

# **CONEXIÓN**

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## LABORAL

ÁREA LOCAL MAYAGÜEZ - LAS MARÍAS

**Public Policy Number:** 2026-PP-WIOA-003

**Approval Date:** April 23, 2026

**Effective Date:** April 23, 2026

**SUBJECT:** Public Policy Use and Management of Records

**AIMED AT:** Local Board Members, Executive Director, Officials of the Single Labor Management System and Service Providers

**APPLICABILITY:** This Public Policy applies to the Single Labor Management System of the ALDL Mayagüez – Las Marías.

**PURPOSE:** To ensure that all records related to the Workforce Innovation and Opportunity Act (WIOA) activities are handled and protected in accordance with federal and state requirements, ensuring their integrity, confidentiality, and handling.

### **I. INTRODUCTION**

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014, effective July 1, 2015. It is designed to help job seekers access job openings, education, training and support services to succeed in the labor market and in turn give employers access to employees with skills to compete in the global economy.

The WIOA Act and applicable Federal Regulations refer to requirements, responsibilities, and procedures for the retention, preservation, access, and availability of records related to programs,

activities, and funds administered under the Act, ensuring compliance with federal and state regulations, as well as audits, monitoring, and administrative processes.

Each recipient of funds must maintain the following records, either in electronic format (including e-mail) or on paper, for a period of not less than three years after the close of the applicable program year:

- (1) The records of applicants and/or participants and
- (2) Other records that are required: proposals, documents and fiscal and administrative reports, including statistical data, among others.

Where a complaint of discrimination has been filed or a compliance review has been initiated, any recipient who possesses or maintains any type of hard copy or electronic record relating to the complaint (including records that have any relevance to the underlying allegations of the complaint, as well as records of actions taken in the complaint) or for the purpose of the compliance review must preserve all records, Regardless of whether they are paper or electronic. This may be relevant to a complaint investigation or compliance review. Those records shall be maintained for a period of not less than three years from the date of the final action related to the resolution of the complaint or compliance review.

## II. LEGAL BASIS

- Federal Public Law 113-128 of July 22, 2014 Workforce Innovation and Opportunity Act, Section 185(a)(1), (f)(1-2)
- 2 CFR 200.334–200.338 (Uniform Guidance – Retention & Access)
- Title 29 Sub-Title A Part 38 Sub-Part B (38.43)
- Law # 107 of August 10, 2025, Law on the Administration and Conservation of Public Documents for the XXI Century
- Regulation # 23 (second revision) for the Conservation of Documents of a Fiscal Nature or Necessary for the Examination and Audit of Accounts and Fiscal Operations

## III. DEFINITIONS

1. **Access:** Availability of files for review by authorized entities.
2. **Document Management:** It is the planning, control, direction, organization, training, promotion and other managerial activities related to the creation, use and conservation, as well as the disposition of documents, to guarantee their production, authenticity, integrity, conservation, reliability and availability for their greater use and better service.

3. **Document Manager:** an official designated to deal with the management of documents under his or her jurisdiction as dictated by law.
4. **Comptroller:** Comptroller of Puerto Rico
5. **Digitization:** It is the process that consists of transforming analogous objects into a digital format.
6. **Disposition of Documents:** the final destruction or transfer of documents to an archive according to their valuation.
7. **Document:** The word that shall include all paper, bindings, brochures, photographs, films, microforms, magnetic tapes, maps, drawings, plans, magnetic tapes, disks, video tapes, or any other machine-readable material, and any other informational material, regardless of its shape or physical characteristics. It also includes those generated electronically, even if they are never printed on paper or any other medium other than the one originally created. Bibliographic or museum material acquired for exhibition, consultation or other related purposes and publications are not included in the definition of the word document.
8. **Tax Document:** Any document that originates, is kept or received that is used to process, record, summarize and report financial transactions.
9. **File:** Set of physical or electronic documents that evidence evidencing, participation, services, activities, results, as well as financial and administrative compliance.
10. **Electronic file:** Documentation stored in authorized digital systems that comply with security, traceability and auditability requirements.
11. **Personally Identifiable Information:** Personal information protected by law.
12. **Intervention of the Comptroller's Office: Examination** of the documents generated by the transactions of an intervention unit, as well as the internal controls and tax procedures related to them.
13. **Participant Record Information System (PRIS):** is the database used by Puerto Rico's workforce development system to register participants and produce implementation reports for WIOA's Title I-B and Title III (Employment Service) programs.
14. **Participant:** For WIOA Title I (Adults and Dislocated Workers), Title II, and Title III programs, a participant is a reportable individual who has received services other than those described in 20 CFR § 677.150(a)(3) (or 34 CFR § 463.150(a)(3), as applicable), after

meeting all applicable programmatic requirements for the provision of services, such as the determination of eligibility.

