



# Office of Employment and Training

## Records Retention Schedule

Prepared by the State Records Branch  
Archives and Records Management Division

Approved by the State Libraries, Archives, and Records Commission



Kentucky Department for Libraries and Archives

This records retention schedule governs retention and disposal of records created, used, and maintained by this agency. **Government records in Kentucky can only be disposed of with the approval of the State Libraries, Archives, and Records Commission (the Commission). If records do not appear on a Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by agency personnel and Archives and Records Management Division staff and reviewed and approved by the Commission. This schedule provides the legal authority for this agency to destroy the records listed, after the appropriate retention periods have passed.

Agency personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used, and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for this agency.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

**All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.**

### **Audits and Legal Action**

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings, or open records matters. These records must be retained at least until all legal or investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

### **Vital Records**

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an

agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

### **Confidential Records**

While all records created, used, and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

### **Copies of Records**

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

### **Updating the Retention Schedule**

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

## **Office of Employment and Training**

The Office of Employment and Training (OET), in cooperation with its partners, shall provide qualified people for jobs, quality jobs for people, temporary financial support for the unemployed, comprehensive labor market information, and preserve the integrity and viability of the Unemployment Insurance Trust Fund, thus promoting the economic well-being of the Commonwealth.

OET is established under KRS 151B.280 and is part of the Department of Workforce Investment. OET is headed by an Executive Director. OET Staff provide job services, unemployment insurance services, Labor Market Information, and training opportunities.

- Job Services match available workers with employers who need their skills and experience. Work search and referrals may be conducted locally, statewide and nationally.
- Unemployment Insurance provides short term benefits for those who are unemployed through no fault of their own.
- Labor Market Information contains a wide range of statistical data on employment and wage patterns. It is available locally, statewide and nationally to both businesses and job seekers.
- Training opportunities are available through the Workforce Investment Act (WIA) for Adult Dislocated Worker and Youth who meet certain eligibility criteria.

OET was the Department for Employment Services (DES). DES was established by the 1938 General Assembly as the Unemployment Insurance Commission. After that it was named the department of Economic Security and the Department of Manpower Services in the Cabinet for Human Resources (CHR). DES was transferred from CHR to the Cabinet for Workforce Development in 1996.

### RECORDS RETENTION SCHEDULE

#### Signature Page

Education and Labor Cabinet	June 14, 2012
_____ Agency	_____ Schedule Date
Employment and Training, Office of	January 18, 2024
_____ Unit	_____ Change Date
	January 18, 2024
	_____ Date Approved By Commission

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#### APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:

<small>DocuSigned by:</small> <u>Buddy Hoskinson</u>	1/12/2024
_____ <small>59E1D0891E5494</small> Agency Head	_____ Date of Approval

<small>DocuSigned by:</small> <u>Rebecca Rodgers Johnson</u>	1/10/2024
_____ <small>D1D33D1306D74B11</small> Agency Records Officer	_____ Date of Approval

<small>DocuSigned by:</small> <u>Benny</u>	1/18/2024
_____ <small>64B65A30799E433</small> State Archivist and Chairman, State Libraries, Archives, and Records Commission	_____ Date of Approval

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The undersigned Archives and Records Management Division staff have examined the record items and recommend the disposition as shown:

<small>DocuSigned by:</small> <u>Joseph Isaac</u>	1/2/2024
_____ <small>55AD74EB1A0373</small> Records Analyst/Regional Administrator	_____ Date of Approval

<small>DocuSigned by:</small> <u>[Signature]</u>	12/22/2023
_____ <small>767A3F5C50E417</small> Appraisal Archivist	_____ Date of Approval

<small>DocuSigned by:</small> <u>[Signature]</u>	12/22/2023
_____ <small>E29FB2B0E8478A</small> State/Local Records Branch Manager	_____ Date of Approval

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The determination as set forth meets with my approval.

