

Alabama Department of Commerce

Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
November 2, 2011
(Agency Name Changed March 20, 2012)**

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Functional and Organizational Analysis of the Alabama Department of Commerce

Sources of Information

Representatives of the Alabama Department of Commerce

Code of Alabama, 1975, Sections 41-7A-1 to 41-7A-3; 41-7A-20 to 41-7A-24; 41-9-200 to 41-9-214; 41-9-760 to 41-9-767

Code of Alabama, 1975, Section 41-20-3 (Sunset Law)

Code of Alabama 1975, Sections 41-22-1 through 41-22-27 (Administrative Procedures Act)

Alabama Administrative Code, Chapters 281-1-1 and 281-2-1

Alabama Government Manual (2006) pg. 33

Alabama Department of Commerce Website

Alabama Department of Commerce Audit Reports

Historical Context

The state started to plan for a coordinated and efficient economic development program in 1935 with the creation of the State Planning Commission. The Commission, however, was replaced in 1943 by the State Planning Board. In 1955, another agency, the State Planning and Industrial Development Board, was created to assume all of the functions, duties, and programs of the then defunct State Planning Board. In 1968, Governor Albert P. Brewer created, through his executive order No. 2, the Alabama Program Development Office. In 1969, the State Planning and Industrial Development Board and the Alabama Program Development Office merged to form the Alabama Development Office (ADO). In 1979, functions of the former State Planning and Industrial Development Board were separated into another state agency, now known as the Alabama Department of Economic and Community Affairs (ADECA). In 2012, the Legislature passed a bill (Act 2012-167) to change the name of the agency from ADO to the Alabama Department of Commerce.

The legislature created and assigned the responsibilities of the Small Business Office of Advocacy (SBOA) to ADO in 1984. In 1995, Governor Fob James transferred the Small Business Advocate position from ADO to the governor's office, and transferred the responsibilities to the Department of Industrial Relations (DIR), where one staff member was appointed by him for the responsibilities. Since the SBOA was enacted by the legislature and the governor did not have the legal authority to transfer its responsibilities, the SBOA program had been dormant at DIR until 2004 when Governor Bob Riley transferred it back to ADO. Originally a part of ADO, the Alabama Film Office was placed by Governor Bob Riley's Executive Order No. 45 (December 31, 2008) under the Bureau of Tourism and Travel. AFO was transferred back to ADO (now known as Department of Commerce) in 2011.

Agency Organization

The Alabama Department of Commerce is one of the principal agencies of the state's executive branch with the governor as the state planning and development officer. A director of development is appointed by, and serves at the pleasure of, the governor. The director may appoint a total of five assistant directors. All other employees necessary to carry out the duties and functions of the agency are subject to the merit system law. The agency currently consists of the following divisions/offices: Executive, Administrative and Technology, Business Development, Small Business Advocacy, International Trade and Information Services. In addition, the agency operates one overseas liaison office in Japan.

Agency Function and Subfunctions

The mandated function for the Alabama Department of Commerce is to encourage and coordinate with other state/local government entities for a comprehensive development of the state's human, economic, and physical resources. The agency is one of the agencies primarily involved in carrying out the Economic Development function of Alabama government. In the performance of its mandated function, the agency may engage in the following subfunctions:

- **Recruiting Business and Industry.** The major objectives of this subfunction, performed mainly by staff of the agency's Business Development Division, are to attract and recruit business and industry to Alabama, to encourage and promote foreign manufacturing investment in the state, and to support expansion and retention of existing business. Staff members work closely with economic development allies throughout the state, facilitating a cooperative effort to recruit domestic and foreign based companies. Marketing efforts are targeted and incorporate direct contact, pavilion events at selected trade shows, and business development missions.
- **Developing International Trade.** This subfunction relates to efforts of the agency's International Trade Division in helping Alabama companies establish working relationships with export and other professionals to build knowledge that may result in profitable international business. This division accomplishes its mission through specific activities designed to complement the existing trade promotion programs of other state and federal agencies. Activities may include outgoing/incoming trade missions, trade shows/exhibitions, catalog shows, participation in international organizations and other trade-related events.
- **Assisting Small Business Development.** Code of Alabama, Section 41-9-760 states that the Small Business Office of Advocacy (SBOA) is created within the agency for the purpose of "aiding, counseling, assisting and protecting the interests of small business concerns in order to preserve free competitive enterprise and maintain a healthy state economy." In carrying out its mandates, staff members of the agency's Small Business Advocacy Division foster the growth of Alabama's small business operations by giving them

a variety of assistance. The office provides information to businesses and addresses the needs/concerns of small businesses. Working closely with the Small Business Development Consortium, the division staff works in coordination with the consortium's eleven Small Business Development Centers at universities across the state. Staff also participates in joint efforts with Alabama Department of Economic and Community Affairs (ADECA) as well as other groups around the state involved in the development of small business.

- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support its programmatic areas.

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record-Keeping System and Records Appraisal of the Alabama Department of Commerce

Agency Record-Keeping System

The Alabama Department of Commerce operates a hybrid system composed of a computer system and a paper record-keeping system.

The agency computerized network consists of a series of servers where the data systems are maintained and which support desktop, laptop and blackberry applications. The record keeping system consists of various electronic files maintained on disks and Internet Web sites.

Computerized Systems: The agency's systems fall into one of three categories, State Supported Systems, Internet based, or ADO Server based. The major State software interface systems are the Government Human Resource System [GHRM], the Financial Resource Management System [FRMS], Agency Financial System [AFNS], and State Network For Automated Procurement [SNAP]. The major Internet databases are the Industrial Directory Database [IDD], the Project Notification Database [PND], and the Small Business Resource Providers [SBRP]. All the Internet databases are housed by ISD except IDD, which is housed by Alabama Interactive. The major Server databases are the Global Trade Management System [GTMS], the Project Management Tracking System [PMTS], the Small Business Project Tracking System [SBPTS], and the Business Cost Comparison [BCC]. The agency also maintains an internal communications network connected to the ISD mainframe for such applications as e-mail support.

Data bases are maintained on one of two servers. All servers go thru a two step daily, weekly, etc back-up/retention cycle. The servers are first backed up to data cartridges and then the data cartridges are copied for rotating off-site storage.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Department of Commerce: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal, and administrative requirements have been met.

- **Certified Capital Company Program (CAPCO) Files.** The Certified Capital Company Program (CAPCO) is a legislatively enacted statute, administered by the agency, that provides state tax credits to insurance companies who invest in CAPCO. The funds invested in CAPCOs by insurance companies are in turn invested into small in-state companies that have difficulty finding financing from traditional sources, such as banks. This series contains requests for certifications, decertification documents, and other related materials. CAPCO

produces an annual summary report which is available on the agency's website.

- **Trade Mission and Show Records.** This series consists of routine records created to document trade missions and business shows attended by the agency staff in developing the state's trade relationship with other countries. Important information is captured in the Trade Mission Executive Summary Reports for permanent preservation.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Recruiting Business and Industry:

- **Located Economic Development Project Files.** In accordance with Code of Alabama, Section 41-9-202.1, the agency should be notified of the general parameters of a project if an entity is considering locating or expanding a facility at a site within the state and intends to apply for any of the incentives provided by the state. After receiving the notification, agency staff members may work with the entity to find the best location and workforce program tailored to the entity's needs. This series consists of records (both paper and electronic copies) created by staff members to document their follow-up activities with various entities who have shown interest in locating or expanding a facility at a site in the state. Information may include date, project code name, location of project, description of project, names of agency staff and/or outside consultants, trip reports, and other appropriate information. This series has long-term value as they are used by the staff to conduct follow up activities with these entities for compliance and other purposes. These records are also of historical value because they demonstrate the role played by this agency in the development and expansion of the state's economy and should be kept permanently. (RDA page 3-4) **(Bibliographic Title: Economic Development Project Files)**
- **Announced Economic Development Project with Agreement Files.** This series is similar to the series of Located Economic Development Project Files with the exception that this series contains announced economic development projects with state incentive agreements signed between the state and the entity. Examples include Mercedes Benz and Hyundai Motors, etc. Again, this series should be kept permanently as core documentation. (RDA page 3-4) **(Bibliographic Title: Economic Development Project Files)**

Developing International Trade:

