



AGENDA
STATE RECORDS COMMITTEE
December 17, 2015
10:00AM

Location: New Jersey State Records Center Conference Room
2300 Stuyvesant Avenue
Trenton, NJ 08625-0661
(www.nj.gov/treasury/revenue/rms/directions.shtml)

Announcement of Open Public Meeting

- I. Review of September 17, 2015 minutes**
- II. Administrative Actions:**
 - A. Announcement of Approval of Destruction Authorization:**
 1. Routine Request: #86-880 - #87-263
 2. Artemis Request: #522031 - #523223
 - B. Registered Imaging Systems / Amendments / Annual Reviews:**
Report to the State Records Committee
- III. Old Business:**
 - A. Records Retention Schedules:**
State General Schedule – Presented by Irwin Nadel
Electronic Records – G100000-008 Items 2211-0000 – 2216-0000
- IV. New Business:**
 - A. Records Retention Schedules:**
State General Schedule – Presented by Nichole Carthan
Affirmative Action/Equal Employment Opportunity Complaint Case File - G100000-008 Item 0700-0000
 - B. Special Request and Authorization for Records Disposal:**
Greenbrook Regional Center – Damaged Records – Prepared by James Jenkins
- V. Other Business:**
 1. Proposed Dates for State Records Committee Meetings for 2016



MINUTES
STATE RECORDS COMMITTEE
September 17, 2015

Michael J. Tyger, Secretary, called the 419th meeting of the State Records Committee to order at 10:03 a.m. on the above date. He stated that notice of the meeting had been posted in the Secretary of State's Office and published in the state's daily newspapers in conformance with the requirements of the Open Public Meetings Act.

Mr. Tyger stated that there is a quorum with all members present.

ATTENDANCE:

SRC: State Treasurer, Michael Tyger, designee
State Auditor, William Robinson, designee
Division of Local Government Services, Colleen Kelly
Attorney General, Todd Wigder
State Archives, Joseph Klett

Staff: Sharon Allen, Technical Assistant II, Records Management Services
John Berry, Records Analyst 1, Records Management Services
Ellen Callahan, NJ State Archives, Department of State
Marcella Campbell, Technical Assistant 1, Treasury
Nichole Carthan, Records Manager, Records Management Services
Virma Guzman-Reyes, Head Audit Account Clerk, Records Management Services
James Jenkins, Data Entry Machine Operator III, Records Management Services
Irwin Nadel, Chief of Operations, Records Management Services
Baljinder Pannu, Data Entry Operator, Records Management Services
Vilirie D. Perry, Records Analyst I, Records Management Services

Other: Elaine White, Department of Health
Maria Lisa Bazela, Christina Napolitano, Bergen County, Office of the County Clerk
Lauren Wiley, Mercer County Records Management
Joe Brigandi, Michelle Everly, Gloucester County Clerk's Office
Amalia Mcshane, Maria Jacobi, Department of Transportation

MINUTES:

APPROVAL OF PREVIOUS SRC MEETING MINUTES:

Upon motion, seconded, the Committee voted to approve the July 16, 2015 minutes.

I. ADMINISTRATIVE ACTIONS:

A. Announcement of Approval of Destruction Authorizations:

- 1. Secretary Tyger announced the approval of routine hardcopy request for disposal of public Records: #86-270 - #86-879**
- 2. Secretary Tyger announced the approval of routine online Artemis requests for disposal of public records: #521188 - #522030**

B. Registered Imaging Systems / Amendments / Annual Reviews: Report to the State Records Committee: (See Attached)

II. OLD BUSINESS:

A. Records Retention Schedules (See Attached)

County Agency General Schedule (Video Surveillance Recordings) - C820000-10 - Presented by Nichole Carthan & Vilirie Perry - Item 0706-0000 – Approved with minor changes to description for agency retention.

Municipal Agency General Schedule (Video Surveillance Recordings) – M100000-009 – Presented by Nichole Carthan & Vilirie Perry – Item 0706-0000 – Approved with minor changes to description for agency retention.

State General Schedule (Video Surveillance Recordings) – Presented by Nichole Carthan & Vilirie Perry – Item 2100-0000 – Approved with minor changes to description for agency retention.

Department of Transportation (DOT) mentioned that they didn't believe their current system has the capacity to store images beyond 7 days and were not sure if they would be able to comply with the schedule. Mr. Tyger asked about the possibility of waiving the requirement for DOT or others that might not have capability to retain 30 days in their current systems. Mr. Nadel said that no such waiver process existed, and Mr. Klett mentioned that a waiver would undermine the whole schedule. Ms. Callahan asked about a phased-in approach, but some of the members of the committee said that was not possible. Mr. Klett stated, to his knowledge, the SRC has never issued a waiver for a retention requirement. Mr. Tyger asked DOT to determine what the actual capabilities of the system they have are, and see if options exist to allow for a 30-day retention rather than speculating about other options.

