

This schedule applies to: Employment Security Department

Scope of records retention schedule

This records retention schedule authorizes the destruction/transfer of the public records of the Employment Security Department relating to the unique functions of providing unemployment benefits, paid family medical leave, job search services and training, as well as employer resources and collecting of tax payments. The schedule is to be used in conjunction with the *State Government General Records Retention Schedule (SGRRS)*, which authorizes the destruction/transfer of public records common to all state agencies.

Disposition of public records

Public records covered by records series within this records retention schedule (regardless of format) must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of state resources.

Public records designated as “Archival (Permanent Retention)” must not be destroyed. Records designated as “Archival (Appraisal Required)” must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency’s policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with chapter 42.56 RCW. Such public records must be managed in accordance with the agency’s policies and procedures for public records requests.

Revocation of previously issued records retention schedules

All previously issued records retention schedules to the Employment Security Department are revoked. The Employment Security Department must ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

Authority

This records retention schedule was approved by the State Records Committee in accordance with RCW 40.14.050 on August 5, 2020.

Signature on File

For the State Auditor:
Al Rose

Signature on File

For the Attorney General:
Suzanne Becker

Signature on File

For the Office of Financial Management:
Gwen Stamey

Signature on File

The State Archivist:
Steve Excell

REVISION HISTORY

Version	Date of Approval	Extent of Revision
1.0	August 5, 2020	Consolidation of all existing disposition authorities (with some minor revisions).

For assistance and advice in applying this records retention schedule,
please contact the Employment Security Department's Records Officer
or Washington State Archives at:
recordsmanagement@sos.wa.gov

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1. EMPLOYER RECORDS

This section covers records relating to employer information, tax files, and job opportunities.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
83-11-33133 Rev. 1	<p><i>Employer Ownership File</i></p> <p>Provides a complete history of all employers which are registered with the Employment Security Department in all program services (Unemployment Insurance (UI), Paid Family and Medical Leave (PFML), WorkSource, etc.).</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Business Application/Registration; • Business Ownership; • Business Transfer; • Predecessor/Successor Records. <p>Excludes records covered by <i>Employer Tax File (DAN 83-11-33131)</i>.</p>	<p>Retain for 6 years after inactivation of account <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
83-11-33131 Rev. 1	<p>Employer Tax File Provides a record of taxes, premiums, and wages paid by employers throughout the State of Washington. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Audit Files; • Correspondence; • Experience Rating; • IRS Reporting; • PFML Premiums; • Taxes Owed/Paid; • Tax and Wage Files/Reports. <p>Excludes records covered by <i>Employer Ownership File (DAN 83-11-33133)</i>.</p>	<p>Retain for 6 years after end of fiscal year <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR</p>
81-12-29430 Rev. 1	<p>Job Order Provides a record of a request for employee(s) by an employer. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Employer Name/Address; • Contact Person; • Length of Job; • Requirements of Job; • Referral-Verification Form; • EMS 516R, Part 1. 	<p>Retain for 2 years after job(s) filled <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OFM</p>

2. LEGAL APPEALS AND DISPUTES

This section covers records relating to benefit appeals and disputes.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
88-04-41961 Rev. 2	<p><i>Benefit Appeal Decisions</i></p> <p>Unemployment administrative orders issued by an Office of Administrative Hearings (OAH) judge or review judge to an aggrieved party, including those used in and for judicial appeals.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Administrative Orders; • Commissioner’s Decisions; • Commissioner’s Record; • Judicial Appeal; • Motions; • Orders Issued. <p>Excludes historical/archival decisions covered by <i>Precedential Commissioner Decisions (DAN 88-04-41959)</i>.</p>	<p>Retain for 6 years after date of judgement or decision <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
88-04-41960 Rev. 2	<p><i>Benefit Appeal File</i> Administrative records (appeal file) for Office of Administrative Hearing (OAH) appeal hearing and review by Commissioner Review Office. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Audio Records; • Exhibits; • Notices; • Review Petition; • Withdrawal of Appeal. <p><i>Note: Retention for these records is based on Federal Citations 2 CFR §200.333 and 29 CFR §97.42.</i></p>	<p>Retain for 3 years after date of judgement or decision <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OFM
84-10-34579 Rev. 1	<p><i>Labor Dispute File</i> Provides a record of labor disputes, a record of overpayments and their final disposition. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Monetary Determination Files; • Transcripts of Procedures; • Documentation Regarding the Filing of Unemployment Compensation Claims; • Denial or Allowance of Benefit Payments; • Claim Record Cards; • Non-Monetary Decisions; • EMS 5341; • Affidavits. 	<p>Retain for 6 years after action on claim resolved <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OFM