- **Trade Mission Executive Summary Reports.** This series contains narrative reports prepared by agency staff to summarize trade missions to foreign countries. Information may include description of the trip, delegation directory, projected outcome, post mission evaluations, and conclusion. The records should be preserved as they are probably the most important documentation on state-sponsored trade missions. (RDA page 3-4) **(Bibliographic Title: State Publications)**

- **Annual Trade Mission Statistics.** This series (database) contains, chronologically by year, highlights of trade missions. Information may include name of the trade mission, dates of travel, numbers of companies and participants, cities visited, expected sales, quotes for possible orders, sales made during mission, Memorandum of Understanding (MOU) signed, and jobs created. These records provide overall highlight of trade missions. (RDA page 3-4) **(Bibliographic Title: State Publications)**
- **Memoranda of Understanding (MOU).** These are original signed copies of Memoranda of Understanding (MOU) received and maintained in the agency to document formal cooperative agreements between the State of Alabama/cities in Alabama and cities/provinces in foreign countries to promote commercial or other ties. (RDA page 3-4) **(Bibliographic Title: Administrative Files)**

Administering Internal Operations:

- **Informational and Promotional Publications.** This series consists of publications produced by the agency for reporting purposes and/or mass distribution. Examples of publications may include, but are not limited to, *Alabama's Advantages*, *The Alabama Economic Development Guide*, *Tax Incentives for Industry*, *Quick Facts About Alabama*, *Alabama's Incentive Summary*, *New and Expanding Industry*, *The Year in Trade*, *Alabama International Trade Resource Guide*, *Governor's Trade Strategy*, *Alabama Exporters Directory*, *Industrial Directory*, and *Alabama's Answers – A Guide to Doing Business in Alabama*. This series is important as some major program functions and division activities are summarized in these publications. Regardless of format, all publications of the agency should be preserved permanently as part of the core documentation. (RDA page 3-4) **(Bibliographic Title: State Publications)**
- **Website.** The agency has a website at www.commerce.alabama.gov. Information on the website includes services available, various forms, partners links, photo gallery, news releases, publications, and staff contact data. This series documents the functions of the agency and its interaction with the public. The agency should “preserve a complete copy of website annually or as often as significant changes are made.” (RDA page 3-4) **(Bibliographic Title: Website)**
- **Administrative Files of the Director.** This series documents the substantive action of the agency's director. Records may include correspondence, memoranda, reports, planning documents, program development materials, and non-routine fiscal, budgetary, and personnel concerns. These files should be maintained permanently to document the work and function of the director. (RDA pg. 3-2) **(Bibliographic Title: Administrative Files)**

Permanent Records List

Alabama Department of Commerce

Recruiting Business and Industry

1. Located Economic Development Project Files
2. Announced Economic Development Project with Agreement Files

Promoting International Trade

1. Trade Mission Executive Summary Reports
2. Annual Trade Mission Statistics
3. Memoranda of Understanding (MOU)

Administering Internal Operations

1. Informational and Promotional Publications
2. Website
3. Administrative Files of the Director

Alabama Department of Commerce Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Alabama Department of Commerce. The RDA lists records created and maintained by the Alabama Department of Commerce in carrying out its mandated functions and subfunctions. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Alabama Department of Commerce to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Department of Commerce's records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the Subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain other records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become

obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes, may include, but are not limited to, telephone call-back messages, drafts of ordinary documents not needed for their evidential value, copies of material sent for information purposes but not needed by the receiving office for future business, and internal communications about agency social activities. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Department of Commerce and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ **Recruiting Business and Industry**

LOCATED ECONOMIC DEVELOPMENT PROJECT FILES

Disposition: PERMANENT RECORD.

ANNOUNCED ECONOMIC DEVELOPMENT PROJECT WITH AGREEMENT FILES

Disposition: PERMANENT RECORD.

Unsuccessful Recruitment Project Files

Disposition: Temporary Record. Retain 2 years after the end of the fiscal year in which the records were created.

Business Recruitment Outreach Files

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

Certified Capital Company Program (CAPCO) Files

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

■ **Developing International Trade**

TRADE MISSION EXECUTIVE SUMMARY REPORTS

Disposition: PERMANENT RECORD.

ANNUAL TRADE MISSION STATISTICS

Disposition: PERMANENT RECORD.

MEMORANDA OF UNDERSTANDING

Disposition: PERMANENT RECORD.

