**Alabama Department of Commerce –**

**Business Development Division**

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**Functional Analysis**

**&**

**Records Disposition Authority**

**Revision**

**Presented to the**

**State Records Commission**

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# Functional and Organizational Analysis of the Alabama Department of Commerce

## Sources of Information

* Representatives of the Alabama Department of Commerce
* Code of Alabama, 1975, § 41-7A-1 through 41-7A-3; § 41-7A-40 through 41-7A-48
* Code of Alabama, 1975, § 41-20-3
* Code of Alabama 1975, § 41-22-1 through 41-22-27
* Code of Alabama 1975, § 41-29-1 through 41-29-6; § 41-29-220 through 41-29-227; § 41-29-240 through 41-29-241; § 41-29-250
* Alabama Administrative Code, Chapters 281-1-1; 281-2-1; 281-3-1; 281-4-1; 281-5-1; and 281-6-1 through 6-2
* Alabama Government Manual (2006) pg. 33
* Alabama Department of Commerce website (www.madeinalabama.com)
* Alabama Department of Commerce audit reports

## Historical Context

The State Planning Commission was created in 1935 as part of efforts to coordinate an efficient economic development program. The Commission was replaced in 1943 by the State Planning Board; in 1955, the State Planning and Industrial Development Board superseded the State Planning Board.

Governor Albert P. Brewer created the Alabama Program Development Office in 1968 with his Executive Order No. 2. This office merged with the aforementioned State Planning and Industrial Development Board the following year to form the Alabama Development Office (ADO). However, in 1979 the State Planning and Industrial Development Board’s functions were split from ADO once again into a new state agency, the Alabama Department of Economic and Community Affairs (ADECA).

The legislature created the Small Business Office of Advocacy (SBOA) in 1984 and assigned its responsibilities to ADO. Governor Fob James transferred the Small Business Advocate position from ADO to the Office of the Governor in 1995; a staff member in the Department of Industrial Relations (DIR) carried out advocacy duties at the pleasure of the governor. It was later determined that as the SBOA had been established by an act of the legislature, the governor did not have legal authority to unilaterally transfer its responsibilities between state agencies. Governor Bob Riley’s administration returned the position and its responsibilities back to ADO in 2004.

The Alabama Film Office (AFO) was originally a division of ADO. Governor Riley’s Executive Order No. 45, signed December 31, 2008, transferred AFO to the Bureau of Tourism and Travel, now called the Tourism Department. Governor Robert Bentley moved the AFO back to ADO in 2011 with Executive Order No. 11 on April 22, 2011; however, due to its complicated organizational history, the division’s records are governed under a separate Records Disposition Authority.

The Alabama Industrial Development and Training Institute (AIDT) was established in FY 1970 as a contract program within the Department of Education’s Vocation – Technical Education Division. AIDT was not created through a specific act of the legislature and remains a line item within the Education Trust Fund (ETF) budget. AIDT staff reported directly to the State Board of Education, who on June 17, 1976 approved Resolution 12, formally establishing AIDT as a “mobile training institute.” A later 1976 resolution by the State Board of Education aligned AIDT’s administrative structure with Alabama’s technical colleges. AIDT was shifted to the Department of Postsecondary Education after that agency’s establishment and became a division of ADO in June 2012 with the signing of Governor Bentley’s Executive Order No. 31. Like the Alabama Film Office, AIDT’s complicated organizational history necessitates the creation of a separate Records Disposition Authority to govern its records.

Act 2012-167 of the 2012 legislative session changed ADO’s name to the Alabama Department of Commerce (DCOM). Governor Robert Bentley signed Executive Order No. 31 in June 2012, ordering that AIDT would thereafter be located within DCOM. The following year, the legislature placed AIDT under the supervision and oversight of the Secretary of Commerce with its Act 2013-118.

Act 2015-450 of the 2015 legislative session reorganized DCOM. The act provided that ADECA’s Workforce Development Division and Workforce Investment Division be transferred to DCOM. The Alabama Workforce Council and the Department of Postsecondary Education’s regional workforce councils were also transferred to DCOM. All of these were incorporated into DCOM’s new Workforce Development Division.