Mr. Tyger thanked Todd Wigder for his excellent input in working with Criminal Justice to finalize the verbiage on the Video Surveillance Recordings for the County, Municipal and State schedules.

III. Records Retention Schedule:

A. Records Retention Schedules (See Attached)

Department of Health – Presented by John Berry
Commissioner's Office, Health Care Quality Assessment – S460119-002 – Approved without changes.

State General Schedule – Presented by Irwin Nadel
Electronic Records – G100000-007 Items 2200 - 0000 – 2214-0000 – 21 Record Series were approved & 4 Records series were withdrawn and will be presented at a future meeting.

Records Series 2200-0000, 2201-0000, 2201-0001, 2201-0002, 2202-0000, 2205-0000, 2205-0001, 2206-0000, 2206-0001, 2206-0002, 2206-0003, 2207-0000, 2207-0001, 2207-0002, and 2212-0000; Approved without changes

Records Series 2203-0000, 2204-0000, 2205-0002, 2208-0000 and 2211-0000; Approved with changes to the wording of the descriptions and the language describing Agency Retention in series 2203.

Record Series 2209-0000, 2210-0000, 2213-0000 and 2214-0000; Withdrawn.

(Note: The series numbers above reflect the agenda numbering. Because certain series were withdrawn, the actual numbering in the General Schedule was modified).

IV. OTHER BUSINESS: (See Attached)

Mr. Tyger thanked everyone for their patience with the electronic schedule, and noted that the time spent was worth it based on the progress that was made. Mr. Tyger noted that the items related to electronic records not approved today will be the subject of meetings between DORES and Archives and that he would like to participate in those meetings. Mr. Klett suggested that perhaps county government would also like to be involved with these discussions. Mr. Nadel mentioned that for now the Electronic Schedule is just for the executive branch. Mr. Tyger would welcome local government participation when appropriate.

There being no other business, the Committee adjourned at 12:00 pm.

Michael Tyger
Secretary
State Records Committee

Registered Imaging Systems / Amendments / Annual Reviews December 17, 2015

Action Type/Analyst	Registration #	Agency	Comments	Vendor (if Applicable)
New Registration: Vilirie Perry	15121701- MP	Phillipsburg Public Schools	System meets all requirements for registration.	AccuScan Digital Archival Solutions/ ACCSES New Jersey CNA
Amendment: James Jenkins	10071502- MF	County of Burlington RIM	Added Records Series	N/A
Amendment: Vilirie Perry	13091904- MP	Hackettstown Public School District	System meets all requirements for registration. Approved migration path	ImageSilo, a cloud based Document Management System
Amendment: Marcella Campbell	15071601- MP	Borough of Ship Bottom	System meets all requirements for registration. Approved migration path.	AccuScan Digital Archival Solutions/ ACCSES New Jersey CNA
Amendment: Vilirie Perry	15071603- MP	Clearview Regional High School District	System meets all requirements for registration. Approved migration path.	ImageSilo, a cloud based Document Management System
Amendment: Vilirie Perry	15071603- MP	Ridgewood Public Schools	System meets all requirements for registration. Approved migration path.	ImageSilo, a cloud based Document Management System

Registered Imaging Systems / Amendments / Annual Reviews December 17, 2015

Action Type/Analyst	Registration #	Agency	Comments	Vendor (if Applicable)
Amendment: Vilirie Perry	15091705- MP	William Paterson University of New Jersey	System meets all requirements for registration. Approved migration path.	ImageSilo, a cloud based Document Management System
Amendment: James Jenkins	13051607- MF	Camden County College Enterprise Imaging Systems	Added Records Series	N/A
Annual Review & Amendment: Vilirie Perry	09012222- MF	Borough of Old Tappan	Added Records Series	N/A
Annual Review & Amendment: James Jenkins	09101502- NM	Borough of Atlantic Highlands	New/Upgrade of Hardware	ShoreScan
Annual Review & Amendment: John Berry	11051901- MF	New Jersey State Police, DNA Laboratory	New/Upgrade of Hardware, New/Upgrade of Software	ScandAll Pro
Annual Review & Amendment: Vilirie Perry	11102001- NM	NJ Transit	Added Records Series	N/A

