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Policy on Individuals' Notes & Working Papers

Purpose: This policy instructs City employees on how to handle their notes and other temporary records generated in connection with their official duties.

Policy: All data and information made or received pursuant to law or ordinance, or in connection with the transaction of official city business are municipal records.¹ No records shall be destroyed or otherwise disposed of absent prior approval from the head of the agency which created or has jurisdiction over the records, the Municipal Archivist, Corporation Counsel, and the Commissioner of Records and Information Services.²

Individuals are nevertheless authorized to modify certain **working papers** that are created in the course of their work and may dispose of such records after an **adequate retention period** following their creation and use. Furthermore, copies of municipal records made for convenience may be disposed of at any time provided the original record is maintained.

Definitions: As used in this policy, the terms "**working papers**" and "**adequate retention period**" are defined as follows.

Working papers — Documents and data that an employee generates during the normal course of business for the purpose of convenience or self-reference, and which are not intended to communicate or document information for posterity.

Any document or other recording that may have evidentiary value concerning a process by which an official policy or other official action was arrived at **does not** qualify as a "**working paper**" and should be preserved and handled as a municipal record.³

Adequate Retention Period — A sufficient time period after which the record is no longer needed by—or of value to—the person who created it.

Examples: General examples of **working papers** include:

1. An individual's hand-written or typed notes made strictly for that individual's own reference—this **does not** include notes, memoranda, or other memorializations that are intended to record an event or issue for posterity or against future need;
2. Spreadsheets used to perform "scratch" calculations;
3. Copies of records made by an individual employee strictly for convenience, and which are duplicative of municipal records stored in other formats or locations.

Process & Procedure: An employee's working papers may be disposed of following an adequate retention period without further approval under Charter Section 1133.

¹ See New York City Charter Chapter 72, § 3011(2) ("Records" means any documents, . . . sound recordings, machine readable materials or any other materials, regardless of physical form or characteristics. . . .").

² See New York City Charter Chapter 49, § 1133(f).

³ Such records may be covered by the Deliberative Process Privilege, or otherwise exempt from disclosure for other reasons.