## Agency Organization

The Alabama Department of Commerce (DCOM) is one of the principal agencies of the state’s executive branch. The Governor serves as the state’s chief planning and economic development officer. DCOM is led by the Secretary of Commerce, a gubernatorial cabinet member appointed by and serving at the pleasure of the governor. The Secretary of Commerce may appoint up to eight assistant or deputy secretaries. All other employees necessary to carry out the duties and functions of DCOM are subject to merit system legislation.

DCOM is currently comprised of the Business Development and Workforce Development Divisions. The two divisions are each headed by a deputy secretary who is appointed by and serves at the pleasure of the Secretary of Commerce. The Business Development Division is comprised of the following sections: Business Recruiting, International Trade, Alabama Film Office, Small Business Advocacy, Executive, and Administrative. The records of the Alabama Film Office are governed by a separate RDA.

The Workforce Development Division, whose activities are all closely linked with AIDT, is comprised of: what was formerly the Workforce Development Division of ADECA, the Alabama Workforce Council, and the regional workforce councils of the Department of Post-Secondary Education, and AIDT. AIDT has a separate Records Disposition Authority (RDA) in development as of fall 2018. The records of the Workforce Development Division are covered by a separate RDA.

## Agency Function and Subfunctions

The mandated function for the Alabama Department of Commerce is to encourage and coordinate with other state/local government entities for a comprehensive development of the state’s human, economic, and physical resources. The agency is one of the agencies primarily involved in carrying out the Economic Development function of Alabama government.

In the performance of its mandated function, the agency may engage in the following subfunctions:

* **Recruiting Business and Industry.** The major objectives of this subfunction, performed mainly by staff of the agency’s Business Development Division, are to attract and recruit business and industry to Alabama, to encourage and promote foreign manufacturing investment in the state, and to support expansion and retention of existing business. Staff members work closely with economic development allies throughout the state, facilitating a cooperative effort to recruit domestic and foreign based companies. Marketing efforts are targeted and include direct contact, business development missions, and pavilion events at selected trade shows. Recruitment activities also include the administration of tax credit programs, including but not limited to: the Certified Capital Company Program (CAPCO), the New Market Tax Credit (NMTC) Program, the Growing Alabama Credit Program, and the Port Credit Program.
* **Developing International Trade.** This subfunction relates to efforts of the agency’s International Trade Division in helping Alabama companies to establish working relationships with export and other professionals, in order to build knowledge that may result in profitable international business. This division accomplishes its mission through specific activities designed to complement the existing trade promotion programs of other state and federal agencies. Activities may include outgoing/incoming trade missions, trade shows/exhibitions, catalog shows, participation in international organizations and other trade-related events.
* **Assisting Small Business Development.** The Small Business Office of Advocacy (SBOA) was created within DCOM for the purpose of aiding, counseling, assisting and protecting the interests of small business concerns in order to preserve free competitive enterprise and maintain a healthy state economy. In carrying out its mandates, staff members of the agency’s Small Business Advocacy Division foster the growth of Alabama’s small business operations by giving them a variety of forms of assistance. The office provides information to businesses and addresses the needs/concerns of small businesses. Working closely with the Small Business Development Consortium, the division staff works in coordination with the consortium’s eleven Small Business Development Centers at universities across the state. Staff also participates in joint efforts with the Alabama Department of Economic and Community Affairs (ADECA) as well as other groups around the state involved in the development of small business.
* **Administering Internal Operations.** A significant portion of the agency’s work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency including:

**Managing the Agency:** Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, tracking), publicizing and providing information, managing records, and managing information systems and technology.

**Managing Finances:** Activities include budgeting (preparing and reviewing budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency’s budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

**Managing Human Resources:** Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees such as leave, health insurance, unemployment compensation, worker’s compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; investigating and disciplining.