<u>Maria Gomez</u>	1/23/24
_____ Auditor of Public Accounts	_____ Date of Approval

**Archives and Records Management Division  
Kentucky Department for Libraries and Archives**

**STATE AGENCY RECORDS  
RETENTION SCHEDULE**

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Executive Director

**Record Group  
Number  
3094**

Series	Records Title and Description	Function and Use
<b>06187</b>	<b>Constituent Inquiries File</b>	This series documents constituent concerns and inquiries that have been directed to the Office of Employment and Training (OET) from the governor s office and/or from members of the state legislature. This series documents routine inquiries, concerns and/or complaints that OET responds to, but does not include official correspondence, which is a permanent record.
	<b>Access Restrictions</b>	KRS 341.190, KRS 151B.280, and 20 CFR 617.57. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Original correspondence and response.
	<b>Retention and Disposition</b>	Retain for two (2) years after response has been provided, then destroy.

# STATE AGENCY RECORDS RETENTION SCHEDULE

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Unemployment Insurance Commission

Record Group  
Number  
**3094**

Series	Records Title and Description	Function and Use
06206	<b>Commission Appeal Case Files</b>	This series documents unemployment insurance claims appealed to the Unemployment Insurance Commission (UIC). Per KRS 341.430, UIC may on its own motion affirm, modify, or set aside any decision of a referee on the basis of the evidence previously submitted; direct the taking of additional evidence; or permit any of the parties of such decision to initiate further appeals before it.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Claimant contact information and SSN, UI claim form, employer s contact information, benefit year, employer federal tax identification, hearing recordings, related documents and related correspondence.
	<b>Retention and Disposition</b>	Retain for ten (10) years after case closed and all appeals have been exhausted, then destroy. Pursuant to 787 KAR 1:110, ninety (90) days after the administrative remedies have been exhausted, the commission may delete the recording of the hearing under review unless the commission has previously been served with summons and complaint pursuant to KRS 341.450.
06207	<b>Docket Books</b>	This series documents parties to cases, staff assignments and Commission Order numbers.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Names of parties, name of staff assigned case and Commission Order numbers.
	<b>Retention and Disposition</b>	Retain for five (5) years after Commission Order is issued, then destroy.

# STATE AGENCY RECORDS RETENTION SCHEDULE

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Unemployment Insurance, Division Of

Record Group  
Number  
**3094**

Series	Records Title and Description	Function and Use
<b>06194</b>	<b>Unemployment Individual Claim File</b>	This series documents all information gathered and all actions taken related to an individual unemployment insurance benefit claim. This series documents all information collected from the claimant at the time of initial filing and subsequent information collected, including information and responses received from the employer(s), fact finding investigations, determinations on approval or denial, restitution, fraud and information created and obtained through the appeals process when applicable.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Initial claim for benefits, verification of federal wages, federal claims, notice of potential benefit charges and/or changes, related documents and related correspondence.
	<b>Retention and Disposition</b>	Retain non-fraud claims for five (5) years after claim is filed, then destroy. Retain fraud claims for ten (10) years after claim is filed, then destroy. Retain overpayment claims until collected, then destroy.
<b>06195</b>	<b>Employer Tax Files</b>	This series documents employment, wages, contributions, contact information, liability information, and correspondence of employers covered by KRS chapter 341.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Form UI-1 (Application for Unemployment Insurance Employer Reserve Account); Form UI-21 (Report of Change in Ownership or Discontinuance of Business in Whole or in Part); other documents notifying an employer of liability including Notice of Subjectivity, Notice of Transfer of Account, Notice of Reinstatement of Account, Notice of Cancellation of Active Account; Form UI-3 (Employers Quarterly Unemployment Wage and Tax Report); Notice of Assessment; copies of liens and other legal actions taken to enforce collection of amounts due; other documents created in order to amend quarterly reports, update account information, appeal determinations, close accounts and assign power of attorney.
	<b>Retention and Disposition</b>	Retain for twenty-five (25) years after date of application, then destroy.
<b>06196</b>	<b>Trial Balance Files</b>	This series documents the receipt of contributions, penalties and interest due under KRS 341.00 and the application of these funds to employer accounts.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Bank deposit slips; batch total sheets; bank encode errors; copies of the tax cashbook spreadsheet; comparison reports of mfe deposits and electronic funds transfer payments in the cashbook versus databases; transaction summary reports; transaction files.
	<b>Retention and Disposition</b>	Retain for five (5) years, then destroy.



