Mercy Chefs Inc.

Record Retention & Destruction Policy

***The information contained in this policy is intended as a guideline for retention of records; It Is not a comprehensive list of all types of records the Mercy Chefs Inc.***

***might have, nor will compliance with this list guarantee compliance with all applicable laws. In addition, some individual records within a given category will have more significance than others, depending on the circumstances, and may warrant retention beyond the time period Indicated below. In each case records should be retained for the longer of the periods specified in the "Legal Purposes" and the "Business Purposes" columns.***

**Legal Holds.** From time to time the Executive Director may issue a notice, known as a "Legal Hold," suspending the destruction of records due to pending, threatened or otherwise reasonably foreseeable litigation, audits, government investigations or similar proceedings. No records specified in any Legal Hold may be destroyed, even if the scheduled destruction date has passed, until the Executive Director withdraws the Legal Hold in writing.

If need for a Legal Hold arises, the Executive Director will make a good faith effort to ensure the preservation of documents that might otherwise be subject to routine destruction under the Corporation's record retention and destruction policy. The Executive Director will document when the instructions were transmitted, the notice that the Corporation received that triggered the instruction, and will follow up on compliance using Attachment A, Legal Hold Notice.

The Corporation takes very seriously its obligation to preserve information relating to litigation, audits, and investigations. The consequences of failing to retain items subject to a Legal Hold can be serious, including possible criminal and civil sanctions against the Corporation and its employees, and possible disciplinary action against responsible individuals (up to and including termination of employment). Each employee has an obligation to contact the Executive Director immediately in the event the employee obtains knowledge of any potential or actual litigation, external audit, investigation, or similar proceeding involving the Corporation. Likewise, it is also imperative that employees report threatened or actual violations of the Corporation's record retention and destruction policy to either the Executive Director or the Finance Director.

**Approval for Record Destruction.** Approval for record destruction must be obtained from the Executive Director using Attachment B, Record Destruction Approval. Documentation of every instance of information destruction must be maintained permanently.

**Electronic Documents.** All retention periods apply to paper and/or electronic media records. The originator of an electronic message is the record copyholder, just as the creator of a paper document is the record copyholder. The originator is responsible for preserving records of lasting importance to the Corporation.

For informational electronic messages such as meeting notices, reminders, informal notes, and telephone messages, users should delete the message once the administrative purpose is served. For significant electronic messages used in connection with the transaction of business, users must generate a paper copy to be filed in the appropriate record keeping system.

Electronic messages managed by a paper-based record keeping system will include a printout of the following: name and email address of who sent the message, names and email addresses of those the email was sent to, date email was sent, date email was read, subject line of email, message body of email, any attachments, and all associated metadata.

Backup copies of email systems will be cycled and replaced according to timetables established by the Corporation. Timetables are encouraged to be of short duration so that the record keeping function remains with the record keeping system, not the backup system.

This policy was approved by the board of the Mercy Chefs Inc. on

Board Chair Date

**Retention Schedule**

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| --- | --- | --- | --- | --- |
| **Dept.** | **Item** | **Retention Period (Legal Purpose)** | **Retention Period (Business Purpose)** | **Retention Location** |
| **All** | Correspondence, general | 7 years | 7 years | By department- |
|  | Correspondence, legal | Permanent | Permanent | By department |
|  |  |  |  |  |
| **Corporate Records** | Articles of Incorporation | Permanent | Permanent | Executive Director's Office/electronic storage |
|  | Bylaws | Permanent | Permanent | Executive Director's Office/electronic storage |
|  | Board Resolutions | Permanent | Permanent | Executive Director's Office/electronic storage |
|  | Board & committee agendas& materials | 7 years | 7 years | Executive Director's Office/electronic storage |
|  | Board & committee meeting minutes | Permanent | Permanent | Executive Director's Office/electronic storage |
|  | Board & committee Conflict ofInterest disclosure forms | 7 years | 7 years | Executive Director's Office/electronic storage |
|  | Board Trustee files (terms, bios, correspondence) | 7 years after end of service | Permanent | Executive Director's Office/electronic storage |
|  | I RS exemption determination, application & related | Permanent | Permanent |  |