Registered Imaging Systems / Amendments / Annual Reviews December 17, 2015

Action Type/Analyst	Registration #	Agency	Comments	Vendor (if Applicable)
Annual Review & Amendment: Vilirie Perry	12041905- MP	Perth Amboy School District	System meets all requirements for registration. Approved migration path	ImageSilo, a cloud based Document Management System
Annual Review & Amendment: Vilirie Perry	13091902- MP	Delaware Valley Regional High School District	System meets all requirements for registration. Approved migration path	ImageSilo, a cloud based Document Management System
Annual Review & Amendment: James Jenkins	14051507- MF	Township of Cinnaminson	New/Upgrade of Software	N/A
Annual Review: James Jenkins	06061506- MF	Township of Brick	N/A	N/A
Annual Review: John Berry	09021901- MF	County of Hudson Register's Office LRMS	N/A	N/A
Annual Review: James Jenkins	11072108- NM	New Jersey Turnpike Authority	N/A	N/A
Annual Review: Marcella Campbell	11072110- NM	Woodbridge Fire Department	N/A	N/A

RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

DEPARTMENT	State Agency General Records Retention Schedule	AGENCY # G100000			
DIVISION:		SCHEDULE # 008			
BUREAU:		PAGE #	1	OF	1

AGENCY AMENDMENTS

FORMER AGENCY NAME (DEPARTMENT/DIVISION/BUREAU)	State Agency General Records Retention Schedule
FORMER AGENCY NUMBER	G100000
FORMER SCHEDULE #	007

RECORDS SERIES AMENDMENTS

RECORD SERIES #	RECORD SERIES NAME	TYPE OF CHANGE	FORMER DESIGNATION (IF APPLICABLE)	NEW DESIGNATION (IF APPLICABLE)
2211-0000	Electronic input/source records	New		
2212-0000	Data administration records	New		
2213-0000	System development records	New		
2214-0000	Special purpose computer programs and applications	New		
2215-0000	Information technology oversight and compliance records	New		
2216-0000	Electronic administrative resource files	New		

RECORDS RETENTION AND DISPOSITION SCHEDULE		AGENCY # G100000	SCHEDULE # 008	PAGE # 1 OF 54
DEPARTMENT: State General Records Retention Schedule		AGENCY REPRESENTATIVE: Irwin Nadel		
DIVISION:		TITLE: Chief		
BUREAU:		PHONE# 609.530.3201		
SCHEDULE APPROVAL: Unless in litigation, the records covered by this schedule, upon expiration of their retention periods, will be deemed to have no continuing value to the State of New Jersey and will be disposed of as indicated in accordance with the law and regulations of the State Records Committee. This schedule will become effective on the date approved by the State Records Committee.				
AGENCY REPRESENTATIVE SIGNATURE		DATE:	SECRETARY, STATE RECORDS COMMITTEE SIGNATURE	

		AGENCY	RECORDS CENTER	
	<p style="text-align: center;">Acknowledgement</p> <p>Please review the attached Records Retention Schedule, making any additions, deletions or changes as necessary. Once the schedule has met your satisfaction, please sign this page as the agency representative. With this signature, you acknowledge that you have reviewed and approved this schedule. Please be advised that changes may subsequently be suggested/made to this schedule by a panel of Records Analysts at the State Records Center. If revisions are suggested/made, you will be notified of such. The schedule will then be presented to the State Records Committee for final approval.</p> <p style="text-align: center;">Management of Electronic Records</p> <p>This records retention schedule includes records series which are maintained in an electronic format. In the normal course of business, the agency will take the necessary actions to ensure: hardware and software maintenance, backup procedures, security measures, and compliance with the rules and regulations pertaining to the maintenance of public records. Any reference made herein to the process of data erasure means the process of data degaussing.</p>			

RECORDS RETENTION AND DISPOSITION SCHEDULE	AGENCY # G100000	SCHEDULE # 008	PAGE # 52 OF 54
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		AGENCY	RECORDS CENTER	
2211-0000	<p>Electronic input/source records Includes electronic records consisting of raw data used to create, update, or modify records in an electronic system or database. The types of records that may be included are: electronic files that duplicate information from a source electronic system; electronic records received from another agency and used as input/ source records by the receiving agency; computer files or records containing uncalibrated and unvalidated digital or analog data collected during observation or measurement activities or research and development programs and used as input for a digital master file or database; and metadata or reference data, such as format, range, or domain specifications transferred from a host computer or server to another computer for input, updating, or transaction processing operations.</p> <p>Exclusion 1: Original electronic records maintained in the source system. Exclusion 2: Electronic input records tagged for audit and legal purposes.</p>	Retain until data has been entered or otherwise incorporated into the electronic records system or database and verified.		Destroy
2212-0000	<p>Data administration records Includes records relating to data administration, including maintenance of data standards, data models, registries, and data definitions and dictionaries, as well as administrative support for the maintenance of data standards, data definitions and data dictionaries. This schedule includes records that explain the meaning, purpose, logical relationships, and use and origin of data. It also may include any documentation related to electronic records that allows a user to understand or access the information, whether the records are part of an electronic system or stand-alone.</p>	Retain for 7 years following system supersession, iteration, or termination of the associated system.		

