



## Revision History

Version	Date
Records Retention Policy, 1.0	2 August 2021

## RECORDS RETENTION POLICY

USEIC's Records Retention policy establishes the Records Retention Schedule (the "RRS"). The RRS lists the types of organizational records and their retention period. It is based upon legal and operational requirements and provides a framework for the life cycle management of organizational records.

### Reason(s) for the Policy

This policy is intended to assist the Organization in properly protecting and managing the records it needs to maintain, while eliminating the records that are no longer legally or operationally required. This will help to ensure that the Organization is following all applicable laws and regulations governing records retention and eliminating unnecessary records storage costs.

### Primary Guidance to Which This Policy Responds

This policy responds to the various national and international statutes and regulations and internal policies that apply to records retention.

The Retention Limitation Obligation of the PDPA prevents organisations from retaining personal data in perpetuity where it does not have legal or business reasons to do so. Holding personal data for an indeterminate duration of time increases the risk of a contravention of the Data Protection Provisions. However, as each organisation has its own specific business needs, the Retention Limitation Obligation does not specify a fixed duration of time for which an organisation can retain personal data. Instead, the duration of time for which an organisation can legitimately retain personal data is assessed on a standard of reasonableness, having regard to the purposes for which the personal data was collected and other legal or business purposes for which retention of the personal data may be necessary.

It should be noted that although the PDPA does not prescribe a specific retention period for personal data, organisations would need to comply with any legal or specific industry-standard requirements that may apply.

Please see the Appendix for the current RRS for the Organization.

## Roles and Responsibilities

### Office of Record

The Office of Record is responsible for identifying the records to be retained and determining, in collaboration with Legal Counsel, the period of retention. The Office of Record must also make arrangements for the proper storage of the records and coordinate with outside vendors for that purpose, where appropriate. Finally, the Office of Record arranges for the handling of the disposal of records whose retention period has expired.

### Legal Counsel

The Legal Counsel (LC) is responsible for providing guidance regarding the legal retention requirements for documents and coordinating document holds when litigation is ongoing, pending, threatened, or likely. The Organization's Legal Counsel will designate one or more individuals to serve as the point of contact.

### **Responsible Organizational Party**

The USEIC Executive Manager.

### **What is Governed by This Policy**

The specific records covered by this policy are listed in the RRS. Any record not listed on the RRS is not covered by this policy and should be retained in a manner consistent with existing practice and procedure.

### **Who Should Know This Policy**

1. All USEIC employees, including student workers and temporary workers.
2. All contractors who create, use, or store organizational records.
3. All consultants who create, use, or store organizational records.
4. All vendors who create, use, or store organizational records.

### **Exclusions and Special Situations – Document Holds**

Any records relevant to pending or ongoing litigation, government investigation, or audit **MUST BE RETAINED** until such matters have been resolved, all appeals are exhausted, and the retention period has expired. All disposal of relevant records must cease, including the disposal of records according to approved retention periods, when such a document hold is in place. In cases where litigation is threatened or likely, consult the Legal Counsel to determine whether a litigation hold is required.

## **Policy**

Each RRS lists records that are specific to the particular Office of Record. Records not included in a RRS should be retained in a manner consistent with existing practice and procedure.

The Office of Record is the department that is fully responsible for the "official" copy of a record for the duration of the total retention period. Other departments that may have a copy of these records should retain the copy only as long as it is useful, except to the extent the records are subject to a document hold (see Exclusions & Special Situations – Document Holds above).

### **A. Defining a Record**

Records are documents and parts of documents contained on any media and in any format that: are made or received by the Organization; provide evidence of its operations; document business decisions; and/or have value requiring their retention for a specific period of time.

Examples include, but are not limited to:

- Letters, memoranda, and correspondence
- Policies, procedures, and methods
- Invoices and receipts
- Purchase orders, contracts, and certificates
- Tax forms
- Data stored in computers, data processing equipment, and off-line media
- Computer programs and documentation
- Memory in pagers, cell phones and PDAs

**Note:** This list is for purposes of this Policy only and is not meant to provide a comprehensive list of records for purposes of any document hold. Recipients of a document hold should refer to the text of the hold itself for instructions regarding what types of records must be retained.

