

Records Management For the 21st Century

Practical Approaches for Government

Oregon State Archives

Why worry about RM?

- Poor RM is expensive, inefficient
 - Employees spend **25-40%** of their day searching for the right information to complete a given task.
 - Organizations on average retrieve only about **22%** of records relevant to an e-discovery case.
 - Settling out of court often cheaper than defending your agency

Why worry about RM?

- DuPont reviewed 75 million pages and found *half* were past retention. Cost for review of records past retention - **\$12 million**
- **9%** of agency/corporate **annual** budgets often dedicated to e-discovery
 - The Secretary of State spent **2.5%** of its **biennial** budget in setting up ERMS. Ongoing licensing and maintenance: less than **1%** biennially



Know The Laws

Oregon Public Records Law – Retention & Disposition

“Public record” means any information that:

- (A) Is **prepared, owned, used or retained** by a state agency or political subdivision;
- (B) **Relates to an activity, transaction or function** of a state agency or political subdivision; and
- (C) Is **necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs** of the state agency or political subdivision. – **ORS 192.005 (5)**

Each state agency or political subdivision shall maintain a public record or accurate copy of a public record in accordance with a retention schedule authorized under the law without regard to the technology or medium used to create or communicate the record. – **ORS 192.108**

Oregon Public Records Law - Access

“Public record” includes any writing containing information relating to the conduct of the public’s business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics. – **ORS 192.410 (4)**

DOJ oversees access & disclosure

Oregon Public Meetings Law

The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of **ORS 192.610** to **192.690** that decisions of governing bodies be arrived at openly.
– **ORS 192.620**

These laws are **Inclusive**, not **Exclusive**

AND

DO NOT distinguish between home
and office: public work is public work

New Rules for Electronic Records

- OAR 166 Div. 17 sets rules for:
 - Electronic Records Management Systems
 - Digitization of records
 - Retention of records in electronic format
 - File format standards
 - System security
 - System maintenance

Ensure Compliance

- Have **written** policies and procedures that address use, access, retention & ownership of public records
 - Signed by staff
 - staff trained on the policy
- Have an **authorized** and **up-to-date** records retention schedule
- **Use the schedule** systematically and routinely

Records Retention Schedules



[Redacted text]



[Redacted text]



[Redacted text]

[Redacted text]



Records Retention - *What is it?*

- How long a public record must be kept to satisfy **administrative, legal, fiscal** and **historical** requirements of that public record.
- Determined by **content** of record, **not** format or medium
- Records Retention Schedule
 - Lists **ALL** records & retention periods
 - Approved by the State Archives
 - **Legal Authorization** to destroy public records

How is retention determined?



Administrative needs of the agency



Fiscal requirements of the agency



Legal requirements of the agency



Long term research value (**Historical**)

General Schedule Example

166-300-0015

Administrative Records

(1) **Administrative Rule Preparation Records** Records document the formulation, development, notice, and filing of an agency's administrative rules. Administrative rules may be developed through the activities and actions of an agency-appointed advisory committee. Records may include but are not limited to committee minutes and agendas, committee roster, draft rules and work notes, correspondence, copies of administrative orders filed with the Secretary of State (Notice of Proposed Rulemaking, Notice of Proposed Rulemaking Hearing, Statement of Need and Fiscal Impact, Statement of Need and Justification, Certificate and Order for Filing Permanent (or Temporary) Administrative Rules), and public comments and testimony. Administrative rule preparation records must be retained according to this schedule regardless of whether the rule has been renumbered, or repealed and re-adopted under a new rule number. *The Secretary of State maintains the statewide record copy of the Oregon Administrative Rules, Oregon Bulletin, and filed administrative orders.* (Retention: (a) Retain hearing audio or videotapes: until transcribed or summarized, destroy; (b) Retain all other Administrative Rule records: 10 years after repeal of entire rule, destroy).

Special Schedule Example

Oregon State Archives
Records Retention Schedule

Edition: October 2014

Expires: October 2019

Organizational Placement

Schedule Number: 2012-0011

Agency: Oregon Health Authority
Division: Public Health
Center: Health Protection
Section: Food, Pool, Lodging Health and Safety
Program: Public Swimming Pool and Spa Pool

Program Description

The Public Swimming Pool and Spa Pool program protects the health and safety of people using public pools and spas. It establishes swimming pool construction standards, conducts plan reviews and construction inspections in direct-service counties, and provides inspection oversight in county health departments that have delegated authority to regulate pools and spas.

The program provides rule interpretation, consultation, and technical assistance to pool designers, installers, operators, and local health departments. It provides training to pool operators and local health department staff. The program publishes newsletters and information items to concerned parties about health and accident risk reduction in public swimming pools.