**Managing Properties, Facilities, and Resources:** Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing security for property managed by the agency; insuring property; and assigning, inspecting and maintaining agency property.

# Records Appraisal of the Alabama Department of Commerce

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Department of Commerce: Temporary Records and Permanent Records.

## Temporary Records

Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the board are discussed below:

* **Certified Capital Company Program (CAPCO) Files.** The Certified Capital Company

Program (CAPCO) is a legislatively enacted statute, administered by DCOM, that provides state tax credits to insurance companies who invest in CAPCO. The funds invested in CAPCOs by insurance companies are in turn invested into small in-state companies that have difficulty finding financing from traditional sources, such as banks. This series contains requests for certifications, decertification documents, and other related materials. CAPCO produces an annual summary report which is available on the DCOM website. The records are retained for 5 years after the end of the fiscal year in which the records were created.

* **New Market Tax Credit Program Files.** The Alabama New Market Tax Credit (NMTC) Program is a legislative statute administered by DCOM that provides state income, financial institution excise, and premium tax credits for investment in businesses located in impoverished and low-income communities. A qualified Community Development Entity (CDE) must apply to the state for an allocation. Once approved, investors make qualified equity investments to the CDE, which in turn are invested in qualified active low-income community businesses. This record series contains the following: applications, certifications, annual reports, and other related materials. The records are retained for 5 years after the end of the fiscal year in which the records were created.
* **Growing Alabama Files.** The Growing Alabama Credit Program was created by legislative statute and is administered by DCOM. It provides state income tax credits to taxpayers who donate to Local Economic Development Organizations (LEDOs). The donations provided to LEDOs fund site preparation and the correction of infrastructure deficiencies in publicly-owned industrial sites. This record series contains the following: applications to the Renewal of Alabama Commission; resolutions of approval; funding agreements; compliance filings and related materials. The use of Growing Alabama Credit funds is reported to the Renewal of Alabama Commission. The records are retained for 5 years after the end of the fiscal year in which the records were created.
* **Port Credit Files.** The Port Credit Program was created by legislative statute and is administered by DCOM. It provides state income tax credits to taxpayers who increase their usage of Alabama public ports. This record series contains the following: applications to the Renewal of Alabama Commission; approvals; Port Credit Agreements; certifications and related materials. The use of Port Credit funds is reported to the Renewal of Alabama Commission. The records are retained for 5 years after the end of the fiscal year in which the records were created.
* **Trade Mission and Show Records.** This series consists of routine records created to document trade missions and business shows attended by DCOM staff in developing the state’s trade relationship with other countries. Important information is captured in the Trade Mission Executive Summary Reportsfor permanent preservation. The records are retained for 5 years after the end of the fiscal year in which the records were created.

## Permanent Records

The Archives Division recommends the following records as permanent.

**Recruiting Business and Industry**

* **Located Economic Development Project Files.** In accordance with Code of Alabama,

§ 41-9-202.1, DCOM should be notified of the general parameters of a project if an entity is considering locating or expanding a facility at a site within the state and intends to apply for any of the incentives provided by the state. After receiving the notification, DCOM staff members may work with the entity to find the best location and workforce program tailored to the entity’s needs. This series consists of records (both paper and electronic copies) created by staff members to document their follow-up activities with various entities who have shown interest in locating or expanding a facility at a site in the state. Information may include date, project code name, location of project, description of project, names of DCOM staff and/or outside consultants, trip reports, and other appropriate information. This series has long-term value as they are used by the staff to conduct follow up activities with these entities for compliance and other purposes. These records are also of historical value because they demonstrate the role played by this agency in the development and expansion of the state’s economy and should be kept permanently. **(Bibliographic Title: Economic Development Project Files)**

* **Located Economic Development Project Files with Project Agreements.** This series is similar to the series of Located Economic Development Project Files with the exception that this series contains announced economic development projects with state incentive agreements signed between the state and the entity. Examples include Mercedes Benz and Hyundai Motors, etc. Again, this series should be kept permanently as core documentation. **(Bibliographic Title: Economic Development Project Files)**