Non-Records: Non-records are copies of records maintained in more than one location (provided such records are not subject to a document hold (see Exclusions & Special Situations – Document Holds above) or materials available from public sources that can be disposed of at the discretion of the user. They include:

- Duplicates of original records, including:
  - Information copies of records maintained by departments that are not the Office of Record;  
**Note:** In some instances, annotating copies of records may necessitate that they be maintained.
- Preliminary drafts including:
  - Drafts of letters, memoranda, reports, worksheets, and informal notes that do not represent significant steps and/or decisions in the preparation of the official record;
  - Books, periodicals, manuals, training binders, newspapers, and other printed material obtained from outside sources and retained primarily for reference purposes;
  - Materials not filed as evidence of a department’s operations that have no informational value;
  - Spam, junk mail, and Listserv messages; and
  - Blank forms.

Note that disposition of records created, retained, or stored in information systems or computers should proceed on the same basis as traditional paper records. Digital or electronic records which are not covered by a schedule associated with this policy, such as e-mail, should be deleted promptly. See email the Email Usage Policy for more specific guidance.

## **B. Maintaining the RRS**

Under the auspices of the Legal Counsel, the Organization is responsible for ensuring the review and revision, if applicable, of the RRS. Periodically, it may be required that new records be added or that records that are no longer applicable be removed. It is recommended that the Organization review its RRS every three years for accuracy.

## **C. Disposal of Records**

Records need not be retained beyond their retention periods, as defined in the approved RRS, unless valid business reasons for their continued retention are provided or they are required under a document hold (see Exclusions & Special Situations – Document Holds above). Disposal of records pursuant to this policy should occur regardless of the medium on which records appear or their location.

As a general rule, records may be disposed of if:

- They have outlived their retention period per the approved RRS; and
- Continued preservation is not required per a current document hold.

Organizational records should be reviewed periodically.

All disposal of records, whether paper or electronic, must be accomplished pursuant to the USEIC Sanitization and Disposal of Information Resources Policy. That Policy provides for particular methods of disposal (e.g., cross-shedding and/or approved electronic disposal) either on-site or through an approved outside vendor for records that may contain any sensitive or identifying personal information, to ensure that unauthorized individuals cannot access the information.

Sensitive or identifying personal information includes, but is not limited to, Singapore NRIC, FIN or Passport number, driver’s license number, mother’s maiden name, account numbers or codes, personal financial information, and/or protected health information.

## **D. Ongoing Retention of Records**

Unless required to be retained pursuant to the approved RRS or a document hold, records should be purged of extraneous materials (e.g., non-current drafts of documents, rough notes, routine email, etc.) on a regular basis.

### **E. Retention of Records in Storage**

Each department is responsible to assure that the disposal of records in archive storage for which it is the Office of Record takes place unless a document hold is in effect.

#### **Contacts**

Any questions or inquiries with respect to the administration of this policy should be directed as follows:

#### **USEIC Data Protection Officer (DPO)**

Email: [dpo@useic.org](mailto:dpo@useic.org)

## APPENDIX

### Records Retention Schedule

Information	USEIC Retention Period	Guidance
Employee name and any identifying number used in place of the name used on any work records	4 years from tax due date or payment of tax, whichever is later	Social Security Act (USA)
NRIC, FIN, Passport number	4 years from tax due date or payment of tax, whichever is later	Social Security Act (USA)
Employee home address, including postal code	4 years from tax due date or payment of tax, whichever is later	Social Security Act (USA)
Date of birth	3 years	FLSA Equal Pay Act, ADEA (USA)
Gender of employee	3 years	FLSA Equal Pay Act (USA)
Occupation of employee	No time period specified by law	FLSA Equal Pay Act, ADEA (USA)
Age records	No time period specified by law	ERISA (USA)
Marital status record	No time period specified by law	ERISA (USA)
Tax documents (NOA, Form IR8A, IR21, Letter of Undertaking, IR8S)	3 years	Retention Limitation Obligation of the PDPA (Singapore)
Financial records (Income Statements, Balance Sheets, Cash Flow Statements, Bank Statements, Wire transactions, Invoices, Receipts)	Minimum of 5 years up to a lifetime	IRAS Regulations (Singapore), IRS Regulations, SEC Regulations (USA)
Job application	1 year	Title VII, ADA (USA)
Resumes or other forms of employment enquiry	1 year	ADEA (USA)
Job order submitted by an employer to an employment agency	1 year	ADEA (USA)
Advertisements relating to job opening	1 year	ADEA (USA)
Records of job movement (promotion, demotion, transfer)	1 year	Retention Limitation Obligation of the PDPA (Singapore)
Email	7 years	IRS Regulations, HIPAA (USA)
Material related to termination	7 years from last day of employment	Limitation Act (Singapore)
External Vendor Agreements (EVAs) and other contracts	7 years from date of termination of contract	Limitation Act (Singapore)
Selection for training or apprenticeship	1 year	Title VII, ADA, ADEA (USA)