Program Records

- 047 Public Pool Newsletters**
Retain 5 years, destroy
- 048 Public Swimming Pool Accident Reports**
Retain 10 years, destroy
- 049 Public Swimming Pool Advisory Committee Records**
Retain 4 years, destroy



Filing Systems & Classifications

Don't just store: Manage

File Structure

HR Administration

Americans with Disabilities Act Records

ADA

Blue Sky Advisory Committee Records

Blue Sky Advisory Committee Records (P)

Blue Sky & Best Practices

Blue Sky Committee Meeting talking points for Jean.doc

ORS 240 Work Group

Performance Management

Criminal Background Check Records

Background Check Forms

criminal background check logs

Employee Personnel Records

Emergency Notification Forms (P)

Employees and Individual Employee Personnel Records –
Current and Past (P&E)

PERF EVAL

Recognized Service Dates

Special Merits

TS Removal

Discipline/Grievance Files (P)

RACF_ID.Temps

RACF_ID-perm-emp.doc

Personnel folder request log.xls

Employee Action

AUDITS.xls

Employee Eligibility Verification Forms (I9)

INS EMPLOYVERIF.DOC

Federal and State Records and Reports

Affirmative Action Records

Equal Employment Opportunity Records

Archived EE Files

FMLA/OFLA

FMLA_OFLA

FMLA_OFLA Files (P)

Internal Audit Reports

HRSD Audits

HRD Policy Audits

MPL Audit

HRD Audits

Policy Audits

Legal Actions

Jones law suit

Smith, R.

Young

Position Description and Reclassification Records

Audits Class Study 05

Classification Files (P)

Class Study

PAS 2.pdf

PAS 3.pdf

POSITION DESCRIPtions

RECLASS

Turnover

Window III



























































Window III & IV

2004 Internal Auditor Salaries.doc

Position Inventory Control System (PICS) Reports

DAS Reports (P)

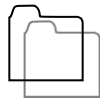
“Filing System”

 360 Feedback	 Donated Leave	 MPL Audit	 Special Merits	For Your Improv.doc
 2007-2009 Budget	 Emergency	 NEO packets-Erin	 Strategic Plan	HB2157.doc
 2007 year end	 Employee Action	 Office Forms	 Student Worker	HR Standards.doc
 AA	 Employees	 Ofc. of Admin. Hearings	 Technology Plan	HRDBrochure04gray.pdf
 Adams law suit	 Erin's Stuff	 ORS 240 Work Group	 Training	HRDBrochure04.pdf
 ADA	 FLSA	 PERF EVAL	 TS Removal	INS EMPLOY VER.doc
 ADR	 FMLA_OFLA	 Performance Mgmt.	 Turnover	J's BIA questionnaire.doc
 All Staff Meeting	 Forms	 Permanent Financing	 Window III	Leadership qualities.doc
 Archived EE Files	 Hiring Freeze Reporting	 Personnel Manual	 Window III & IV	MOU, Jones.doc
 Audits Class Study 05	 HRD Policy Audits	 Prsnl Pol Review-Erin	 Young II	MOU, Smith.doc
 Background Checks	 HRD Photos	 Position Descriptions	2004 Intern Audit Salaries Audits.xls	ORG Charts.ppt
 Business Continuity Plan	 HRSD Audits	 RECLASS	Blue Sky	PA Form.doc
 Central Services Survey	 Injured Worker IGA	 Recognized Svc. Dates	Brochure 2007.pdf	PAS2.pdf
 Class Study	 Layoff	 RECRUITING	EEO Self Report Form.pdf	PAS3.pdf
 Contested Case Forms	 Mailing list recruitment	 Recruit. Work Grp.	EE's w-differ(NEW).xls	Pers.Folder Request log.xls
 Desk Manual	 Misc. Ltrs	 School-to-work	EE's w-differ.doc.xls	Policy Changes2007.doc
			Employee Files.doc	Policy Changes.doc
			ExecOfc.doc	RACFID.Temps.doc
				RACFIDPerm.doc
				Skills Matrix.doc
				Succession Planning sow.doc
				SummerIntern3.07.doc
				SummerIntern3.15.doc

Functional Filing Systems

- Fewer categories for ease of use
- Organize by broad functional areas
- Group by retention requirements
 - Folders no longer just “forever” piles
- Records all go into same areas- not personal folders

File Structure Revisited



SOS - Human Resources - Administration



Blue Sky - Retention – 10 years



Employee Personnel Record



ADA

Retention – 3 years after separation



I9s

Retention – 3 years after hire date



Background Check Documentation

Retention – 90 days



Personnel Actions

Retention – 10 years after separation



FMLA/OFLA

Retention – 10 years after separation



Training

Retention – 3 years



Position Reclassifications - Retention – 5 years

Electronic — ● ●

Records — ● ●

**Management
Systems** — ● ●



Electronic Records Management System



Records created & received electronically



Records are filed & managed for access, maintenance & destruction electronically



Records created & received in hard copy

Why ERMS?

