



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 191-030
Workers Compensation Commission, Virginia
Insurance**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

Evelyn V. McNeill
Glenda L. Hight

AGENCY RECORDS OFFICER

STATE APPROVAL

STATE ARCHIVIST

Sandra S. Zundman

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE: JAN 04 2016

POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the Code of Virginia for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A signed RM-3 Form must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 Form must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.

7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of the Virginia Administrative Code, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
9. Under the Virginia Public Records Act, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Cancellation/Reinstatement Notices</u> This series documents cancellations, reinstatements, renewals, and updates to workers' compensation insurance coverage. This series may include, but is not limited to: forms, notifications, orders, and requests for information.	009036	10 Years after receipt	Non-confidential Destruction
<u>Executive Coverage</u> This series documents the decision by a company's chief executive to waive coverage under a workers' compensation policy and also any subsequent rejection of that waiver. This series may include, but is not limited to: Approval Of Rejection of Coverage (16A) Letter, Approval Of Revocation of Prior Rejection of Coverage (17A) Letter, and Occupational Disease Waivers.	200484		Permanent, In Agency
<u>Failure to Insure: Fines</u> This series documents the assessment of, failure to remit payment of, and actions to collect fines for failure to provide workers' compensation insurance. This series may include, but is not limited to: forms, notices, and orders.	200485	25 Years after receipt	Confidential Destruction
<u>Filing Compliance</u> This series documents the compliance by employers and carriers to submit filings not covered in any other series. This series may include, but is not limited to: forms, notices, correspondence, opinions, and orders.	200486	50 Years after receipt	Confidential Destruction
<u>Insurance Coverage</u> This series documents the establishment and continuity of insurance coverage for Virginia employers. This series may include, but is not limited to: forms, notices, and orders.	009039	1 Year after receipt	Non-confidential Destruction



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<u>Insurance Reported as Canceled</u> <p>This series documents the investigation of employers whose insurance coverage has been reported as cancelled. This series may include, but is not limited to: spreadsheets, forms, notices, and contractor certifications.</p>	009037	3 Years after receipt	Confidential Destruction
<u>Professional Employer Organization</u> <p>"This series documents the VWCC registration by professional employer organizations doing business in the commonwealth. This series may include, but is not limited to: Professional Employers Organization Registration Certificate, Professional Employers Organization Confirmation Annual Report Receipt, and Occupational Disease Waivers.</p>	200487		Permanent, In Agency
<u>Rejection of Coverage</u> <p>This series documents employees that may be excluded from workers compensation coverage by a corporation. This series may include, but is not limited to: forms and notices.</p>	009038	5 Years after end of calendar year	Confidential Destruction