**Developing International Trade**

* **Trade Mission Executive Summary Reports.** This series contains narrative reports prepared by DCOM staff to summarize trade missions to foreign countries. Information may include description of the trip, delegation directory, projected outcome, post mission evaluations, and conclusion. The records should be preserved as they are probably the most important documentation on state-sponsored trade missions. **(Bibliographic Title: Trade Mission Files)**
* **Annual Trade Mission Statistics.** This series contains highlights of trade missions, arranged chronologically by year. Information may include name of the trade mission, dates of travel, numbers of companies and participants, cities visited, expected sales, quotes for possible orders, sales made during mission, Memorandum of Understanding (MOU) signed, and jobs created. These records provide overall highlight of trade missions. **(Bibliographic Title: Trade Mission Files)**
* **Memoranda of Understanding (MOU).** These are original signed copies of Memoranda of Understanding (MOU) received and maintained in the agency to document formal cooperative agreements between the State of Alabama/cities in Alabama and provinces/cities in foreign countries to promote commercial or other ties. **(Bibliographic Title: Administrative Files)**

**Administering Internal Operations**

* **Policies and Procedures.** These records, which include official correspondence of the agency, document actions and positions of the agency. **(Bibliographic Title: Policy and Procedure Manuals)**
* **Administrative Rules and Regulations.** These rules and regulations are approved by the agency and govern agency conduct, including: certification for sales, use tax exemptions, and lodging tax exemptions; Certified Capital companies; Alabama New Market Development Program Credit; Alabama Renewal Act Port Credit; and Alabama Renewal Act Growing Alabama Credit. Combined with the policy and procedures manuals, they document the agency’s roles in prescribing standards for its programs. **(Bibliographic Title: Administrative Rules and Regulations)**
* **Register of Administrative Rules.** Each agency shall have an officer who shall file in the office of the Secretary of State a certified copy of each rule adopted by it. The secretary of the agency shall keep a permanent register of the rules open to public inspection. (Code of Alabama 1975 § 41-22-6) **(Bibliographic Title: Not Applicable) (Maintained by the Alabama Department of Commerce)**
* **Administrative Files of the Director and Assistant Director(s).** This series documents the substantive action of the agency’s director and assistant director(s). Records may include correspondence, memoranda, reports, planning documents, program development materials, and non-routine fiscal, budgetary, and personnel concerns. These files should be maintained permanently to document the work and function of the director and assistant director(s). **(Bibliographic Title: Administrative Files)**
* **Annual Reports.** Pursuant to Acts of Alabama 2016-389, the agency is required to make annual reports containing an assessment of each tax incentive. In accordance with the Alabama Department of Revenue Administrative Rule 810-17-1-.01, the agency reports on the following incentives administered by DCOM; jobs credit, investment credit, Growing Alabama credit, Port Credit, CAPCO program, New Market Tax Credit, apprenticeship tax credit, and incentives under the Alabama reinvestment and abatement act. The Code of Alabama 1975 § 41-29-227 requires that the Office of Small Business Advocacy compile a separate annual report. **(Bibliographic Title: Annual Reports)**
* **Informational and Promotional Publications.** This series consists of publications produced by the agency for reporting purposes and/or mass distribution. Examples of publications may include, but are not limited to, *New and Expanding Industry, The Year in Trade, Alabama International Trade Resource Guide, Export Alabama Alliance Trade Strategy, and Alabama’s Answers - A Guide to Doing Business in Alabama.* This series is important as some major program functions and division activities are summarized in these publications. Regardless of format, all publications of DCOM should be preserved permanently as part of the core documentation. **(Bibliographic Title: State Publications)**
* **Website and Social Media Site(s).** The agency has a website at www.madeinalabama.com and social media sites with Facebook and Twitter. Information on the website includes services available, various forms, partners links, photo gallery, news releases, publications, and staff contact data. This series documents the functions of the agency and its interaction with the public. ADAH staff capture and preserves the agency’s website and other social media sites via a service offered by the Internet Archive [Archive-It]. Any content behind password protected or login would not be captured by ADAH. Check with the ADAH website at www.archiveit.org/organizations/62 to ensure your agency and social media site(s) are captured and preserved. If your agency’s website and social media site(s) are not being captured by the service, please contact the Archives Division at 334-242-4452 to get them included. **(Bibliographic Title: Website and Social Media Site[s])**
* **Grant Project Annual Reports.** As a recipient of federal grants, the agency’s program divisions must prepare and submit grant program annual reports to document progress and activities of programs funded by the federal government. These records constitute the official records of DCOM’s performance of its functions and the state’s achievements in utilizing resources to address critical needs of its communities. **(Bibliographic Title: Grant Files)**