# STATE AGENCY RECORDS RETENTION SCHEDULE

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Unemployment Insurance, Division Of

Record Group  
Number  
**3094**

Series	Records Title and Description	Function and Use
<b>06197</b>	<b>Federal Unemployment Tax Act (FUTA) Annual Files</b>	This series documents the administration of the Federal Unemployment Tax Act (FUTA) 26 U.S.C. Ch. 23. This is a federal employer tax used to help fund state workforce agencies. Employers report this tax by filing annually with the Internal Revenue Service. FUTA covers a federal share of the costs of administering the unemployment insurance (UI) and job service programs in every state. In addition, FUTA pays one-half of the cost of extended unemployment benefits (during periods of high unemployment) and provides for a fund from which states may borrow, if necessary, to pay benefits. Employers who file and pay state unemployment tax receive a tax credit on the annual FUTA return. To verify eligibility for the tax credit, the state certifies to the IRS each year employers wages and payments.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Summary reports of total employer contributions and taxable payroll by year; record count report from IRS file; program IS2 file listing employer accounts with transactions for a quarter greater than 4 and listing accounts with no tax rate; proof of credit for the certification year file; federal certification file that is transmitted to the IRS; file transmittal report.
	<b>Retention and Disposition</b>	Retain for five (5) years after certification, then destroy.
<b>06198</b>	<b>Annual Contribution Rate Files</b>	This series documents the calculation of annual contribution rates payable by liable employers pursuant to KRS 341.270 and KRS 341.272. Contribution rates are calculated using taxable payroll, contributions paid and benefits paid.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Annual taxable wage files; annual contribution files; quarterly benefit charge files; reserve balance file; batch listing of transferred reserves; comparison reports of taxable wages, contributions and benefit charges from rate calculation to original quarterly trial balance and quarterly benefit charge programs; annual contribution rate notice file.
	<b>Retention and Disposition</b>	Retain for five (5) years after rate computation date (July 31st annually), then destroy.
<b>06340</b>	<b>Referee Appeals</b>	This series documents unemployment insurance Appeals to Referee pursuant to 787 KAR 1:110. Unemployment insurance eligibility determinations may be appealed by the claimant or the employer. This series documents the referee case file.
	<b>Access Restrictions</b>	KRS 341.190. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Appeal letter, determination being appealed, notice of hearing, exhibits, referee decision, hearing recordings and related documentation.
	<b>Retention and Disposition</b>	Retain for ten (10) years after case closed and all appeals have been exhausted, then destroy. If an appeal is not initiated, the recording may be deleted ninety (90) days from the date the final administrative decision is mailed pursuant to 787 KAR 1:110. If an appeal of a referee decision is initiated, the hearing recording may be deleted by the commission ninety (90) days after the administrative remedies have been exhausted in accordance with 787 KAR 1:110.

# STATE AGENCY RECORDS RETENTION SCHEDULE

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Workforce And Employment Services, Division Of

