



CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RECORDS RETENTION AND DESTRUCTION POLICY

The Civil Service Commission Record Retention and Destruction Policy is adopted pursuant to Chapter 8 of the San Francisco Administrative Code, which requires each department head to develop policies to properly maintain records and to create a systematic records retention and destruction schedule. This policy covers all records and documents (regardless of physical form or characteristics) which have been made or received by the Civil Service Commission (“Commission”) in connection with the transaction of public business.

PART I: POLICY AND PROCEDURES

A. RETENTION POLICY

1. “Records” Defined

The Commission shall retain records for the period of their immediate or current use, unless longer retention is necessary for historical reference, to comply with contractual or legal requirements, or for other purposes as set forth below.

For record retention and destruction purposes, the term “record” is defined as set forth in Section 8.1 of the San Francisco Administrative Code as any “such paper, book, photograph, film, sound recording, map, drawing or other document, or any copy thereof, as has been made or received by the department in connection with the transaction of public business and may have been retained by the department as evidence of the department’s activities, for the information contained therein, or to protect the legal or financial rights of the City and County or of persons directly affected by the activities of the City and County.” The City Attorney’s Office (“CAO”) has advised that “records” also include all electronically stored information; including but not limited to e-mails, electronic documents, databases, voicemail and security system data.

2. Four Categories of Documents/Records

“Records” of the Commission as defined above are divided into the following three categories for the purpose of determining retention and destruction requirements in accordance with San Francisco Administrative Code Sections 8.4 and 8.9: 1) permanent records and essential records; 2) current records; and 3) storage records.

Documents and other materials that do not constitute “records” are considered “non-records” (described below in Category 4) and may be destroyed when no longer needed, unless otherwise specified in Section D below.

The Commission’s records and documents are classified for purposes of retention and destruction as follows (refer to Part II of this Policy for the Records Retention and Destruction Schedule):

Category 1: Permanent/Essential Records. Records that are permanent or essential shall be

retained and preserved indefinitely (note that where hard copy originals are not required, records may be retained indefinitely in the Civil Service Commission’s document management system(s)).

- Permanent records. Permanent records are records required by law to be permanently retained and which are ineligible for destruction unless they are microfilmed and special measures are followed. Once microfilmed, the original paper records may be destroyed. Duplicate copies of permanent records may be destroyed whenever they are no longer necessary for the efficient operation of the Commission. Examples of permanent records include Commission Minutes and official records of commission action.

Civil Service Commission Action on Permanent Record Retention

(File No. 808-94-1 adopted October 17, 1994) The Civil Service Commission, formed in 1900 by Charter amendment, has generated records of its proceedings. There are hundreds of bound volumes of records under the custodianship of the Executive Officer including annual reports, salary surveys and handbooks, etc. To ensure the availability of these records to the public, all of the below referenced documents have been (and will be) transferred to the Main Branch of the San Francisco Public Library. Said documents will be indexed and permanently retained. The Commission authorized the Executive Officer to:

1. Transfer the Minutes of Civil Service Commission proceedings from Calendar Years 1900 through 1988 to the San Francisco Public Library for permanent retention and maintenance.
 2. Maintain the Civil Service Commission Minutes for the past five (5) years in the Commission Office.
 3. Transfer to the San Francisco Public Library other documents no longer of use to the Civil Service Commission but of historical interest to the San Francisco Public Library, e.g., Commission annual reports, registers of eligibles, salary surveys, employee handbooks, Commission agenda, etc. The Executive Officer will itemize and report any transfers to the Commission and keep a record of such transfers.
- Essential records. Essential records are records which would be necessary for the continuity of government and/or the protection of the rights and interests of individuals in the event of a major disaster and which must therefore be preserved. Examples of essential records include advice letters and opinions, policy memoranda and the Civil Service Rules.

Category 2: Current Records. Current records are records which for convenience, ready reference or other reasons are retained in the Commission’s office space and/or systems. Current records shall be retained as follows:

- Where retention period is specified by law. Where federal, state, or local law prescribes a definite period of time for retaining certain records, the Commission will retain the records for the period specified by law. Examples of records required to be maintained for a specific period are Commission Minutes and audio recordings of Commission meetings.