## Permanent Records List

**Alabama Department of Commerce**

**Recruiting Business and Industry**

1. Located Economic Development Project Files
2. Located Economic Development Project Files with Project Agreements

**Promoting International Trade**

1. Trade Mission Executive Summary Reports
2. Annual Trade Mission Statistics
3. Memoranda of Understanding (MOU)

**Administering Internal Operations**

1. Policies and Procedures
2. Administrative Rules and Regulations
3. Register of Administrative Rules\*
4. Administrative Files of the Director and Assistant Director(s).
5. Annual Reports
6. Informational and Promotional Publications
7. Website and Social Media Site(s)
8. Grant Project Annual Reports

\*indicates records that the Alabama Department of Commerce determined should be retained permanently and that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff is available to work with agency staff in determining the best location and storage

conditions for the long-term care and maintenance of permanent records.

# Alabama Department of Commerce General Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Archives Division, Alabama Department of Archives and History (ADAH), which serves as the Commission’s staff, in cooperation with representatives of the Agency. The RDA lists records created and maintained by the Agency in carrying out their mandated functions and activities. It establishes minimum retention periods and disposition instructions for those records and provides the legal authority for the Agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from “mutilation, loss, or destruction,” so that they may be transferred to an official’s successor in office and may be made available to members of the public. Records also must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the agency records manager or ADAH Archives Division at (334) 242-4452.

Explanation of Records Requirements

The RDA shall govern the disposition of all records, regardless of format, created by the agency from creation to dissolution. Please contact the staff of the Department of Archives and History before destroying any records created prior to 1940.

This RDA supersedes any previous records disposition schedules or RDAs governing the retention of the records created by the Agency. Copies of superseded schedules are no longer valid and may not be used for records disposition.

The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.

Certain other record-like materials are not actually regarded as official records and may be disposed of under this RDA. Such materials include (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document agency activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes, may include, but are not limited to, telephone call-back messages, drafts of ordinary documents not needed for their evidential value, copies of material sent for information purposes but not needed by the receiving office for future business, and internal communications about social activities; (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Agency and lists the groups of records created and/or maintained as a result of activities and transactions performed in carrying out these subfunctions. The Agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular biannual meetings.

### Recruiting Business and Industry

**LOCATED ECONOMIC DEVELOPMENT PROJECT FILES** Disposition: PERMANENT RECORD.

**LOCATED ECONOMIC DEVELOPMENT PROJECT FILES WITH PROJECT AGREEMENTS**

Disposition: PERMANENT RECORD.

**Unsuccessful Recruitment Project Files**

Disposition: Temporary Record. Retain 2 years after the end of the fiscal year in which the records were created.

**Business Recruitment Outreach Files**

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

**Certified Capital Company Program (CAPCO) Files**

Disposition: Temporary Record. Retain 5 years\* after the end of the fiscal year in which the records were created.

