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AWI Communiqué

DATE: March 23, 2009

TO: Workforce Florida, Inc. and Regional Workforce Boards (RWBs)

FROM: Kevin R. Neal, Director of Workforce Services *Kevin R. Neal*

SUBJECT: Electronic Records Retention

PURPOSE:

The purpose of this communiqué is to inform Regional Workforce Boards that electronic storage of records is acceptable for USDOL, USDA and HHS grant programs provided certain requirements are met. This communiqué also distributes those requirements.

REFERENCE:

Chapter 445.007 Florida Statutes
Chapter 119 Florida Statutes
Rule 1B-26.003 of the Florida Administrative Code

BACKGROUND:

Regional Workforce Boards (RWB)s have asked whether electronic records are acceptable for storing grant related documents. Section 445.007 of the Florida Statutes stipulates that RWBs are subject to Chapter 119, F.S., which governs public records. Florida's public records law allows for electronic recordkeeping so long as certain requirements regarding security, reliability and accessibility are met. Those specific requirements are established in Rule 1B-26.003 of the Florida Administrative Code, which is attached. Compliance with the Florida Administrative Code will also ensure that federal requirements for electronic recordkeeping are met.

ACTION REQUIRED:

Documents related to the United States Department of Labor (USDOL), the United States Department of Agriculture (USDA), and the United States Department of Health and Human Services (HHS) grant programs may be stored

electronically if the RWB or subrecipient follows the rules established under Chapter 119, F.S., and Rule 1B-26.003 of the Florida Administrative Code.

RWBs and other subrecipients must establish records management procedures that meet these requirements. The Florida Department of State has published a manual entitled "Electronic Records and Records Management Practices" that is a guide to complying with the state's requirements related to electronic records management. This manual may be obtained using the following link: <http://dlis.dos.state.fl.us/barm/handbooks/electronic.pdf>.

ATTACHMENT:

Rule 1B-26.003 of the Florida Administrative Code

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