- Where no retention period is specified by law. Where no specific retention period is required by law, the Commission has established the retention period for those records in Part II of this Policy. Records shall be retained for a minimum of two years, although such records may be treated as “storage records” and placed in storage at any time during the applicable retention period. Examples of current records include invoices for purchases of supplies, departmental memoranda and budget documents.

Category 3: Storage Records. Storage records are records that are retained offsite. Storage records are subject to the same retention requirements as current records. The Commission does not currently maintain or store its records at an offsite storage facility; however, the Commission will transmit certain permanent records and documents to the San Francisco Public Library for permanent retention and maintenance.

Category 4: “Non-Records” - No Retention Required. Documents and other materials that are not “records” as defined above need not be retained unless otherwise specified by local law (e.g., department head calendars) or as provided under Section D below. Documents and other materials (including originals and duplicates) that are not otherwise required to be retained, are not necessary to the functioning or continuity of the Department and which have no legal significance, may be destroyed when no longer needed.

Examples include materials and documents generated for the convenience of the person generating them, draft documents (other than some contracts) which have been superseded by subsequent versions, or rendered moot by departmental action, and duplicate copies of records that are no longer needed. Specific examples include calendars (other than the Executive Officer’s calendar), telephone message slips, miscellaneous correspondence not requiring follow-up or departmental action, notepads, e-mails that do not contain information required to be retained under this policy, and chronological files.

B. RECORDS NOT ADDRESSED IN THE RECORD RETENTION SCHEDULE

Records and other documents or materials that are not expressly addressed by the Records Retention and Destruction Schedule in Part II of this Policy may be destroyed at any time, provided that they have been retained for the periods prescribed for substantially similar records, and provided there is not an exception enumerated in Section D below.

C. STORAGE OF RECORDS

Records may be stored in the Civil Service Commission’s office space or document management system(s) if the records are in active use or are maintained in the office for convenience or ready reference. Examples of active files appropriately maintained in the Civil Service Commission’s office space or document management system(s) include active chronological files, research and reference files, legislative drafting files, pending complaint files, administrative files, personnel files, and calendars. Inactive records, for which use or reference has diminished sufficiently to permit removal from the Civil Service Commission’s office space but for which original copies must be retained, may be sent to the City’s off-site storage facility or to the San Francisco Public Library.

D. EXCEPTIONS TO RETENTION AND DISTRUCTION SCHEDULES

1. Anticipation of Litigation

The Commission has a duty to affirmatively act to preserve documents or other potentially relevant information (particularly information stored electronically) as soon as it becomes aware of a potential claim or litigation.

When the CAO notifies the Commission that it has received a claim, the CAO will include a reminder that the Commission should immediately act to preserve potentially relevant information related to the claim, including electronically stored information. In such case the Commission must suspend its routine document retention/destruction policy and put in place a 'litigation hold' to ensure the preservation of relevant documents and records. Such records or documents may only be destroyed after approval by the CAO.

2. Pending Review by a Regulatory Agency

Pending review by a regulatory agency, the Commission must suspend its routine document retention/destruction policy to ensure the preservation of relevant documents and records. Such records or documents may only be destroyed after the regulatory agency has concluded its review.

3. Historical Records and Reports

Historical records are physical records or documents which must no longer be retained under the Commission's Record Retention and Destruction Schedule (see Part II of this policy below) but which because of their age or research value, may be of historical interest or significance.

Therefore, such records may not be destroyed except in accordance with the procedures set forth in Administrative Code section 8.7. (Refer also to the section above on Category 1: Permanent Records Retention - Civil Service Commission Action on Permanent Record Retention.)

E. CONFIDENTIAL DOCUMENTS, RECORDS AND/OR INFORMATION

A document or record is deemed confidential if it contains personal information about an individual or information that could be used to identify an individual whose identity must be kept confidential. Such information includes, but is not limited to:

- Home Address
- Social Security Number
- Date of Birth
- Driver's License Information
- Medical Information
- Mental or Physical Health Information
- Information regarding receipt of medical, mental health and/or substance abuse treatment
- Criminal Offender Records

- Information regarding gender, race, etc.