**New Market Tax Credit Program Files\***

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

**Growing Alabama Files\***

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

**Port Credit Files\***

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

*\*Note: The retention period for these records is as described unless the records are associated with a located economic development project. In that case, the files should be placed with the economic development project files and retained permanently in accordance.*

### Developing International Trade

**TRADE MISSION EXECUTIVE SUMMARY REPORTS** Disposition: PERMANENT RECORD.

**ANNUAL TRADE MISSION STATISTICS** Disposition: PERMANENT RECORD.

**MEMORANDA OF UNDERSTANDING (MOU)** Disposition: PERMANENT RECORD.

**Trade Missions and Show Records**

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

**Files of Trade Shows or Related Events Sponsored by the Agency Staff and Held in the State**

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

**Trade Surveys Sent by the Agency and Responses from Companies (Raw Data)**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

### Assisting Small Business Development

**Small Business Development Inquiries and Correspondence**

Disposition: Temporary Record. Retain 2 years after the end of the fiscal year in which the records were created.

### Administering Internal Operations: Managing the Agency

**POLICIES AND PROCEDURES**

Disposition: PERMANENT RECORD.

**ADMINISTRATIVE RULES AND REGULATIONS**

Disposition: PERMANENT RECORD.

**REGISTER OF ADMINISTRATIVE RULES**

Disposition: PERMANENT RECORD. Retain in Office (Code of Alabama 1975 § 41-22-6).

**Administrative Rule Files**

Disposition: Temporary Record. Retain for useful life.

**ADMINISTRATIVE FILES OF THE DIRECTOR AND ASSISTANT DIRECTOR(S)**

Disposition: PERMANENT RECORD.

**ANNUAL REPORTS**

Disposition: PERMANENT RECORD.

**INFORMATIONAL AND PROMOTIONAL PUBLICATIONS**

Disposition: PERMANENT RECORD.

**WEBSITE AND SOCIAL MEDIA SITE(S)**

Disposition: PERMANENT RECORD.

*Note: ADAH staff capture and preserve the agency’s website and other social media sites via a service offered by the Internet Archive [Archive It]. Any content behind password protected or login would not be captured by ADAH. Check with the ADAH website at www.archiveit.org/organizations/62 to ensure your agency and social media site(s) are captured and preserved. If your agency’s website and social media site(s) are not captured by the service, please contact the Archives Division at 334-242-4452 to get them included.*

**Raw Data or Draft Reports**

Disposition: Temporary Record. Retain until the formal reports are published and released.

**Routine Correspondence**

Disposition: Temporary Record. Retain 3 years.

**Mailing Lists**

Disposition: Temporary Record. Retain for useful life.

**Shipping Records**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Administrative Reference Files**

Disposition: Temporary Record. Retain for useful life.

**Records documenting the implementation of the agency’s approved RDA (copies of transmittal forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to State Records Commission)**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Copies of Approved RDA**

Disposition: Temporary Record. Retain 1 year after the audit for the fiscal year in which the RDA is superseded.

**Computer Systems Documentation (Hardware/Software Specifications and Warranties)**

Disposition: Temporary Record. Retain documentation of former system 1 year after audit for the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

### Administering Internal Operations: Managing Finances

**Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products (includes AST-1 and AST-1A)**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Purchase and Repair Order Documents**

Disposition: Temporary Record. Retain for life of warranty.

**Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records documenting contracts for services or personal property**

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

**Records documenting the bid process (including requests for proposals and unsuccessful responses)**

1. Sealed Bids over $15,000

Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened. (Code of Alabama 1975, Section 41-16-24).

1. Other Bids

Disposition: Temporary Record. Retain for 10 years after the award of the contract, then destroy.

**Agency Audit Reports**

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

**Grant Project Files (Federally-Funded)**

Disposition: Temporary Record. Retain 6 years following the date of submission of the final expenditure report.

**Grant Project Files (State-Funded)**

Disposition: Temporary Record. Retain 6 years following the date of submission of the final expenditure report.

**GRANT PROJECT ANNUAL REPORTS**

Disposition: PERMANENT RECORD.

### Administering Internal Operations: Managing Human Resources

**Records documenting job recruitment**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Position Classification Questionnaire**

Disposition: Temporary Record. Retain 4 years after reclassification of the position.

**Application Materials**

Disposition: Temporary Record. Retain 1 year.

**Records documenting job description**

Disposition: Temporary Record. Retain until superseded.