For the Title I Youth program, a participant is a reportable individual who has met all applicable program requirements for service delivery, including determination of eligibility, an objective evaluation, and the development of an individual service strategy, and has received 1 of the 14 Youth Program elements identified in WIOA sec. 129(c)(2). For Title IV vocational rehabilitation programs, a participant is a reportable individual who has applied for and been determined to be eligible for vocational rehabilitation services, has an approved and signed Individual Employment Plan (PIE), and has begun receiving services under the PIE.

**15. Retention Period:** Official instrument that serves as a reference for the appropriate time for the transfer, transfer or elimination of documents.

#### **IV. POLITICS**

As part of this policy, it is established that all files must be created, updated and maintained in accordance with the requirements of eligibility and data validation. Records must contain verifiable, complete, and legible evidence. Unauthorized alteration, destruction, or tampering with documents is prohibited. Staff must follow standard procedures for archiving, digitizing, indexing, and version control. Tax documents must be preserved, classified, and filed in such a way that they can be located and made available to the Comptroller of Puerto Rico, the Department of Economic Development and Commerce, the Inspectors General, the Comptroller General of the United States, or any of their authorized representatives must have the right of access to any relevant records of WIOA funds for audits, to make visits to the places or for any other official use. The Executive Director shall be responsible for designating an officer to serve as the Records Administrator. The latter will be responsible for the creation, use and conservation, as well as the disposition of documents, to guarantee their production, authenticity, integrity, conservation, reliability and availability for their greater use and better service. They will be available subject to Law # 107 of August 10, 2025, Law on Administration and Conservation of Public Documents for the XXI Century. You will be responsible for reporting changes to document retention periods.

In relation to the files of the participants, they will be used exclusively for:

- Determine Eligibility
- Documenting Services – Case Management
- Validate data

- Prepare performance reports
- Audits and monitoring

Any other use requires written permission from the Executive Director or her designee.

In relation to the retention, transfer, transmission and storage of information and access to information and/or files, the following public policy is established:

### **1. Retention or Retention of Participant Records:**

The files, either in electronic or paper format, will be maintained for a period of not less than three years after the end of the relevant programme year. The exception to this rule is as follows:

- a. Records must be retained until all litigation, claim, or audit findings related to them are resolved and final action is taken if any litigation, claim, or audit is initiated before the three-year period expires.
- b. When notified in writing by the federal agency or the appropriate agency for the retention period to be extended.
- c. Records of property and equipment acquired with WIOA funds must be retained for three years after final disposition.
- d. The three-year retention requirement will not apply when records are transferred or maintained by the federal agency.

### **2. Retention or Retention of Tax Documents**

The originals of the tax documents will be kept for six (6) years or until an intervention by the Office of the Comptroller, whichever occurs first. The documents related to the indications in the Comptroller's intervention reports will be kept until final action is taken on them.

The following tax documents are exempt from the six (6) years:

Copies of Civil Case Records	9 years
Wage Receipts, Financial Statements, General Ledgers, Withholding Statements, Property Inventory Reports, Accounting Records	10 years
Classification and Remuneration Plan	10 years after the position is eliminated
Personal History of Employees	10 years after he separates from the service
Change Reports, Evidentiary Employee Evaluations, Notice of Appointment and Oath	10 years
Notice of Reassignment of Posts	10 years after the position is eliminated or reassigned
Officers and Employees Checks, Checks and Checkbooks cancelled by the bank or other similar entity.	15 years
Payrolls and Request for Cancellation of Salary Checks	50 years
Employee Records	50 years

Records related to program income earned after the period of performance must be retained for three years from the end of the fiscal year in which program income is earned. This only applies if the agency requires the grantee to report on program revenues earned after the implementation period on the terms and conditions of the funds awarded.

Records of indirect cost calculations or proposals, cost allocation plans, and any similar accounting calculations of the rate at which a particular group of costs is subject to collection must be retained as per the following applicable option:

- (1) **If it is submitted to negotiation.** When a proposal, plan, or other calculation must be submitted to the Federal Government to negotiate a rate of indirect costs, the three-year retention period for its supporting records begins from the date of submission.
- (2) **If it is not submitted to negotiation.** When a proposal, plan, or other calculation is not required to be submitted to the Federal Government to negotiate an indirect cost rate (or other standard rates), then the three-year retention period for supporting records begins at the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other calculation.