Record Group  
Number  
**3094**

Series	Records Title and Description	Function and Use
02235	<b>CETA Files</b>	<p>CLOSED: This series documents the activities and records associated with the Comprehensive Employment and Training Act (CETA, Pub.L. 93-203). CETA was enacted in 1973 to train workers and provide them with jobs in the public service. The program offered work to those with low incomes and the long term unemployed as well as summer jobs to low income high school students. Full time jobs were provided for a period of 12 to 24 months in public agencies or private not for profit organizations. The intent was to impart a marketable skill that would allow participants to move to an unsubsidized job. It was an extension of the Works Progress Administration program from the 1930s. The Act was intended to decentralize control of federally controlled job training programs, giving more power to the individual state governments. CETA was replaced by Job Training Partnership Act (JTPA) of 1982 and JTPA was replaced by the Workforce Investment Act (WIA) of 1998.</p>
	<b>Access Restrictions</b>	Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Progress reports - monthly and quarterly, program summary, annual, classroom training records, institutional training records, MDTA and CETA contracts, proposals, signature sheets, general provisions, supplemental agreements, occupational opportunities rating, negotiations worksheets, progress reports, service reports, monitoring reports, participants records, follow-up reviews, close-out packages, project evaluations, official correspondence, program contracts (WE/PSE), allocation letters for Title II and Title VI, county grant projects (CETA PSE), occupational summary, application for funding, assurances and certificates, invoices for Title II and Title VI, (CETA PSE) and audits.
	<b>Retention and Disposition</b>	Records maintained at the State Archives Center permanently.
04208	<b>Work Incentive Program (WIN) Grants File</b>	<p>CLOSED: This series documented the authorization of funds for training and the tracking of enrollees and employers who participated in the Work Incentive Program (WIN) through an employment period. The objective of the program was to place welfare recipients in an educational environment, skill training or on-the-job (OJT) training. The goal was to help a recipient become employable and self-sufficient. It was enacted by Congress in 1967 under Title IV of the Social Security Act. The program was closed in Kentucky as of June 1989. Congress no longer funds the program. The Job Training Partnership Act (JTPA) replaced WIN. JTPA is the federal legislation authorizing programs for economically disadvantaged youth and adults with special barriers to employment.</p>
	<b>Access Restrictions</b>	Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Goals and activity levels; program contract; individual training form; forms review checklist; request for benefits; weekly attendance record; status change notice; program grievance procedures; program participation rules; request for hearing; conciliation appointment; payment questionnaire; benefits notice of addition or change; payments notification for food stamps.
	<b>Retention and Disposition</b>	Transfer to the State Archives Center for permanent retention.

# STATE AGENCY RECORDS RETENTION SCHEDULE

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Workforce And Employment Services, Division Of

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Series	Records Title and Description	Function and Use
04209	<b>Work Incentive Program (WIN) Contracts File</b>	CLOSED: This series documented the contractual agreement between the Department for Employment Services and various state vocational schools to provide skill training. The agreement determined the courses to be taken by the participant(s), the degree or license desired, the term periods of each course, cost and participant information. It also documented changes or amendments made to the original agreement.
	<b>Access Restrictions</b>	Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: WIN contract; WIN individual training form; preparatory documentation; letters; memos; notice of amendment to WIN contract.
	<b>Retention and Disposition</b>	Transfer to the State Archives Center for permanent retention.
05410	<b>Work Opportunity Tax Credit/Welfare to Work File</b>	This series documents individuals who apply for employment under the Work Opportunity Tax Credit and Welfare to Work tax credit programs (WOTC/WtW). Authorized by the Small Business Job Protection Act of 1996, WOTC/WtW are federal tax credits for employers who hire new workers from 8 target groups. These groups include: members of families receiving Temporary Assistance for Needy Families (TANF) or Food Stamps, youth residing in federal Empowerment Zones, Supplemental Security Income benefit recipients, low income veterans, ex-felons and disabled persons completing rehabilitative services. An IRS tax form 8850 and US Dept. of Labor form 9061 are completed for each new employee by the employer and submitted to a state Employment Service office for approval (certification) or denial of eligibility for the tax credits. Certification of eligibility is done for both WOTC and WtW credits at the same time and the employer has the option to use one or both of the credits for no more than two years total. The WOTC has one year duration and a maximum credit of \$2,400. The new employee must work a minimum of 120 hours before the employer can receive any tax credit. The WtW can be applied for two years and the first year maximum credit is \$3500. The second year WtW maximum is \$5000. The new employee must work a minimum of 400 hours before the employer can receive any tax credit. The two eligibility credits cannot be applied by an employer in the same year. A notification letter approving or denying the individuals eligibility for both credits is sent from the Office of Employment and Training field office to the employer. There are no time restrictions on an employee again becoming eligible for a WOTC or WtW tax credit with another employer. Eligibility is determined based on the status of the person at the time of application and no previous eligibility or tax credit employment affects that determination.
	<b>Access Restrictions</b>	KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: U.S. Dept of Labor ETA Form 9061 (Individual Characteristic Form); IRS Form 8850 (Certification Request); other documents which qualify or deny an individuals eligibility including: paper checklist forms of benefits information taken from the KAMES database, faxed lists of program participation from the Department of Vocational Rehabilitation, screen shot prints from the state of KY SSI database, documents verifying the persons age and address submitted by employers, documents submitted by individuals such as the Veterans Administration DD214; correspondence.
	<b>Retention and Disposition</b>	Retain certified applications (eligibles) for one (1) quarter. Transfer to State Records Center for an additional four (4) years and nine (9) months for a total retention of five (5) years, then destroy. Retain denied applications (ineligibles) for one (1) year, then destroy.

