

# **Paperless? Hah! Less Paper - Absolutely**

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by Heather Holland

If you have not considered records management as part of your business or firm plan, it can be time consuming and if done in-house it can be overwhelming, however it is absolutely necessary. Good recordkeeping and a good recordkeeping system are essential components and healthy for every business: ensuring compliance with state and federal employment laws, it can also play a defining role in litigation, arbitration or mediation or when the auditor comes knocking at your door. (See *Arias v. United States Service Industries, Inc.*, D.C. CA, No. 95-7158, 1996.)

EASED - Evaluate, Annually, Systemize, Everyone, Destroy. This has become my mantra and every year I chant it louder and louder. This article should provide you with some basic concepts for records management and questions to ask yourself when getting started.

The very first question is: Do you want to do this in-house with your own employees or do you want to hire a records management facility? Considerations include company or firm size, amount of data, personal preference, and cost. Whatever the outcome, there are several essential concepts to consider in evaluating the first question:

## **Evaluate Your Records**

Records management consists of managing records made up of data in a variety of forms, including the following: client information sheets, trial notebooks, contracts, invoices, checks, pay stubs, legal research, e-mail, microfiche, cds, magnetic database tapes, video, audio tapes and on and on. While the initial evaluation can be time-consuming, it is well worth the reward of knowing what you have.

Companies must look to federal and state law and in some cases municipal statutes. Additionally, there may be industry-specific (Sarbanes Oxley, HIPPA, OSHA, MSHA, FMLA, FLSA, etc.) considerations as to the types of records necessary to keep. If you have a large amount of data such as 5000 records storage boxes or banker boxes, you might want to consider a records management facility which can organize, manage, house and destroy for you. Depending on the type of box you utilize this can amount to approximately 6000+ cubic feet of storage, which can cost anywhere from \$600.00 to \$1000.00 a month in a storage facility. If you only have 50 to 100 boxes a year you might want to consider a storage unit which may cost \$35.00 a month; where

you are responsible for the organization, management, and destruction which you can do in your office with a document shredder.

Questions to ask about your records or data include the following: Why do I generate a record? What is the life cycle of this record? Where do I keep it while I need it? Where does it go when am I done with it? How long do I have to keep it after I am done with it? Do I even have to keep it after I am done with it, and, if so, where am I going to store it? When can I destroy it? How should I destroy it? All of these questions lead to different answers for different records. Generating a record matrix can be extremely helpful.

### Annually Inspect Your Records and Your System

Making a yearly habit of this business practice ensures compliance with changing laws on recordkeeping requirements and retention. It also ensures destruction, which leads to cost containment.

### Systemization of a Records Management Policy Allows for Consistency

If you write it down and practice it routinely, management of the data becomes easier and easier. There is simply too much information to remember to try and memorize it along with the changes that occur in the law each year. Always index what is in each box for ease of retrievability and index what you destroy so you know it has been destroyed. Records management facilities can do this for you.

### Everyone Should Participate

While it is extremely important to include everyone, ultimately one person should be responsible for the processes that guide records management. Meeting with managers and other department heads must be part of the evaluation process and everyone should be included, including partners and/or executive management. Everyone should participate at some level, even if only at the initial evaluation, to determine the types of records generated. This information gathering is essential to create the record matrix and understand the life cycle of the records generated by the company or firm. New employees can also learn valuable information about a business or firm section through understanding what types of records need to be kept together or which forms are used, which can lead to a better understanding of their job and increased performance.

### Destroy, Destroy, and Destroy

All records management policies and procedures need to have a destruction of records section. Keeping too much information can be detrimental for several reasons - the more records and information you keep the more likely it is to fall into the wrong hands leading to confidentiality issues or identity theft. Endless paper can be costly for storage and can become non-manageable. Disposing of records too early can be

against the law. You could also find that you need them again for a court case or if you are trying to respond to a request for records or a subpoena. Knowing what to destroy and when to destroy it helps your company or firm stay healthy. Always get a certificate of destruction from the company which destroys your records.

Having everyone systematically, evaluate their records annually and destroy unnecessary records is a vital part of each business or firm and if practiced regularly will have EASED you into a new year. When data becomes clutter and the clutter becomes unmanageable: files piled in office closets, under desks, and on top of credenzas, or three feet high on a desk it is time to organize and clear it out. I guarantee you will feel better about going to work and you will work better. Below are some reference books and website links for further detailed information:

NARA - U.S. National Archives & Records Association:  
[http://www.archives.gov/records\\_management/index.html](http://www.archives.gov/records_management/index.html)

ARMA - ARMA International - The Association of Information Management Professionals: <http://www.arma.org/index.cfm>

Ira A. Penn, Gail Pennix, and Jim Coulson. Records Management Handbook - 2 Rev. ed. Ashgate Publishing Company, Burlington, VT, 1994.

Alexander Hamilton Institute, Inc. Employer's Guide to Record Keeping Requirements. AHI, Ramsey, NJ, 1998.

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