Please also refer to the Commission’s policy on peace officer appeals and records.

Commission staff is required to ensure that the Commission meets its obligation to keep confidential information secure at all times, and to dispose of documents or records containing such information in an appropriate manner as specified below.

F. RECORDS RETENTION AND STORAGE

Documents and records may be stored in the Commission’s office, offsite storage facility, San Francisco Public Library, and/or document management system(s) if they are in active use or are maintained in the office for convenience or ready reference. Examples of active files appropriately maintained in the Commission’s office and/or document management system(s) include chronological files, research and reference files, pending appeal files, administrative files and personnel files of current employees, meeting binders, etc. Inactive records which may not yet be destroyed, but for which use or reference has diminished sufficiently to permit removal from the Commission’s office, may be scanned into the Commission’s document management system(s) and/or sent to the San Francisco Public Library or an offsite storage facility.

Refer to Part II of this Policy for information on retention periods.

All documents containing confidential information as defined herein must be kept in a secure location, with controlled access limited to those who require the information in order to perform the duties of their position. Files must also be appropriately marked as confidential. Again, refer to the Commission’s policy on peace officer appeals and records.

G. RECORD DESTRUCTION

Storage space in the Commission’s office is limited. Therefore, Commission staff is required regularly review and identify documents for destruction and/or transmission to the San Francisco Public Library in accordance with the timeline requirements prescribed in Part II of this Policy.

Once a document or record has been identified for destruction or transmittal to the Library or an offsite storage facility, Commission staff must determine: 1) if it should nonetheless be scanned into the Commission’s document management system(s) for continued storage; and, 2) if it contains confidential information as defined above.

Documents or records that are to be destroyed which do not contain any such confidential information may be disposed of in the designated paper recycling bins; those that do must be shredded. Documents or records that are to be transmitted to the Library must be redacted for any confidential information.

PART II: RECORD RETENTION AND DESTRUCTION SCHEDULE

Again, please note that the following applies only in the event that there is no litigation or pending review by a regulatory agency.

RECORD CATEGORY	TYPE OF RECORD	RETENTION CATEGORY	RETENTION PERIOD			NOTES
			Total	On-Site*	Off-Site	
ADMINISTRATIVE	Audio/Video recordings not otherwise specified	2	2 yrs	2 yrs	0	
ADMINISTRATIVE	Calendar [department head]	4	2 yrs [min.]	2 yrs	0	Required by Admin. Code §67.29-5
ADMINISTRATIVE	Correspondence not requiring follow-up	4	None	NA	0	
ADMINISTRATIVE	Correspondence, miscellaneous	2	2 yrs	2 yrs	Main Library	
ADMINISTRATIVE	Executive Officer Reports	2	5 yrs	5 yrs	0	
ADMINISTRATIVE	Interdepartmental Correspondence	2	2 yrs after FY	2 yrs	0	
ADMINISTRATIVE	Memoranda, miscellaneous	4	None	NA	0	
ADMINISTRATIVE	Memoranda, policy/decisional	2	5 yrs until superceded	Permanent	0	
ADMINISTRATIVE	Publications, reports created by department	2	2 yrs	2 yrs	0	
ADMINISTRATIVE	Reports/Official Publications/Annual reports	1	Permanent	Permanent	Main Library	Department Policy
ADMINISTRATIVE	Records relevant to Rule revisions (bargaining history, proposals, etc.)	1	Permanent	Permanent	0	
BUDGET	Budget Files	2	2 yrs	2 yrs	0	
CHRONOLOGICAL FILES	Chronological Files (i.e., documents maintained in the “Chron Files” which are not otherwise specifically identified in this chart)	4	3 yrs	3 yrs	0	Department Policy
COMMISSION	Agendas, Notices and Minutes of Commission and Committee Meetings	1	Permanent	5 yrs	Main Library	Department Policy
COMMISSION	Audio Recordings of Commission Meetings	1	Permanent	Permanent	0	Required by Adm. Code §67.14.
COMMISSION	Commission Correspondence	2	2 yrs	2 yrs	0	Department Policy
COMMISSION	Commission Files	1	Permanent	5 yrs	Main Library	Department Policy
COMMISSION	Commission Packets	2	2 yrs	2 yrs	0	Department Policy
COMMISSION	Motions and Resolutions	1	Permanent	5 yrs	Main Library	Department Policy
FINANCIAL	Audit Reports	1	Permanent	Permanent	0	Department Policy
FINANCIAL	Audit Work Papers	2	2 yrs	2 yrs	0	
FINANCIAL	Contract Correspondence	2	2 yrs or life of agreement	2 yrs	0	