# STATE AGENCY RECORDS RETENTION SCHEDULE

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Workforce And Employment Services, Division Of

Record Group  
Number  
**3094**

Series	Records Title and Description	Function and Use
05438	<b>Alien Labor Certification File</b>	This series documents applications for labor certifications on behalf of foreign nationals identified to fill specific jobs with an employer. Attorneys and/or employers submit application forms and supporting documentation to obtain these certifications. The program is federally funded and all original documents in this series are mailed to the U. S. Department of Labor regional office in Atlanta, Georgia. The Department of Labor will issue a certification for the individual, if appropriate, which states that there are no qualified U. S. workers able, willing and available to accept the job at the prevailing wage and that employment of the foreign national will not adversely affect the wages and working conditions of similarly employed U.S. workers. The certification is sent to the employer, who will in turn submit it as part of the documentation needed for the individual to receive their work visa, also known as a green card, from the Immigration Services, which will allow them to begin work. As of April, 2005 the Employment and Training Administration within the U. S. Department of Labor assumed direct program operation of this particular certification. There are still two state-level programs for foreign national labor certification: agricultural jobs (H-2A) and nonagricultural jobs (H-2B).
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Copies of documents used to show workforce eligibility for a visa from the U. S. Citizenship and Immigration Services. This includes the application (ETA Form 750-A or 750-B), and may include individuals proof of education and work experience, verification of employer advertising and position recruitment, correspondence and determinations from the Department of Labor. This series does not require a proof of date of birth and a Social Security number is not involved. The focus of the certification is workforce qualification and availability, not identity documentation, benefits eligibility or tax status.
	<b>Retention and Disposition</b>	Retain for two (2) years. Transfer to State Records Center for an additional three (3) years, then destroy. Total retention is five (5) years.
06199	<b>Workforce Investment Act (WIA) Files</b>	This series documents all fiscal and programmatic records pertaining to the Workforce Investment Act of 1998 (WIA), Pub.L. 105-220, 112 Stat. 936, 29 U.S.C.
	<b>Access Restrictions</b>	KRS 61.878 (1)(a) - Social Security Number. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Participant applications; fiscal records pertinent to grants, including external and internal agency agreements, contracts, awards, performance data and other statistical data along with supporting documentation for services and activities provided under the WIA.
	<b>Retention and Disposition</b>	Retain for three (3) years after closeout, final disposition of property, close of program year, or final resolution of complaint, whichever is longest, then destroy.
06200	<b>Migrant and Seasonal Farm Workers Files</b>	This series documents the Office of Employment and Training's (OET) delivery of employment services and outreach efforts to Migrant Seasonal Farm Workers (MSFWs) and resolution efforts when complaints arise. States are required to ensure that the services provided to MSFWs are "qualitatively equivalent and quantitatively proportionate" to the services provided to other jobseekers. This means that MSFWs should receive all workforce development services, benefits and protections on an equitable and non-discriminatory basis (i.e. career guidance, testing, job development, training and job referral). The Monitor Advocate program is responsible for monitoring the delivery of employment services and outreach to MSFWs (20 CFR 658).
	<b>Access Restrictions</b>	KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series may contain: Complaint documentation, name, date, contact information and resolution action documentation.
	<b>Retention and Disposition</b>	Retain for five (5) years after resolution and completion of all actions (litigation, negotiations, audits, claims), then destroy.