Documents under investigation or pending judicial action will be kept until the case is finally resolved and the time allowed to file an appeal expires. The period of time will not be less than those stipulated above.

### **3. Request for Transfer of Records**

The U.S. Department of Labor may request the transfer of records to its custody when it determines that the records have long-term preservation value. However, the latter may determine that the subrecipient retains records that have long-term retention value as long as they are available to the Federal Government.

### **4. Methods for the collection, transmission and storage of information.**

Where possible, information relating to the funds will be collected, transmitted and stored in open, machine-readable formats. A machine-readable format is a format in a standard computer language that can be read automatically by a computer system.

Paper versions of fund-related information may be provided. The subrecipient does not need to create or retain paper copies when the original records are electronic and cannot be altered. This will be subject to regular quality control reviews. These should ensure that electronic conversion procedures provide safeguards against tampering with records and ensure that records remain in a format readable by a computer system.

### **5. Access to Records**

The U.S. Department of Labor, the Department of Economic Development and Commerce, the Inspectors General, the Comptroller General of the United States, the Comptroller of Puerto Rico, or any of their authorized representatives shall have the right of access to any pertinent records of WIOA funds for audits, site visits, or for any other official use. This right also includes timely and reasonable access to the recipient's staff for interviews and discussion related to such documents or the fund in general.

Measures shall be taken to protect the name of victims of crime when access to the victim's name is necessary. Only in extraordinary circumstances would such access include the review of the true names of the victims of a crime. Any access, other than a court order or subpoena under a confidential bonafide investigation, must be approved by the head or delegate of the federal agency.

Access rights from the U.S. Department of Labor or the Department of Economic Development and Commerce are not limited to the required retention period, but will be available for as long as the records are retained.

## **6. Medical Information**

Medical information relating to clients and/or participants will be maintained in a separate file, in a secure area with limited access to case management officers or those verifying eligibility determination.

## **V. SEVERABILITY CLAUSE:**

If any provision of this public policy is challenged by the Court and declared unconstitutional or null and void, such decision shall not affect, impair or invalidate the remaining provisions of this public policy, but its effect shall be limited to the provision or topic specifically indicated. The nullity or invalidity of any provision or topic shall not affect or impair in any way its application or validity in any other case, except when specifically, and expressly invalid for all cases.

## **VI. COMPLIANCE**

Compliance with the provisions and requirements established in this public policy will be evaluated in the monitoring carried out by the Local Board as part of its functions, as well as by the DDEC Monitoring Division as part of the systematic evaluation that is carried out annually on the operations of the ALDLs.

## **VII. FAIR PRACTICES AND ACCESSIBILITY**

All individuals will have the same opportunities and access to physical services and facilities without regard to race, religion, color, sex, age, national origin or ancestry, marital status, parental status, sexual orientation, disability, or veteran status. Officials will be responsible for ensuring necessary support for participants with disabilities who need assistance in accessing CGU/AJC facilities and services.

## **VIII. ACTION REQUIRED**

The Executive Director will be responsible for disseminating this public policy, as well as training the Officials of the Single Labor Management System in relation to it. In addition, they must answer

all queries or requests for information related to it. You will be responsible for sending a copy to the Evaluation Specialist of the Office of Planning, Evaluation, Validation and Statistics of the Labor Connection Program, no later than sixty (60) days after approval.

#### **IX. INTERPRETATION**

The words and phrases in this policy shall be construed in accordance with the context and meaning endorsed in common usage, except where specifically defined. The words used in the present tense also include the future; those used in the masculine gender include the feminine and neuter, except in cases where such an interpretation is absurd; the singular number includes the plural and the plural includes the singular, provided that the interpretation does not contravene the purpose of the provision. The terms of time, in days, set forth in this policy refer to calendar days.

#### **X. VALIDITY:**

This public policy was approved by the Mayagüez – Las Marías Local Labor Development Board in a meeting held on April 22, 2026, with four (4) members present. It will begin to take effect on April 23, 2026 and will be in force until it is amended or repealed by the Local Board.

voids any other public policy, memorial, or executive order related to the tracking service.

For the record, I sign this public policy in Mayagüez, Puerto Rico on the 23rd day of April 2026.

  
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José A. Justiniano  
Local Board President