five years from date of record</p> <p>Two years from date of record</p> <p>One year from date of record</p> <p>Indefinite</p>	49 CFR § 382.401

## SIERRA COUNTY PERSONNEL DEPARTMENT RECORDS RETENTION SCHEDULE

ITEM NO. OR CLASSIFICATION	RECORD CATEGORY	TOTAL RETENTION	COMMENTS/REFERENCE
Risk Management/Safety Operational Files	Information needed to administer county self-insurance programs including: certificate of insurance letters, costs allocation plans, actuary studies, insurance renewal data, CAL OSHA 300, 300A & 301 logs, OSHA surveys, annual State of California Workers= Compensation report, loss runs, structures and contents values, incident reports, subrogation recoveries and other information filed by category of insurance coverage.	Five years after file closed	Reference materials are reviewed periodically and purged.
Workers' Compensation Claim Files	On the job injury claims. Includes employee claims, employers report of occupational injury or illness, medical reports, legal correspondence, Workers Compensation Appeals Board findings and awards, and other information relevant to the injury claim. All information is filed chronologically	Records of adjudications of claims kept in electronic format-fifty years.  Records of case opening-20 years from filing.  Records in paper form may be destroyed	CCR §10208.7
Safety	Training records – Ethics, Safety, Harassment	Five years	Ethics – GC 53235.2 requires five years after local officials receive the training
Safety	OSHA RECORDS	Five years	Upon order of CalOSHA
Safety	BUILDING & SAFETY REPORTS	Five years	Upon order of CalOSHA
Safety	HAZARDOUS/TOXIC SUBSTANCE EXPOSURE RECORDS	Indefinite	Upon order of CalOSHA
Safety	VEHICLE ACCIDENT REPORTS	Two years	Upon order of CalOSHA

## SIERRA COUNTY PERSONNEL DEPARTMENT RECORDS RETENTION SCHEDULE

ITEM NO. OR CLASSIFICATION	RECORD CATEGORY	TOTAL RETENTION	COMMENTS/REFERENCE
Internal Property Claims	Internal county auto and property damage claims (Sierra County owned property) – can include incident reports, vehicle accident reports, claims, damage assessments, cost sheets, work orders, etc...	Two years	Departmental Policy; California Gov. Code § 34090; California Gov. Code § 26202
Correspondence	Correspondence – includes outside county correspondence, memos, policy updates, program updates, etc...	Two to five years from date or separation depending on nature	Departmental Policy; maintained in electronic format on word processor. See personnel file sections.