RECORDS RETENTION AND DISPOSITION SCHEDULE	AGENCY # G100000	SCHEDULE # 008	PAGE # 53 OF 54
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		AGENCY	RECORDS CENTER	
2213-0000	<p>System Development Project File</p> <p>Relates to the development of Information Technology (IT) systems and software applications that provide agencies with specific business functionality from transaction processing, to content storage/analysis and through to policy and decision-making support. It covers records generated in the initial development stages up until hand-off to production, as well as procurement processing and tracking records related to system development activities.</p> <p>Exclusion: This item does not apply to system data or content such as data dictionaries, file specifications, code books, record layouts, etc.</p>	Retain for 7 years following implementation of the system		Destroy
2214-0000	<p>Special purpose computer programs and applications</p> <p>Includes computer software programs or applications that are developed by an agency or under its direction solely to use or maintain a master file or database</p> <p>Exclusion: This item does not cover commercial, off-the-shelf (COTS) programs or applications, unless the agency has modified such programs or applications considerably to perform a mission-related function.</p> <p>Note: Computer software needs to be kept as long as needed to ensure access to, and use of, the electronic records in the system throughout the authorized retention period.</p>	Retain until related master file or database has been deleted or until there is no longer a business use for the programs/applications.		Destroy
2215-0000	<p>Information technology oversight and compliance records</p> <p>Includes records associated with documenting compliance with information technology policies, directives, and plans.</p> <p>Note: Copies of security plans are covered under General Records Schedule G100000. However, copies of such plans may be interfiled within this series.</p>	Retain for 6 years following completion of compliance tracking project/activity/transaction is completed or superseded.		Destroy

RECORDS RETENTION AND DISPOSITION SCHEDULE	AGENCY # G100000	SCHEDULE # 008	PAGE # 54 OF 54
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		AGENCY	RECORDS CENTER	
2216-0000	Electronic administrative resource files Electronic file shares and other digital content stores that contain reference material, periodic reports used for routine daily management of operations, copies of policies and procedures, form templates, staff announcements, work-in-progress materials including drafts of all kinds and associated commentary, help scripts for office information systems, help desk logs, discussion streams regarding daily operations, and contact lists.	Retain until no longer needed for administrative purposes.		Destroy

RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT			
DEPARTMENT	State Agency General Records Retention Schedule		AGENCY # G100000
DIVISION:	SCHEDULE # 008		
BUREAU:	PAGE #	1	OF 1

AGENCY AMENDMENTS

FORMER AGENCY NAME (DEPARTMENT/DIVISION/BUREAU)	State Agency General Records Retention Schedule
FORMER AGENCY NUMBER	G100000
FORMER SCHEDULE #	007

RECORDS SERIES AMENDMENTS

RECORD SERIES #	RECORD SERIES NAME	TYPE OF CHANGE	FORMER DESIGNATION (IF APPLICABLE)	NEW DESIGNATION (IF APPLICABLE)
0700-0000	Affirmative Action Complaint Case Files	Title; Increase Retention Time	Affirmative Action Complaint Case File; 3 yrs after settlement	Affirmative Action/Equal Opportunity Complaint Case File; 7 yrs after conclusion of matter

RECORDS RETENTION AND DISPOSITION SCHEDULE		AGENCY # G100000	SCHEDULE # 008	PAGE # 1 OF 51
DEPARTMENT: State General Records Retention Schedule		AGENCY REPRESENTATIVE: Irwin Nadel		
DIVISION:		TITLE: Chief		
BUREAU:		PHONE# 609.530.3201		
SCHEDULE APPROVAL: Unless in litigation, the records covered by this schedule, upon expiration of their retention periods, will be deemed to have no continuing value to the State of New Jersey and will be disposed of as indicated in accordance with the law and regulations of the State Records Committee. This schedule will become effective on the date approved by the State Records Committee.				
AGENCY REPRESENTATIVE SIGNATURE		DATE:	SECRETARY, STATE RECORDS COMMITTEE SIGNATURE	

