

SOUTH PORTLAND FIRE DEPARTMENT

STANDARD OPERATING GUIDELINES

Policy #:	5.110	Effective Date:	1/1/2022
Title:	Records Retention Requirements	# of pages:	3
Category:	Administrative	Classification:	Green

1. **PURPOSE:** To ensure all department members are familiar with and follow State and Federal requirements on documents and records retention.
2. **POLICY:** All Fire Department records will be retained per Federal and State statutes.
3. **PROCEDURES:** Records will be kept in two forms; paper, which will be properly documented, cataloged, and stored in a fashion that will protect the documents for the required time frame while allowing access as needed. The second method will be electronically, on a city controlled location that has proper firewalls and redundant backup systems. Ron Doucette is assigned as the department's designated records manager for archived records. Each division head is ultimately responsible for each division's required records that need to be retained whether they are paper or electronic (i.e. training chief maintains training records, EMS chief/coordinator maintains medical clearance records, etc.).
4. **REFERENCES:**
 - SCHEDULE 4 - PERSONNEL
 - SCHEDULE 21 – FIRE DEPARTMENTS

By Order Of:



James P. Wilson
Fire Chief

SCHEDULE 4 – PERSONNEL RECORDS

Series	Series Title	Description	Retention
4.1	Applications for Employment - Not Hired	Cover letters, application forms, references, etc. (See A.53 for other personnel records)	2 years Confidential, per MRSA 30-A, §2702 - for school personnel, MRSA 20-A, §6101(2)
4.2	Employee Disciplinary Records	This record series documents possible discipline of local agency employees. This record series may also be filed in the employee's personnel file. Based upon personnel policies and procedures, discipline may be a verbal reprimand, written reprimand, suspension without pay, demotion, criminal action or termination.	60 years after separation unless collective bargaining contract requires that disciplinary documents be destroyed earlier than the contract shall be followed Confidential, (4)
4.3	Employee Drug Tests	Records of drug test and results for employees of local government agency	5 years Confidential, (4)
4.4.a	Health Records - Clinics Sponsored by Local Government Agency	Immunizations, cholesterol/blood pressure screenings, etc. Does not include records maintained by government-operated hospitals or similar health care facilities.	10 years Confidential, (4)
4.4.b	Health Records - Individuals	Health records of local government employees, individuals visited by municipal nurses, etc. Does not include records maintained by government-operated hospitals or similar health care facilities.	30 years after separation Confidential, (4)
4.5.a	Job Descriptions - No Grievances Pending	Description of duties performed or to be performed by particular positions.	Retain current version only
4.5.b	Job Descriptions Grievied with Collective Bargaining	Description of duties performed or to be performed by particular positions.	Follow applicable collective bargaining agreement
4.6.a	Personnel Records - Employment History	Employment history (including dates of employment, salary history, full time/part time status).	60 years after separation unless employer has been notified that the former employee has died; in which case 10 years after former employee's death Confidential MRSA 30-A §2702
4.6.b	Personnel Records - Form I-9	Federally required proof that employee has a legal right to work in the U.S.	3 years after separation Confidential (1), (2)
4.6.c	Personnel Records - Transitory	All records not vital or contributing to the continuing value of the employee file for retirement or other long term purposes beyond separation including: training and workshop records, employee evaluations, resumes, complaints or general correspondence records.	6 years after separation or until destruction is permitted by applicable collective bargaining agreement Confidential MRSA 30-A §2702

Series	Series Title	Description	Retention
4.7	Retirement and Pension Records	All records needed to document an employee's retirement rights and status.	See Payroll Records Confidential (1), (2)
4.8	State and Federal Personnel Reports	Reports and regulatory statistics maintained for State or Federal agencies (such as affirmative action and equal opportunity records, OSHA-required records, etc.)	6 years
4.9.a	Training Materials - Employee Training	Employee records for any voluntary or mandatory training provided in-house or by another organization. Records may include certificates of completion (such as Freedom of Access – Right to Know), grades and requests and approval for training.	6 years after separation
4.9.b	Training Materials - Informational	Training and education of employees: Information about available training/education opportunities.	Update as needed
4.9.c	Training Materials – Training, Conference, Workshop Conducted by Agency	Information used to conduct training sessions or for conferences and workshops. May include training materials, registration and confirmation records, flyers and/or brochures, other presentation material or related documentation.	3 years after end of training/event
4.10	Union Agreements	Collective bargaining agreements with unions representing employees of local government agency.	Retain until new agreement is signed and time limit for filing grievances under old agreement has expired
4.10.a	Union Records - Grievance and Arbitration Files	Related correspondence; union grievances and negotiation documentation; signature page of people attending meeting; notes on meeting; written decision; demand for arbitration; arbitration award; exhibits; briefs; notice of hearing; settlement agreement.	50 years
4.10.b	Union Records - Union Agreements (Signed)	Collective bargaining agreements with unions representing employees of local government agency.	10 years
4.11	Volunteer Records	Records documenting those who participate as volunteers for local government. These records are maintained as a reference and to verify that a person has worked as a volunteer. May contain: Application, names of volunteers, addresses, directory information, program volunteering for, time and attendance records, registers, sign-in sheets and activity information.	5 years
4.12	Wellness program records	Records of employee participation in program designed to encourage behaviors thought to result in improved health.	Current year Confidential (4)
4.13.a	Workers Compensation Records - Completed Claim	First report plus other records, when claim is finalized by a lump sum settlement.	1 year after close of case Confidential (4)
4.13.b	Workers Compensation Records - First Report of Injury	No lost work time, so that the only record required is the initial report of injury.	1 year after close of case Confidential (4)

