



**National  
Fenestration  
Rating  
Council**

**NFRC 709-Record Retention, IP/Patent,  
Commercial Terms and Metric Policy Documents**

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# 1. Policy Statements

## 1.1 Records retention

The six most important reasons why an organization should implement a document retention policy are: 1) to comply with legal duties and requirements, either statutory or regulatory; 2) to avoid liability through “spoliation,” the improper destruction or alteration of documents in a litigation situation; 3) to support or oppose a position in an investigation or litigation; 4) to protect from unnecessary expense and time during discovery; 5) to maintain control over discovery and e-discovery, and 6) to keep documents confidential and avoid leakage to attackers or competitors.

Thus, to facilitate the efficient and effective operation of NFRC we are implementing the following Document Retention and Destruction Plan. As a condition to your employment, you are required to follow the terms of this plan.

All business records should be kept no longer than the period necessary for the proper conduct of NFRC business. Except as designated below, no documents shall be retained longer than five (5) years. This policy shall cover all business records of NFRC, including written, printed and recorded matter and electronic forms of records, including e-mail messages in personal folders.

Employees should review their electronic files regularly and delete them where appropriate to ensure compliance with this policy.

To ensure that this policy is followed, the Deputy Executive Director has been designated Documents Review Policy manager and as such shall review the status of the policy annually. The Deputy Director is responsible for overseeing the implementation of the policy. Questions related to the policy should be directed to the Deputy Director.

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## **GUIDELINES FOR SPECIFIC DOCUMENTS BY TYPE**

### **Accounting and Corporate Tax Records**

- Annual financial statements - Permanent
- General ledger - 20 years
- Annual audit records - 10 years
- Journal Entries - 8 years
- Canceled checks - 8 years
- A/P paid invoices - 8 years
- Business expense records - 8 years
- Credit card receipts - 3 years
- Cash receipts - 3 years

- A/R invoices - 8 years
- Federal tax returns (excluding payroll) - Permanent
- Sales & use, property and other state tax returns - Permanent
- 1099s - 8 years

### **Bank Records**

- Stop payment orders - 3 years
- Bank reconciliations - 3 years
- Bank deposits, remittance advices, and copies of checks - 3 years
- Superseded check signature authorizations - 3 years

### **Payroll and Employment Tax Records**

- Payroll registers - Permanent
- State unemployment tax records - Permanent
- Canceled checks (Payroll) - 8 years
- Deductions register - 8 years
- Earnings records - 8 years
- Exemption certificates (W-4 & state withholding forms) - 8 years
- W-2 and W-3 withholding statements - 8 years
- Payroll tax returns - 8 years
- Notices of changes or adjustments to salary - 8 years
- Timesheets - 3 years

### **Employee Records**

- Salary schedules - 5 years
- Performance evaluations, merit pay increases and job descriptions - 5 years
- Records relating to promotion, demotion, lay-off, or discharge of employees - 5 years after termination of employment
- Immigration and Naturalization Form I-9 - 3 years after termination of employment
- Employment and Termination Agreements - Permanent
- Safety records, including logs of each occupational injury and illness, and annual summaries of all such injuries and illness - 5 years
- 401k plan documents, valuation reports – Permanent
- Employee Handbooks – 7 years

### **Legal Records**

- Articles of Incorporation, governing documents - Permanent
- General Contracts - 3 years after termination
- Real Estate contracts and documents 20 years - Permanent
- Trademark Registrations - Permanent
- Copyright Registrations - Permanent
- Patents - Permanent

- Incorporation & reorganization records including charter, bylaws, other governance documents - Permanent
- Reports and minutes of the NFRC Board of Directors - Permanent
- Insurance policies - Permanent

**Other Records**

- Documents related to the conduct of programs can be retained or purged at the discretion of the Program Manager being mindful that they should not be retained beyond the periods of their usefulness and necessity for conducting our business. A general guideline is 10 years.
- Technical manuals – 7 years
- Listings of the membership – Permanent
- Marketing Materials – At discretion of Program Manager

**Electronic Records:**

- Computer Disks – 5 years
- E-Mail – 1 years
- Hard Drives – 5 years
- Web Pages – 1 years

**SUSPENSION IN THE EVENT OF LITIGATION**

If a lawsuit is filed or appears imminent, the Executive Director or NFRC’s legal counsel may suspend this Policy to require that documents relating to the lawsuit or potential legal issue(s) be retained. If you receive notification that the Policy has been suspended, you must retain all of the documents the Executive Director or NFRC legal counsel instructs you to keep rather than destroying them pursuant to the Policy.

**STORAGE INSTRUCTIONS:**

Should you wish to retain documents, please clearly label the box, and note the date of storage and your initials. If you would like the contents purged after a given time period, please indicate on the box. For example:

LAP/Round Robin Documents/ Reviewed 10/06, To Be Purged 10/16, your initials

**PURGING INSTRUCTIONS:**

In the case of sensitive materials such as personnel records or NFRC financial data, documents should be rendered unreadable by shredding. Other documents can be discarded in our recycle bins. Those materials that are not recyclable can be discarded in general trash.

In the case of electronic documents, deleting and emptying the recycle bin is suitable in most circumstances. Our IT staff should be consulted should you need to delete documents of more sensitive nature.

## **1.2 Intellectual Property (IP) and Patent Policy**

The Company shall at all times have a designated Company IP Manager who shall be responsible for monitoring the Company's patent applications and proposed American National Standards.

Upon filing of each patent application by the Company, the Company IP Manager shall review the application, with the assistance of counsel where necessary, to determine whether any proposed American National Standard includes the use of the patented invention.

Upon submission of each proposed American National Standard to ANSI, the Company IP Manager shall review the Standard, with the assistance of counsel where necessary, to determine whether any of the Company's planned or existing patent applications or issued patents may claim inventions which are included in such proposed Standard. If so, the Company IP Manager shall send to ANSI a written notice that such Standard may require the use of a patented invention.

The Company IP Manager shall monitor proposed American National Standards to alert the Company as to when approval of each Standard by ANSI is expected.

Prior to approval by ANSI of each proposed American National Standard, the Company IP Manager shall send to ANSI (in a form approved by the Institute) one of the following:

If the proposed American National Standard includes the use of a patented item, a written statement that a license to such will be made available to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination;

or

b) If the proposed American National Standard does not include the use of any patented item in any of the Company's existing or planned patent applications, a written statement containing a general disclaimer to the effect that such party does not hold and does not currently intend holding any invention the use of which would be required for compliance with the proposed American National Standard.

## **1.3 Commercial Terms and Conditions**

Provisions involving business relations between buyer and seller such as guarantees, warranties, and other commercial conditions shall not be included in NFRC standards. It is not acceptable to include proper names or trademarks of specific companies or organizations, acceptable manufacturer lists, service provider lists, or similar material in the text of a standard or in an annex (or the equivalent). Where a sole source exists for essential equipment, materials, or services necessary to determine compliance with the standard, it is permissible to supply the name and address of the source in a footnote or informative annex as long as the words "or the equivalent" are added to the reference. In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process

or criteria is limited to technical and engineering concerns and does not include what would otherwise be a commercial term or proper name.

#### **1.4 Metric Policy**

International System of Units (SI), the modernized metric system, is the preferred units of measurement in American National Standards. NFRC standards will use SI where that use is consistent with the technology being standardized and in the best interest of the members. ANSI approved NFRC documents will comply with IEEE/ASTM SI 10, American National Standard for Use of the International System of Units (SI)-The Modern Metric System.