		AGENCY	RECORDS CENTER	
	<p style="text-align: center;">Acknowledgement</p> <p>Please review the attached Records Retention Schedule, making any additions, deletions or changes as necessary. Once the schedule has met your satisfaction, please sign this page as the agency representative. With this signature, you acknowledge that you have reviewed and approved this schedule. Please be advised that changes may subsequently be suggested/made to this schedule by a panel of Records Analysts at the State Records Center. If revisions are suggested/made, you will be notified of such. The schedule will then be presented to the State Records Committee for final approval.</p> <p style="text-align: center;">Management of Electronic Records</p> <p>This records retention schedule includes records series which are maintained in an electronic format. In the normal course of business, the agency will take the necessary actions to ensure: hardware and software maintenance, backup procedures, security measures, and compliance with the rules and regulations pertaining to the maintenance of public records. Any reference made herein to the process of data erasure means the process of data degaussing.</p>			

RECORDS RETENTION AND DISPOSITION SCHEDULE	AGENCY # G100000	SCHEDULE # 008	PAGE # 16 OF 51
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		AGENCY	RECORDS CENTER	
0419-0000	Internal Control Vulnerability Assessment - New Jersey Department of the Treasury (Copy) Self-assessment questionnaire pertaining to status of an agency's system of internal accounting and administrative controls in areas such as security, personnel, finance, and administration. Original is kept by the Department of the Treasury, Office of Management and Budget.	3 yrs		Destroy
0420-0000	Certificate of Fire Code Status An annual certificate issued by the Fire Marshal, stating that an agency is or is not in compliance with the Fire Code. Categories include: no violation, violation, fees paid, and fees outstanding. (N.J.A.C. 5:71-3.7(b) 9; N.J.S.A. 52:27D-192)			
0420-0001	Certificate of Fire Code Status - In Compliance	7 yrs after final payment		Destroy
0420-0002	Certificate of Fire Code Status - Not in Compliance	7 yrs after final payment and compliance with recommendations		Destroy
	PERSONNEL RECORDS			
0700-0000	Affirmative Action/Equal Employment Opportunity Complaint Case File Contains: Discrimination Appeal Processing, Grievance Procedure, correspondence, and relevant case material.	7 yrs after conclusion of the matter		Destroy
0701-0000	Affirmative Action Plan (Copy) Agency's annual goals regarding federal and state Affirmative Action requirements and guidelines mandating equal employment regardless of race, gender, religion, age, national origin, sexual orientation, or physically/mentally challenged. Original retained by the Department of Personnel.	3 yrs		Destroy
0702-0000	Survey of New Jersey State Government Handicapped Employees (Copy) Original retained by the Department of Personnel.	3 yrs		Destroy
0703-0000	Current Agency Work Force Analysis File (Copy) File contains: Current Agency Work Force Analysis and Current Agency Work Force Analysis by Salary. Original retained by the Department of Personnel.	3 yrs		Destroy

From: "Patel, Mamta" <Mamta.Patel@csc.nj.gov>

To: Neela Sookdeo <Neela.Sookdeo@doh.nj.gov>

Date: 11/24/2015 10:24 AM

Subject: RE: ODES: Please advise - Fw: Requested Change to General Records Retention Schedule

Neela,

I have read the emails listed below and as previously discussed and agreed I support extending the time to archive records from three years to seven years.

Mamta

Mamta Patel, Director
Civil Service Commission
Division of Equal Employment Opportunity and Affirmative Action
44 S. Clinton Avenue
P.O. Box 315
Trenton, NJ 08625
Phone: (609) 633-9840
Fax: (609) 292 7067

-----Original Message-----

From: Neela.Sookdeo@doh.state.nj.us [<mailto:Neela.Sookdeo@doh.state.nj.us>]

Sent: Wednesday, November 4, 2015 10:10 AM

To: Patel, Mamta <Mamta.Patel@csc.nj.gov>

Subject: ODES: Please advise - Fw: Requested Change to General Records Retention Schedule

Good Morning Mamta,

Towards the end of 2012, I reached out to you regarding changing the State General Records Retention Schedule to revise the caption applicable to EEO/AA and the time for disposal of records from 3 years to 7 years. I worked with Elaine White at the DOH, who handles record management here and is the DOH liaison to the General Records Council. Elaine has continued to follow up on getting this matter on the GRC schedule for discussion and decision. Finally, this matter is schedule to go before the GRC at their meeting on December 17, 2015.

