

# State Records Management Committee Meeting

Utah Division of Archives and Records Service

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22 June, 2020, 11:30 AM

## Committee Members Present

- Josh Bullough (chair), Records manager, Church of Jesus Christ of Latter-Day Saints
- Ken Williams, State Archivist, Utah Division of Archives and Records Service.
- Alycia Rowley, Program specialist, Utah Division of History
- Matthew LaPlante, News media representative, professor at Utah State University
- Drew Mingl, Open Data administrator, Division of Technology Services
- Jacey Skinner, Government relations attorney at Ballard Spahr, LLC

## Others Present

- Debbi Class, Records Officer, Department of Workforce Services
- Kendra Yates, Chief Records Officer, Utah Division of Archives and Records Service
- Avalon Snell, RIM specialist, Utah Division of Archives and Records Service
- Heidi Steed, RIM specialist, Utah Division of Archives and Records Service
- Renée Wilson, RIM specialist, Utah Division of Archives and Records Service
- Susan Mumford, Administrative Assistant, Utah Division of Archives and Records Service
- Rebekkah Shaw, SRC Executive Secretary, Utah Division of Archives and Records Service

Josh Bullough called the meeting to order at 11:33 a.m.

## I. Approval of May 18, 2020 meeting minutes

Matthew LaPlante moves to approve minutes and Drew Mingl seconds. Ken Williams abstains as he was not present at the May meeting. All other committee members who are present vote affirmatively. Minutes are approved.

## II. UI Contribution Employer Records (SSRS 83978)--Updated

Renée Wilson presented the series-specific retention schedule #83978, UI Contribution Employer Records, on behalf of the Department of Workforce Services. Renée presented background information about the program, stating that the records are exempt from GRAMA and governed specifically by Utah Code 35A-4-312. Because the program is a joint state and federal program, federal code and Utah code govern retention, which is stated as three years from the date of submission of the final expenditure report. The Department of Workforce Services manages the records in a database system that does not allow them to apply the retention as a function of the database and they want a retention schedule that

reflects what their database functionality allows them to do as well as the actual administrative value of the data. The proposal is to change the retention from “until the employer is no longer in business” to “a minimum of 3 years after final action and then delete.

Committee members discussed the schedule. Josh Bullough expressed concerns about the department creating a retention schedule for how their database allows them to literally manage the records, which at this point appears to be not at all and asked what written plans the agency has for future intentions to manage this data. Renée says that the strategy we suggest for agencies is that when they move to a new system they choose a system that will allow them to implement retention. The Department of Workforce Services wants to comply with what is legally required, but also be compliant with the retention schedule, so that’s why they are proposing a series-specific retention schedule that states the minimum amount of time the records need to be kept but allows them to determine the later date at which they will dispose of the records.

Drew Mingl shared experiences with the Unemployment Insurance Wage Files, and expressed the importance of the data gathered in this process and how it is essential to many entities outside of the Department of Workforce Services for a variety of economic research. Josh Bullough expressed concerns about the cost to manage the data long term, especially if it needs to be archived, and encourages the deletion of some data so that the agency isn’t managing ROT (redundant, outdated and trivial information).

Renée Wilson clarified that the records in question here are not about unemployment received (unemployment insurance wage files), but the contributions paid by employers. Drew was concerned that the contribution records are tied to the data associated with the unemployment wage files, and that deleting one might adversely affect the other.

Drew Mingl motioned that the committee table the discussion until a time that the DWS records officer can come to RMC to describe the management of the data. Kendra Yates mentioned that maybe what the board wants to know is which records are specifically being managed according to this schedule and which are not.

Renée offered to bring Debbi Class into the meeting to describe the records managed by the retention schedule (series 83978). Debbi Class, records officer for the Department of Workforce Services, joined the virtual meeting. Debbi Class agreed with committee concerns about errantly deleting data. Debbi stated that she realizes that the data is likely valuable beyond its direct administrative use, as it can be used to determine trends, and is valuable beyond the legally obligated retention. She agreed to find out what specific records were a part of the series, if employee records are included in the employer contribution database, and agreed to allow series approval to be put on hold while she conducts some research.

Kendra asked how far back the data in the series went. Debbi thought it was since the beginning of the program. Renée Wilson confirmed that the original series was created in 1989, and Debbi agreed that was likely when the agency started creating these records, and that their current database likely

contained contribution records as far back as 1989. Debbi mentioned that any paper records would likely be at the State Archives. Renée confirmed the Archives has no paper holdings for the series.

Drew motioned again to table the discussion and asked Debbi Class to come back and help the committee understand what specific records are being managed by this series and what it is the committee is being asked to approve. Matt LaPlante seconds. Motion is passed unanimously. Josh asks for a discussion to be tabled until next month's meeting.

Motion: Bring Records Officer to next RMC meeting to discuss which specific records are being managed by series 83978 and talk about the value of this data and what retention the agency would like for it.

### **III. Discussion regarding absolute retention schedules versus minimum retention schedules**

Renée describes absolute and minimum retention schedules. Committee discussed the merits and challenges associated with using a retention schedule as a "minimum" amount of time to keep a record, versus an absolute retention period which defines exactly the amount of time a record is mandated to be kept and when it should be destroyed.

Renée Wilson asked the committee if they were okay with implementing this type of schedule and if so are Archives RIM Specialists allowed to make these types of retention changes without committee approval. Josh says that approval should be contingent upon a good definition of "administrative need," otherwise the schedule is basically "do whatever you want." It was suggested that the appraisal statements in a series could be used to describe in detail the purpose and use of records beyond administrative need, minimum retention schedules might mean that the number of years retained might be indefinite, but administrative need should be very clear so an end time can eventually be determined.

Matthew LaPlante wants there to be review at some point by a deliberative body, so that administrative need and the reason for the approved retention can be reviewed. Administrative needs of the record should be approved by committee with an approved review period to determine that the administrative need still stands. Kendra recommends that the Archives could explicitly state in the appraisal the review period recommended by RMC. Ken suggests the RIM specialists could generate a report of schedules that were up for review. Ken suggests using the series discussed earlier, series 83978, as a test case for how this language and process might work.

Matt LaPlante suggests that when Debbi comes back to report to the RMC, that the committee officially motion to use the series as a test case. The committee asked Renée Wilson to use the interim time to draft the suggestions. Kendra Yates stated that she was apprehensive about adopting this as a regular review process because the volume of series changes would likely overwhelm the committee.

Josh concluded the discussion and tabled it for the next month's meeting.

### **IV. Discussion regarding potential record retention issues related to the HealthyTogether app**

Committee ran out of time to discuss the Healthy Together App, and the committee agreed to table discussion. Matthew observed that previous discussions were informing philosophy for future discussion on this app.

**V. Status update regarding administrative rules**

Discussion of administrative rules was tabled until the next meeting.

**VI. Committee members' attendance polled for next meeting, quorum verification**

Committee was polled about attendance for the July 27 meeting. A tentative quorum was confirmed.

**VII. Next meeting scheduled**

Next RMC meeting is scheduled for July 27th at 11:30 am.

Josh Bullough adjourned the meeting at 1:01 p.m.

Approved