**Records documenting certification, including individual officer certifications, including ORAS certificates, state personnel training certificates, new employee ethics training certificates, firearm qualifications, and OC spray qualifications**

Disposition: Temporary Record. Retain for 2 audit periods, but not to be destroyed until after the second audit report has been released.

**Records documenting application for employment**

Disposition: Temporary Record. Retain 1 year after request.

**Personnel File - Records documenting an employee’s work history - generally maintained as a case file**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**Records documenting payroll (e.g. pre-payroll reports, payroll check registers)**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm.

**Records documenting payroll deductions for tax purposes (including Form 941)**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records documenting payroll deduction authorizations**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**Records documenting employees’ daily and weekly work schedules**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records documenting employee hours worked, leave earned, and leave taken**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records Documenting Leave Donations**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Records of Final Leave Status**

Disposition: Temporary Record. Retain record of individual employees’ cumulative leave 6 years after separation of employee from the agency.

**Records documenting verification of accuracy of State Personnel Department records** Disposition: Temporary Record. Retain for useful life.

**Records documenting Equal Employment Opportunity Commission (EEOC) Charges of Discrimination**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**State Employees Injury Compensation Trust Fund Files**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**Worker Compensation Injury and Settlement Reports**

Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred. (Code of Alabama 1975, § 25-5-4).

**Employee Flexible Benefits Plan Files (applications and correspondence)**

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

**Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**Employee Administrative Hearing Files**

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

### Administering Internal Operations: Managing Properties, Facilities, and Resources

**Real Property Renting/Leasing Records**

Disposition: Temporary Record. Retain 6 years after the termination of lease or rental agreement or until agency is audited and audit report is released, whichever is longer.

**Unimplemented Architectural and Building Plans** Disposition: Temporary Record. Retain for useful life.

**Inventory Lists and/or Letters of Transmittal**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Agency Copies of Transfer of State Property Forms (SD-1)**

Disposition: Temporary Record. Retain 1 year after compliance or financial audit by the Examiners of Public Accounts or an equivalent auditing firm or one year after the end of the fiscal year the audit covers, whichever is later.

**Receipts of Responsibility for Property**

Disposition: Temporary Record. Retain until return of item to property manager.

**Computer Equipment Inventory Records**

Disposition: Temporary Record. Retain until disposition of equipment.

**Electronic Equipment Repair Logs**

Disposition: Temporary Record. Retain for useful life.

**Service Requests**

Disposition: Temporary Record. Retain until work is completed.

**Incident/Accident Reports**

Disposition: Temporary Record. Retain 2 years following incident/accident.

**Facility/Building Security Records**

Disposition: Temporary Record. Retain for useful life.

**Fire Extinguisher and Alarm Maintenance / Inspection Records**

Disposition: Temporary Record. Retain 2 years.

**Fire / Safety Inspection Results**

Disposition: Temporary Record. Retain until superseded.

**Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency**

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle is removed from the property inventory.

**Insurance Policies / Risk Management Records**

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

**Records documenting maintenance of vehicle and equipment**

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

## Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

**Requirement**

Under the Code of Alabama 1975, § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Agency as stipulated in this document.

One condition of this authorization is that the Agency submit an annual Records Disposition Authority (RDA) Implementation Report on its activities, including documentation of records destruction, to the State Records Commission.

**Recommendations**

In addition, the Agency should make every effort to establish and maintain a quality record-keeping program by conducting the following activities:

The Agency should designate a staff member in a managerial position as its records liaison/records manager, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.

Permanent records in the Agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.

Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the Open Meetings Act, audit requirements, or any legal notice or subpoena.

The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

Electronic mail contains permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA’s requirements, the office should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the Agency and inspect records destruction documentation. Agency records managers and/or the ADAH archivists are available to instruct the staff in RDA implementation and otherwise assist the Agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 24, 2018.

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Steve Murray, Chairman Date

State Records Commission

By signing below, the agency acknowledges receipt of the retention periods and requirements established by the records disposition authority.

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Greg Canfield, Director Date

Alabama Department of Commerce