Directly below, I copied and pasted email correspondence from November 2015, which includes an explanation email I wrote and which Elaine sent to the GRC with the request for revisions. The very last email and the attachment is from this morning and shows the requested revision to the schedule.

(Note: Equal Opportunity should be Equal Employment Opportunity.

I will let Elaine know once we discuss further.)

The representative from Records Management Services has said that further documentation to explain and support this change would be helpful. After all this time, this is our chance to actually make these revisions happen.

I would like to know if you are available to attend the GRC meeting on 12/17/15 (if you attend, I would love the opportunity to attend with you), if you would write a short memo in support of the change and/or if you would be willing to reach out to Jane Greenfogel for a short memo from her to support the change. I reached out to her initially by telephone in 2012 to discuss her thoughts on changing the retention schedule to 7 years, which is referenced in the explanation email below but I have not had any contact with her since that time.

When you have an opportunity to review the information below, please advise.

Thank you, Neela

----- Forwarded by Neela Sookdeo/NJDHSS on 11/04/2015 09:50 AM -----

From: Neela Sookdeo/NJDHSS

To: Elaine M White/NJDHSS@NJDHSS

Date: 11/15/2012 12:07 PM

Subject: Final Version: Requested Change to the State General Records Retention Schedule

Elaine,

Please take a look at the email from Mamta Patel below regarding the email to John Berry requesting a change to the general records retention schedule. Mamta does not have any comments/concerns. Please move forward with this request.

The email below is the same email that I copied you on, on 11/7/12. Thanks again for all your help. Please let me know if you need any additional information from me.

-Neela

Neela Sookdeo, MSW, JD
Equal Employment Opportunity Officer
Office of Diversity and Equity Services
Office of the Commissioner
New Jersey Department of Health
Health and Agriculture Building, 8th Floor John Fitch Plaza P O Box 360 Trenton, NJ 08625-0360
(609) 292-7606

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----- Forwarded by Neela Sookdeo/NJDHSS on 11/15/2012 11:58 AM -----

From: "Patel, Mamta" <Mamta.Patel@csc.state.nj.us>

To: ""Neela.Sookdeo@doh.state.nj.us""
<Neela.Sookdeo@doh.state.nj.us>

Date: 11/14/2012 04:07 PM

Subject: RE: Please Advise: DRAFT! Requested Change to the State
General Records Retention Schedule

Okay fine. I have no problem with seven years. Thanks for taking the lead on this matter.

Mamta

-----Original Message-----

From: Neela.Sookdeo@doh.state.nj.us [<mailto:Neela.Sookdeo@doh.state.nj.us>]

Sent: Wednesday, November 07, 2012 9:04 AM

To: Patel, Mamta

Subject: Please Advise: DRAFT! Requested Change to the State General Records Retention Schedule

Mamta,

Per our conversation last week, please review the email below and let me know your comments/concerns/suggested revisions. The email is from Elaine White (Supervisor of Forms Control and Records Management here at the Department) to John Berry (Record Analyst at the Division of Revenue and Enterprise Services and the Department's contact person). I have revised Elaine's original email to add further details.

Thank you in advance for your assistance with this.

Neela

Neela Sookdeo, MSW, JD
Equal Employment Opportunity Officer
Office of Diversity and Equity Services
Office of the Commissioner
New Jersey Department of Health
Health and Agriculture Building, 8th Floor John Fitch Plaza P O Box 360 Trenton, NJ 08625-0360
(609) 292-7606

"Good morning, John!

Our Office of Diversity and Equity Services has brought something to my attention which I would like presented to the State Records Committee for consideration.

Neela Sookdeo is the EEO Officer at the N.J. Department of Health and her office receives and investigates complaints based on the State Policy Prohibiting Discrimination in the Workplace (State Policy). Currently they are utilizing the following category from the State General Records Retention Schedule to store their records:

0700-0000	Affirmative	
Action Complaint Case File		3
Years After Settlement / Destroy		
Contains: Discrimination Appeal Processing,		
Grievance Procedure, correspondence,		
and relevant case material.		

Recently, several instances have come up where there was a need to reference complaint information from longer than 3 years ago in order to establish or to disprove a pattern of discrimination. Since records are routinely destroyed after only 3 years, those records were no longer available and a thorough investigation was more difficult to complete. The investigation materials are confidential, including the investigation report, and those records are not stored anywhere else.

The State Policy requires that "each State agency shall maintain a written record of the discrimination/harassment complaints received. Written records shall be maintained as confidential records to the extent practicable and appropriate." N.J.A.C. 4A:7-3.1(g)4; see also N.J.A.C. 4A:7-3.2(g). Neither the State Policy nor the New Jersey Law Against Discrimination at N.J.S.A. 10:5-1 et seq. establishes the appropriate retention period for records of discrimination complaints.