**STATE AGENCY RECORDS  
RETENTION SCHEDULE**

Education and Labor Cabinet  
Workforce Investment, Department of  
Employment And Training, Office Of  
Workforce And Employment Services, Division Of

**Record Group  
Number  
3094**

Series	Records Title and Description	Function and Use
06201	<b>Trade Adjustment Assistance Files</b>	This series documents the administration of the Trade Adjustment Assistance (TAA) Program. This is a federal program that provides a path for employment growth and opportunity through aid to US workers who have lost their jobs as a result of foreign trade. The TAA program seeks to provide these trade-affected workers with opportunities to obtain the skills, resources and support they need to become reemployed. TAA offers a variety of benefits and services to support workers in their search for reemployment. This includes job training, job search and relocation allowances, income support and assistance with healthcare premium costs. The program benefits and services that are available to individual workers are administered by the states through agreements between the secretary of labor and each state governor.
	<b>Access Restrictions</b>	20 CFR 617.57. Agencies should consult legal counsel regarding open records matters.
	<b>Contents</b>	Series contains: Trade Adjustment Assistance/Trade Readjustment Allowance eligibility, individual employment plan(IEP), application and eligibility determination for various trade services, including the waiver from training and subsequent reviews of the waiver, job search and relocation assistance, request for and approval of occupational skills training, including the Individual Training Plan.
	<b>Retention and Disposition</b>	Retain for three (3) years after closeout, final disposition of property, close of program year, or final resolution of complaint, whichever is longest, then destroy.

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# *Electronic System With Included Records Series*

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## **Education and Workforce Development Cabinet**

### *Office of Employment Training*

**System Description:** The Kentucky Work Opportunity Tax Credit Online System is a request processing system used by private sector businesses ("Employers") and companies who may act as the employer's agent ("Consultants") to complete and submit IRS 8850 and ETA 9061 forms. The KY WOTC Online System allows these employers and their tax/accounting consultants to enter tax credit applications (and submit the applications, for legal forms holders), track the status of submitted applications, print letters and certifications, and view any power of attorney (POA) that may exist. The WOTC Online System is utilized by Kentucky employers, their tax/accounting consultants, and by State Workforce Agencies (SWA WOTC Program Coordinators in all USA states and territories). Data is exchanged with Kentucky Automated Management Eligibility System (KAMES/Benefind) to obtain verification of target group participants' benefit and wage records. Data is entered by the employers and consultants as well as WOTC staff to create the case management repository. WOTC staff maintain the cases, generate case-pertinent correspondence and tax certification documents, and report quarterly to the United States Department of Labor (DOL) and Employment and Training Administration (ETA).

**System Contents:** The WOTC Online System may contain: tax credit applications incorporating IRS Form 8850 and ETA Form 9061; New Hire Cases; Employers; Consultants; Power of Attorney contracts; and dynamically created Denial Letters, Needs Letters, and Certificates.

#### **General Schedule Items:**

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**System Title:** Work Opportunity Tax Credit Online System

**Alternate Title:** WOTC

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**Series #:** Series Title:

**Disposition Instructions:**

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05410 Work Opportunity Tax Credit/Welfare to Work File

Retain certified applications (eligibles) for one (1) quarter. Transfer to State Records Center for an additional four (4) years and nine (9) months for a total retention of five (5) years, then destroy. Retain denied applications (ineligibles) for one (1) year, then destroy.