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| **Dept.** | **Item** | **Retention Period (Legal Purpose)** | **Retention Period (Business Purpose)** | **Retention Location** |
|  | correspondence |  |  | Executive Director's Office/electronic storage |
|  | Policies & Procedures | Until Superseded | Until Superseded | Electronic Storage |
|  |  |  |  |  |
| **Communications** | Annual reports | 7 years | Permanent (S copies) | 1 copy Communication's Officer office, remainderdonor filing |
|  | Other publications | 7 years | Permanent (S copies) | 1 copy Communication's Officer office, remainder donor's filing cabinet |
|  | Photos | 7 years | Permanent | Communications office |
|  | Press clippings | **N/A** | Permanent | Communications office/Electronic Storage |
|  | Press releases | 7 years | Permanent | Electronic Storage |
|  | Research reports/surveys | **N/A** | S years | CFO's Office |
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| **Dept.** | **Item** | **Retention Period (Legal Purpose)** | **Retention Period (Business Purpose)** | **Retention Location** |
| **Development** | Fund agreements (signed) & **correspondence relating to terms of the fund** | **Permanent** | **Permanent** | Fund filing cabinets/Electronic Storage |
|  | Legacy Files | Life of donor, then**merge to fund files** | **life of donor, then**merge to fund files | Fund filing cabinets/Electronic Storage |
|  | **Trust agreements & related****correspondence** | **7 years after termination of trust** | **Permanent** | CFO's Office/Electronic Storage |
|  |  |  |  |  |
| **Finance** | **Accounts payable invoices** | **7 years** | **7 years** | **Storage Room/Electronic Storage** |
|  | **Bank reconciliation** | **7 years** | **7 years** | **Storage Room/Electronic Storage** |
|  | **Bank statements** | **7 years** | **7 years** | **Storage Room/Electronic Storage** |
|  | **Bank deposit records** | **7 years** | 7 years | Storage Room/Electronic Storage |
|  | **Cash receipts log** | **7 years** | 7 years | Storage Room/Electronic Storage |
|  | Check register | **7 years** | 7 years | **Storage Room/Electronic Storage** |
|  | **Contracts, leases** &**agreements** | 7 years after all obligations end | 7 years after all**obligations end** | CFO Filing Cabinets |
|  | **Equipment files** | 7 years | **7 years** | CFO Filing Cabinets |

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| **Dept.** | **Item** | **Retention Period (Legal Purpose)** | **Retention Period (Business Purpose)** | **Retention Location** |
|  | **Financial statements** (audited), **work** papers & **auditor management letter** | **Permanent** | **Permanent** | Prior 2 Years, CFO Office/Electronic Storage |
|  | **Insurance policies, claims,****accident reports** | **Permanent** | **Permanent** | **Current in CFO's Office; electronic storage** |
|  | **Investment performance****reports** | **7 years** | Permanent (year end) | CFO's Office |
|  | **Ledgers (accounts payable, accounts receivable, general ledger, journal entries, chart** of accounts) | 7 years | **7 years** | **CFO's Office - electronic storage** |
|  | Payroll records, withholding**tax statements & tlmecards** | **7 years** | 7 years | Payroll Filing Cabinet - CFO Office |
|  | Tax Returns (federal & state) | **Permanent** | **Permanent** | Payroll Filing Cabinet - CFO Office |
|  |  |  |  |  |
| **Human Resources** | IRS Form 1-9 | **1 year after end of****service** | 1 year after end of**service** | **Finance office** |
|  | Retirement Plans (plan**descriptions & documents)** | **Permanent** | **Permanent** | **Finance office** |
|  | **Employment applications** &**resumes** | 3 years | **3 years** | **Finance Office** |

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| **Dept.** | **Item** | **Retention Period (Legal Purpose)** | **Retention Period (Business Purpose)** | **Retention Location** |
|  | Employee handbooks | Permanent | Permanent | Finance Office |
|  | Employee personnel files | Permanent | Permanent | Finance Office |
|  |  |  |  |  |
| Programs | Grantee records (approved &declined) | 7 years | 7 years | Program file area |
|  | CNCS Financial Grant Records | 3 years from date of filing final FSR | 3 years from date offiling final FSR | Program file area |
|  |  |  |  |  |
| Technology | Email - not moved to subject folder in Outlook | N/A | 3 months | Network for 3 months, backup for 3 months afterdeleted |
|  | Software licenses & manuals | Until Superseded | Until Superseded | Finance Office |

Attachment A

Legal **Hold** Notice

# TO:

**Immediately suspend destruction of the following records:**

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| Department: |  |
| Item Description: |  |
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| --- | --- |
| Department: |  |
| Item Description: |  |
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| --- | --- |
| Department: |  |
| Item Description: |  |
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|  |

Notification Corporation received to trigger this instruction: (Attach any relevant documentation)

Legal Hold Placed by:

I **Signed**

Date:

Compliance with legal hold affirmed:

*Retain this record permanently*

Attachment B

# TO:

**Record Destructi on Approval**

I

**Destroy the following records:**

|  |  |
| --- | --- |
| Department: |  |
| Item Description: |  |
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| Reason: |  |
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| Department: |  |
| Item Description: |  |
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| Reason: |  |
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| --- | --- |
| Department: |  |
| Item Description: |  |
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| --- | --- |
| Department: |  |
| Item Description: |  |
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|  |
| Reason: |  |
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Authorized by:

I "'"''

Date:

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*Attach destruction documentation and retain this record permanently.*