Since we are aware that any change to the State General Records Retention Schedule will affect all State departments, boards, commissions, colleges and authorities, and before seeking to recommend a change, Neela Sookdeo contacted Jane Greenfogel, a Deputy Attorney General, who handles cases of this type, and also Mamta Patel, who is the Director of the Division of EEO/AA in the Civil Service Commission, to seek their opinions. Both were in agreement that the current retention period is inadequate. DAG Greenfogel suggested a range of 7-10 years and Director Patel suggested a range of 5-7 years for the retention period. DAG Greenfogel also warned that departments and agencies that only keep these types of records for three years could be open to punitive damages in litigation for spoliation of evidence.

For the reasons set forth above, we believe that Item 0700-0000 on the State General Records Retention Schedule should be modified to increase the retention period to a more appropriate period of time, and we are requesting 7 years. The title should also be modified to "Affirmative Action/Equal Employment Opportunity Complaint Case File."

Please review and let me have your comments. I would like to see this request presented to the State Records Committee for consideration at an upcoming meeting.

Thank you!

-Elaine"

-Elaine White
Forms Control and Records Management Unit
N. J. Department of Health
Health-Agriculture Building, 4th Floor
P. O. Box 360
Telephone: 292-3614 Fax: 984-2218

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Neela Sookdeo, MSW, JD
Equal Employment Opportunity Officer

Director, Office of Diversity and Equity Services Office of the Commissioner New Jersey Department of Health Health and Agriculture Building, 8th Floor John Fitch Plaza P O Box 360 Trenton, NJ 08625-0360 (609) 292-7606

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----- Forwarded by Neela Sookdeo/NJDHSS on 11/04/2015 09:49 AM -----

From: "Carthan, Nichole" <Nichole.Carthan@treas.nj.gov>

To: "Elaine.White@doh.state.nj.us" <Elaine.White@doh.state.nj.us>

Cc: "Pannu, Baljinder" <Baljinder.Pannu@treas.nj.gov>, "Berry, John" <John.Berry@treas.nj.gov>, "Neela.Sookdeo@doh.state.nj.us" <Neela.Sookdeo@doh.state.nj.us>

Date: 11/04/2015 09:03 AM

Subject: RE: Requested Change to General Records Retention Schedule

Hi Elaine,

As promised, attached please find the amendment packet that will be presented at the December SRC meeting. If you can obtain memos from the DAGs I will included them with the packet. I think having the memo included in the packet will alleviate a lot of the questions the committee may have. We have until about December 1st to add any supporting documentation.

Thank you.
Nichole

Nichole Carthan
Records Manager
Records Management Services
Division Of Revenue and Enterprise Services

DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
RECORDS MANAGEMENT SERVICES

**Damaged Records
Disposal Certification**

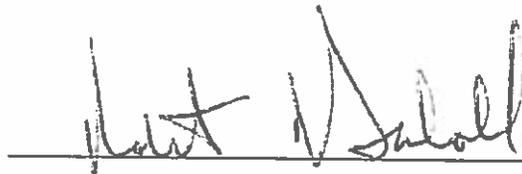
TO: State Records Committee

FROM: Robert Harbold, Records Manager, Division of Developmental Disabilities

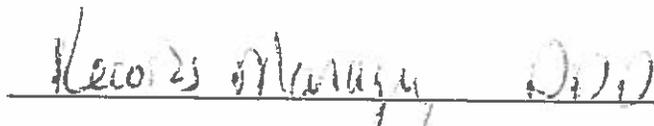
DATE:

SUBJECT: Service Recipient Records

I hereby certify that the records listed on the attached ***Request and Authorization for Records Disposal*** form(s) have sustained significant damage that warrants their disposal. All attempts to salvage said records have proven unsuccessful or not cost-effective. Subsequently, continued retention of said records has been deemed impractical.