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
88-04-41959 Rev. 1	<p><i>Precedential Commissioner Decisions</i> Provides published record of the final decision of a lower appeal decision; established as precedence for current and future decisions.</p>	<p>Retain for 2 years after published <i>then</i> Transfer to Washington State Archives for appraisal and selective retention.</p>	<p>ARCHIVAL (Appraisal Required) NON-ESSENTIAL OFM</p>

3. PARTICIPANT/CLIENT FILES

This section covers records relating to participants and clients in all agency programs.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
75-09-14440 Rev. 1	<p>Claimant Files</p> <p>Provides a record for reference and documentation of a claimant’s participation in Unemployment Insurance (UI) and Paid Family and Medical Leave (PFML) programs.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Affidavits; • Applicant Information; • Correspondence; • Documentation of Appeal; • Cancellation; • Collection; • Job Search. 	<p>Retain for 6 years after end of fiscal year <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR</p>
75-05-11029 Rev. 1	<p>Federal Programs – Individual Client Folders</p> <p>Provides a record of participants in federally funded programs.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Enrollment – Applicant information; • Correspondence; • Individual Training Records; • Test Scores; • Documentation of Completed Programs. 	<p>Retain for 6 years after end of fiscal year <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OFM</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
85-10-36358 Rev. 1	<p><i>Washington Service Corps</i> Provides a record of client participation in the program from enrollment through termination. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Enrollment – Applicant Information; • Correspondence; • W-4 and Payroll Notices; • Work Agreement; • Evaluations; • Termination Paperwork. 	<p>Retain for 6 years after terminated from program <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OFM</p>

4. STATISTICAL DATA

This section covers records relating to information gathered and used to report statistical data both internally and externally.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
76-04-16955 Rev. 1	<i>Prevailing Wage and Work Registration</i> Wage detail by area and job class. Also details existing jobs geographically.	Retain until superseded <i>then</i> Transfer to Washington State Archives for appraisal and selective retention.	ARCHIVAL (Appraisal Required) NON-ESSENTIAL OFM

GLOSSARY

Appraisal

The process of determining the value and disposition of records based on their current administrative, legal, and fiscal use; their evidential and informational or research value; and their relationship to other records.

Archival (Appraisal Required)

Public records which may possess enduring legal and/or historic value and must be appraised by the Washington State Archives on an individual basis. Public records will be evaluated, sampled, and weeded according to archival principles by archivists from Washington State Archives (WSA). Records not selected for retention by WSA may be disposed of after appraisal.

Archival (Permanent Retention)

Public records which possess enduring legal and/or historic value and must not be destroyed. State government agencies must transfer these records to Washington State Archives (WSA) at the end of the minimum retention period. WSA will not sample, weed, or otherwise dispose of records fitting the records series description designated as “Archival (Permanent Retention)” other than the removal of duplicates.

Disposition

Actions taken with records when they are no longer required to be retained by the agency. Possible disposition actions include transfer to Washington State Archives and destruction.

Disposition Authority Number (DAN)

Control numbers systematically assigned to records series or records retention schedules when they are approved by the State Records Committee.

Essential Records

Public records that state government agencies must have in order to maintain or resume business continuity following a disaster. While the retention requirements for essential records may range from very short-term to archival, these records are necessary for an agency to resume its core functions following a disaster. Security backups of these public records should be created and may be deposited with Washington State Archives in accordance with Chapter 40.10 RCW.

Non-Archival

Public records which do not possess sufficient historic value to be designated as “Archival”. Agencies must retain these records for the minimum retention period specified by the appropriate, current records retention schedule.

Agencies should destroy these records after their minimum retention period expires, provided that the records are not required for litigation, public records requests, or other purposes required by law.

Non-Essential Records

Public records which are not required in order for an agency to resume its core functions following a disaster, as described in Chapter 40.10 RCW.

OFM (Office Files and Memoranda)

Public records which have been designated as “Office Files and Memoranda” for the purposes of RCW 40.14.010.

RCW 40.14.010 – Definition and classification of public records.

(2) “Office files and memoranda include such records as correspondence, exhibits, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records filed with any agency of the state of Washington; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and other documents or records as determined by the records committee to be office files and memoranda.”

OPR (Official Public Records)

Public records which have been designated as “Official Public Records” for the purposes of RCW 40.14.010.

RCW 40.14.010 – Definition and classification of public records.

(1) “Official public records shall include all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use, and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the state of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the state of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the state of Washington; ... and all other documents or records determined by the records committee... to be official public records.”

Public Records

RCW 40.14.010 – Definition and classification of public records.

“... The term “public records” shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and

including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business...”

Records Series

A group of records, performing a specific function, which is used as a unit, filed as a unit, and may be transferred or destroyed as a unit. A records series may consist of a single type of form or a number of different types of documents that are filed together to document a specific function.

State Records Committee

The committee established by RCW 40.14.050 to review and approve disposition of state government records.

Its four members include the State Archivist and one representative each from the Office of the Attorney General, Office of the State Auditor, and the Office of Financial Management.

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