Trade Missions and Show Records

Disposition: Temporary Record. Retain 8 years after the end of the fiscal year in which the records were created.

Files of Trade Shows or Related Events Sponsored by the Agency Staff and Held in the State

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

Trade Surveys Sent by the Agency and Responses from Companies (Raw Data)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

■ **Assisting Small Business Development**

Inquiries from Small Business and Responses by the Agency Staff

Disposition: Temporary Record. Retain 2 years after the end of the fiscal year in which the records were created.

■ **Administering Internal Operations**

Managing the Agency:

INFORMATIONAL AND PROMOTIONAL PUBLICATIONS

Disposition: PERMANENT RECORD.

WEBSITE

Disposition: PERMANENT RECORD. PRESERVE A COMPLETE COPY OF WEBSITE ANNUALLY OR AS OFTEN AS SIGNIFICANT CHANGES ARE MADE.

ADMINISTRATIVE FILES OF THE DIRECTOR

Disposition: PERMANENT RECORD.

Raw Data or Draft Reports

Disposition: Temporary Record. Retain until the formal reports are published and released.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Shipping Records

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Telephone Logs/Calendars

Disposition: Temporary Record. Retain 3 year after the end of the calendar year in which the records were created.

Printing Negative Plates and Materials

Disposition: Temporary Record. Retain 1 year after the end of the calendar year in which the records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's approved RDA (copies of transmittal forms to Archives or the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

Computer system documentation (hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Managing Finances:

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products.

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions such as journals, registers, and ledgers; and records of funds deposited outside the state treasury, including bank statements, deposit slips, and cancelled checks

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Contractual records established for the purpose of services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original bid records maintained in the purchasing office of the agency for contracts over \$7,500.00

Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.

- b. Duplicate copies of bid (originals are maintained by the agency itself)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Managing Human Resources:

Records documenting job recruitment

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Records documenting job description

Disposition: Temporary Record. Retain until superseded.

Certification/Personnel Transaction Files

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Records documenting application for employment

Disposition: Temporary Record. Retain 1 year after request.

Records documenting an employee's work history - generally maintained as a case file

- a. Records documenting work history of employees
Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.
- b. Records, located within divisions/offices, which document an employee's work history
Disposition: Temporary Record. Retain 1 year after separation of employee from the agency.

Records documenting payroll

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting final leave status

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting verification of accuracy of State Personnel Department records

Disposition: Temporary Record. Retain for useful life.

Records documenting Equal Employment Opportunity (Code of Federal Regulations, Title 29)

- a. Compliance Records
Disposition: Temporary Record. Retain 3 years after the close of the program year.

b. Complaint Records

Disposition: Temporary Record. Retain 3 years from the date of resolution of the complaints.

State Employees Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Worker Compensation Injury and Settlement Reports

Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred. (Code of Alabama 1975, Section 25-5-4).

Employee Flexible Benefits Plan Files (applications and correspondence)

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Employee Administrative Hearing Files

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Managing Properties, Facilities, and Resources:

REAL PROPERTY FILES

Disposition: PERMANENT RECORD.

Unimplemented Architectural and Building Plans

Disposition: Temporary Record. Retain for useful life.

Inventory Lists and/or Letters of Transmittal

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Computer Equipment Inventory Records

Disposition: Temporary Record. Retain until disposition of equipment.

Electronic Equipment Repair Logs

Disposition: Temporary Record. Retain for useful life.

Service Requests

Disposition: Temporary Record. Retain until work is completed

Incident/Accident Reports

Disposition: Temporary Record. Retain 2 years following incident/accident.

Facility/Building Security Records

Disposition: Temporary Record. Retain for useful life.

Fire Extinguisher and Alarm Maintenance / Inspection Records

Disposition: Temporary Record. Retain 2 years.

Fire / Safety Inspection Results

Disposition: Temporary Record. Retain until superseded.

Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle is removed from the property inventory.

Insurance Policies / Risk Management Records

Records documenting maintenance of vehicle and equipment

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Requirement and Recommendations for Implementing the Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Alabama Department of Commerce (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in October of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular

implementation of the agency's approved RDA.

- Permanent records in the agency's custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- Electronic mail contain permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA's requirements, the agency should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on November 2, 2011.

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged.

Greg Canfield, Director
Alabama Department of Commerce

Date