Signature



Title

DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
RECORDS MANAGEMENT SERVICES
Mailing: PO Box 661, Trenton, NJ 08625
Location: 2300 Stuyvesant Avenue, Trenton, NJ 08618

Damaged Records Report

Agency Name: Department of Human Services, Division of Developmental Disabilities

Address: Green Brook Regional Center, 275 Greenbrook Rd., Green Brook, NJ 08812

Phone: 609-292-2024

Email: Robert.Harbold@dhs.state.nj.us

Contact Person: Robert Harbold

Date the damage occurred:

Date the damage was discovered:

Complete the following. (Answer field will expand to accommodate all answers)

1. Describe circumstances of how the damage occurred.
Approximately 1,110 boxes of service recipient records are being stored in a metal trailer located at Green Brook Regional Center beginning in 1999 when North Princeton Developmental Center was closed. Due to water leaks and exposure to heat and cold, the records have sustained water, mold and vermin damage.
2. What salvage attempts were made?
Based on historic memory and a few old emails, DARM was contacted in 2011. Paperwork was submitted requesting destruction of these records, but the issue was never resolved. DARM was then closed and Record Management Services was established and the problem was not re-addressed until now.
3. Were any of the records affected by this event salvageable?
Per reports, staff attempted to access the records in 2011 but were exposed to mold and what appeared to be vermin urine stains and feces and had to abandon their efforts. The records were determined to be unsalvageable.

4. Why are these records unsalvageable?

Excessive black mold and vermin waste. The records have deteriorated further since 2011. On 3/19/2015, one staff donned gloves and a mask in an attempt to determine the age of the contents of one of the boxes. Only one box at the front of the trailer (assumed to be one of the new sets of records since it is at the front of the trailer) was opened due to the potential health risk. The box contained the records of a service recipient who has been deceased for 13 years. The contents of the other boxes are unknown other than they contain old records of service recipients. To the best of staff's knowledge, there have been no requests to view any of these records since prior to 1999. An estimate (attached) was obtained to determine the cost to clean the records. The estimate totals \$169,307.50. Based on the age of the records, their condition, the fact that there have been no requests to view the records since at least 1999, and the prohibitive cost to clean the records, they have been determined to be unsalvageable.

5. Who determined that the records could not be salvaged?

Based on the above rationale, Robert Harbold, DDD Records Manager.

6. Are there other copies of the damaged records in other locations or are there ways to reconstruct the damaged records (i.e. payroll records could be recovered from your payroll service provider)?

No, there are no other copies of the records. However, any service recipients who may still be active would have a working file from 1999 forward located in one of the Division's developmental centers or community services offices.

7. Are there additional records still maintained in the building? If yes, how are these records being protected?

No.

8. What measures are being taken to prevent future damage to the agency's records?

No other records are known to be stored in a problematic setting. Files are now formally archived with DocuSafe, via the Record Management Services procedures.

Submit by Email

American Freeze Dry Operations, Inc.
P. O. Box 5740 - Deptford, NJ 08096
Phone: 856-939-8160 Fax: 856-302-6727 Toll Free: 866-939-8160

Date: May 26, 2015 Proposal # 5-2215
Name: Green Brook Regional Center Good for 90 days
275 Greenbrook Road
Green Brook, NJ 08812
Contact: Bob Harbold
Phone: 609-292-2024 Cell: 609-784-4140 e-mail: robert.harbold@dhs.state.nj.us

Scope of Work: 918 Cubic Feet of material to be dried, cleaned and deodorized.

PHASE ONE:

Pack Out Labor @ \$304.00 per Tech per Day - 6 Techs for one day: \$ 1,824.00

Pick Up Vehicles (1 – 24 Ft. Truck & 1 – Personnel Van): \$ 980.00

Boxes for Pack Out 100 @ \$3.50 each: \$ 350.00

Total Due 10 Days from Pick Up: \$ 3,154.00

PHASE TWO:

Desiccant Dry @ \$40.00 per cubic foot: \$ 36,720.00

Deodorization @ \$15.00 per cubic foot: \$ 13,770.00

Total Due 30 Days from Pick Up: \$ 50,490.00

PHASE THREE:

Cleaning @ \$120.00 per cubic foot: \$ 110,160.00

Double Wall Storage Boxes 735 @ \$4.50 each: \$ 3,307.50

Delivery Labor @ \$304.00 per Tech per Day - 4 Techs for one day: \$ 1,216.00

Delivery Vehicles (1 – 24 Ft. Truck & 1 – Personnel Van): \$ 980.00

Total Due on Delivery: \$ 115,663.50

TOTAL PROPOSAL AMOUNT FOR PHASES ONE, TWO, AND THREE: \$ 169,307.50

Make all checks payable to American Freeze Dry Operations, Inc. - EIN: 22-3715116
Mailing address for all payments: P. O. Box 5740, Deptford, NJ 08096

**PROPOSED
STATE RECORDS COMMITTEE MEETINGS
FOR 2016**

DATE OF MEETING

January 21

February 18**

March 17

April 21**

May 19

June 16**

July 21

August 18**

September 15

October 20**

December 15

**** Indicates a meeting may be called for emergency or special purposes.**