Series	Series Title	Description	Retention
4.13.c	Workers Compensation Records - Long Term Claim	First report plus other records where time is lost from work, and case is not finalized by lump sum payment.	20 years after last payment Confidential (4)

SCHEDULE 21 – FIRE DEPARTMENTS

Series	Series Title	Description	Retention
21.1	Auto Fires	Fire calls involving motor vehicles rather than structures.	5 years
21.2.a	Bomb Threat Reports - Anonymous	Bomb threats in which the perpetrator is not identified.	7 years
21.2.b	Bomb Threat Reports - Identified	Bomb threats in which the perpetrator is identified.	Until perpetrator reaches age 80 (If State Bureau of Identification confirms no contact with Criminal Justice System in last 5 years)
21.3	Complaints	Complaints of fire hazards made to Fire Department.	File with inspections
21.4	E-Bills (Firefighters Hired for Outside Jobs)	Bills of services of firefighters working temporarily for other employers.	2 years
21.5	Equipment Maintenance Records	Repairs and routine maintenance of departmental equipment, including ladders, vehicles, etc. Records should not be destroyed if a claim against the Department is pending or anticipated, and the records would be needed as evidence.	2 years
21.6	False Alarms	False alarm reports.	2 years
21.7	Fire Dispatch Records	Record of truck(s) dispatched in response to a reported fire.	6 years
21.8	Fire Prevention Files (Inspection Files)	Fire inspections on buildings within municipality.	Life of building, plus 6 years
21.9	Fire Prevention Permits	Permits reissued each year for possession of explosives, flammables.	Current year
21.10	Forest Fire Reports	Reports of a possible forest fire.	3 years
21.11	General Notices	Notices issued to all firefighters by chief.	Permanent
21.12	General Orders	Orders issued by the chief to be followed until cancelled.	Permanent
21.13	Incident Reports	Answers to alarms.	2 years
21.14	Investigation Files	Investigation of fires that have taken place within municipality.	Permanent Confidential, per Title 16, Section 614
21.15	Juvenile Fire- Starter Case Files	Records of juveniles who have started fires, and of steps taken to prevent recurrence.	Until former juvenile is 23 years old Confidential, per Title 15, Chapter 507, § 3308
21.16	Manpower Reports	Reports of all firefighters on duty and/or responding to calls.	10 years
21.17	Monthly Hazard Reports	Report of hazards discovered during monthly safety inspections.	2 years, after expiration

Series	Series Title	Description	Retention
21.18	Narrative Reports	Report on a fire, prepared by the officer in charge. Describes the actions taken and the cause, property owner, dollar loss, etc. This is made available to the owner and insurance companies.	6 years
21.19	Official Reports Other Than Fire	Reports, such as theft from vehicle, created by Fire Department but not concerning a fire.	1 year
21.20	Run Sheets	Form completed each time a truck leaves the station. Includes ambulances when these are municipally operated.	6 years Not Confidential, except when medical record information would be disclosed (4)
21.21	Sprinkler Records	Records of sprinkler systems in buildings protected.	Permanent
21.22	Statistics	Sent to Chief.	1 year
21.23	Structure Fires	Permanent records of fires that have damaged or destroyed buildings.	Permanent
21.24	Underground Storage Tanks	All records documenting location, construction, and condition of any underground storage tank (which would generally be used, or have been used, for fuel).	25 years after removal of tank
21.25	Woodstove Inspections	Inspections of woodstoves to verify their safe installation.	Until stove is removed