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FINANCIAL	Contracts/Agreements/MOU's	2	2 yrs or life of agreement	2 yrs	0	
FINANCIAL	Exchanged Drafts of Agreements	2	2 yrs	2 yrs	0	Admin. Code §67.24(a)
FINANCIAL	Financial Records, Miscellaneous	2	2 yrs after FY	2 yrs	0	
FINANCIAL	Invoices	2	2 yrs after FY	2 yrs	0	
FINANCIAL	Payables (Invoices)	2	2 yrs	2 yrs	0	
FINANCIAL	Purchase Orders	2	2 yrs	2 yrs	0	
FINANCIAL	Travel and Reimbursement Records	2	2 yrs	2 yrs	0	
FINANCIAL	Work Orders and Payments	2	2 yrs	2 yrs	0	
LEGAL	Legal Advice	2	Until Superseded	Permanent	0	
LEGAL	Settlement Agreements	1	Permanent	5 yrs	Main Library	Department Policy
MERIT SYSTEM REVIEWS	Investigations, Inspection Service Findings, Audits and Appeals	1	Permanent	Permanent	0	
PERSONNEL	ADA Request for Reasonable Accommodation Report	2	7 yrs	7 yrs	0	
PERSONNEL	Conflict of Interest Statements/Statements of Incompatible Activities (Form 700)	2	7 yrs after date of filing	7 yrs after date of filing	0	Per state law and the Commission policy
PERSONNEL	Discrimination Complaints	2	7 yrs	7 yrs	0	
PERSONNEL	Employment Applications/Resumes/References	2	3 yrs for individuals who were not appointed; 7 yrs following separation of an employee	3 yrs for individuals who were not appointed; 7 yrs following separation of an employee	0	
PERSONNEL	Equal Employment Opportunity Plan	2	7 yrs following separation	7 yrs following separation	0	
PERSONNEL	Ergonomic Records	2	2 yrs	2 yrs	0	
PERSONNEL	Family Medical Leave Act Records	2	3 yrs	3 yrs	0	Required by the US Department of Labor
PERSONNEL	INS Form I-9	2	3 yrs or 1 yr after separation (whichever is longer)	3 yrs or 1 yr after separation (whichever is longer)	0	
PERSONNEL	Payroll Records	2	2 yrs	2 yrs	0	Secure permission from SFERS prior to destruction
PERSONNEL	Personnel Files	2	7 yrs following separation	7 yrs following separation	0	
PERSONNEL	Personnel Files – Sealed Documents per MOU	2	7 yrs following separation	7 yrs following separation	0	Per Commission policy
PERSONNEL	Sexual Harassment Complaints	2	7 yrs	7 yrs	0	

PERSONNEL	Time Rosters	2	2 yrs	2 yrs	0	Secure permission from SFERS prior to destruction
PERSONNEL	Time Sheets	2	2 yrs	2 yrs	0	Secure permission from SFERS prior to destruction
PERSONNEL	Workers' Compensation Records	2	7 yrs following separation	7 yrs following separation	0	Per Commission policy
PERSONNEL	Workers' Compensation Records – Accident and Injury Reports	2	5 yrs	5 yrs	0	Title 8, Cal. Code of Regulations, Section 10102; and Per Commission policy

* “On-Site” includes the Civil Service Commission’s offices and/or its Document Management System(s).