- Manual RM doesn't work in electronic world
 - **Too much stuff**
 - No physical reminders
 - Copies abound, not much administration
 - Security a big concern
 - PR requests & e-discovery = time and \$
 - Files need monitoring to ensure ongoing access

ERMS Benefits


- **Government Efficiency**

- Paper and electronic information managed together
- Dramatic improvements in response time for public records and e-discovery requests = **public happier**
- Server space reduction: less unnecessary redundancy
- IT resources available for other projects

ERMS Benefits

- **Transparency & Accountability**
 - Information is easy to locate and find
 - Rules are consistently applied to all information
 - Security classifications control access
 - Audit trails of all actions taken
 - Information created is systematically and routinely managed and maintained.

ERMS Options

- Agency standalone system
 - Must be DoD 5015.2-STD compliant*
 - Different software options, but look closely: Document Management **DOES NOT** equal Records Management
- Statewide  ERMS system
 - Over 30 state & local agencies implementing
 - Uses HP Records Manager software
 - Agencies pay per user, no hardware or software costs
 - Support provided by State Archives & Chaves Consulting

A large black outline of an envelope, showing the top flap and the main body. The word "Email" is centered inside the envelope's body.

Email

The 800lb Gorilla

The Problem with Email

- Exploding Volume
- IT policies often control deletion
- Lots of potential public records
- Attached documents may be records as well
- How to schedule?
 - Existing retention schedules apply
 - **Content** of record, not format, important
 - BUT difficult to sort & handle in a practical way

A Practical Approach to Email

- Two lessons learned:
 - Less sorting = greater compliance
 - Email content can be predicted
- How should I retain emails?
 - Routine business correspondence: based on position
 - What does that person touch?
 - Projects, Case files, Contracts: **There's a folder for that!**

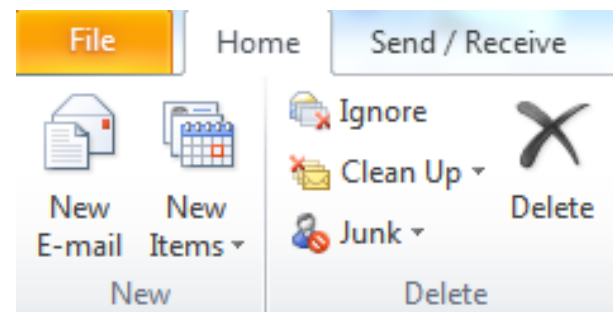
Tips for Email Management

- Know what **NOT** to keep
 - FYIs, CCs, informational notices
 - ads, listserv messages, event announcements,
 - Personal correspondence
 - Articles, reference materials
- Purge “Deleted Items” folder regularly
- Make useful, specific subject lines
 - Helps for ID, search, retrieval



More Email Tips

- Know who is responsible:
 - Internal email: **Sender**
 - Email from outside source: **Recipient**
- Keep only last message in a string
 - Use **Outlook Clean Up Tool**
(Outlook 2010 forward)





Social Media and Mobile Tech

New Technology, Same Records





Social Media



- SM content **CAN** be a Public Record
 - Is it used to conduct agency business?
 - Is the content unique?
- Need to have written policies & procedures
 - Must address **Use, Access, Retention** and **Ownership**
- Plan for capturing content
 - Built-in mechanisms (Twitter)
 - Capture with software
 - Compose and control locally



Text Messages



- Who holds them?
 - Probably not you
- How long are they retained?
 - Weeks-months, no more
- Must control through policy
 - “Substantive business-related discussions are **not** to take place via Short Messaging Services (SMS)”
- Can also use installed software on devices
 - Mobile Device Management

Further Advice

- Storage of information \neq Management of information
- Know and understand the Records Retention Schedule
- Have written policies and procedures that address use, access, retention and ownership of your information
- Administration, Records Management, IT and Legal **ALL** need to be involved in discussion about new information systems

For More Information

Oregon State Archives

Records Management Unit

Phone: **503-373-0701**, option **3**

E-mail: **kris.stenson@state.or.us** or
stephanie.clark@state.or.us

Website: **<http://sos.oregon.gov/archives>**