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<b>RECORDS AND INFORMATION GOVERNANCE POLICY</b> Issued: 05/03/2018			

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**1.0**    **Purpose**

The purpose of this Policy is to establish rules regarding the retention, management, scanning/imaging and destruction of the business records for Constellis Holdings, LLC and its subsidiaries and affiliates (the “Company” or “Constellis”).

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## 2.0 Policy

The business records of the Company are important assets. Business records include all written or recorded items produced by an employee in various forms, such as written, email or digital formats. A record may be a memorandum, an e-mail, a contract or a case study, or something less conventional, such as a computerized desk calendar, an appointment book, instant message or an expense record.

The law requires the Company to maintain certain types of corporate records, usually for a specified period. Failure to retain those records for those minimum periods could subject the Company and/or the responsible employees to penalties and fines, cause the loss of rights, obstruct justice, place the Company in contempt of court, or seriously disadvantage the Company in litigation. In addition, the Company may be required to or desire to preserve records in order to comply with its contractual obligations or for other business purposes, such as preserving company history, intellectual property, or assisting in cost management.

It is the policy of the Company to retain records in accordance with appropriate regulations and statutes and based on an established document retention schedule. Company employees shall preserve Company records in accordance with the Company's **Records Retention Schedule**.

## 3.0 Scope

This policy applies to all Company employees and any third parties who contribute to, produce, store or manage Company-related documents.

The Company expects all employees and contractors to comply with all published records retention and destruction protocols. The following exception applies to the scope of this Policy: If it is determined by the Company (or by relevant management), that records are vital to litigation or potential litigation (i.e., a dispute that could result in litigation) or Financial Audit Hold, then employees or third parties must preserve those records until otherwise directed by the Legal or Records Management Department. This exception supersedes any previously or subsequently established destruction schedule for those records. Please contact the Legal Department at [legal@constellis.com](mailto:legal@constellis.com) with any questions regarding the applicability of this exception.

## 4.0 Hard Copy Storage Locations

The official storage location for all **active** Company records is at the departmental level of various company offices under Constellis. All **inactive and/or archived** company documents for Constellis and its subsidiaries and affiliates are to be located at one of two approved storage locations. (1) Onsite document storage facility located at the ACADEMI Training Facility in Moyock, NC (2) Iron Mountain Storage Facilities we have pre-established.

No storage locations are approved unless Records Management gives approval. All boxes of records are to be inventoried and entered into our box tracking system, Jordan Lawrence. For assistance, please submit your requests to [recordsmanagement@constellis.com](mailto:recordsmanagement@constellis.com).

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## **5.0 General Retention Guidelines**

Constellis' Records Retention Schedule can be located on The Records Management SharePoint site. Our Records Retention Schedule is based on individual departments/areas for ease of use. If you have any questions regarding this schedule, contact [recordsmanagement@constellis.com](mailto:recordsmanagement@constellis.com).

The following guidelines apply to the Records Retention Schedule regardless of the record type/format:

- For retention purposes, each document/record created or received in a given year will be treated as if it was created or received on December 31 of that year. This date is what is utilized to implement the Records Retention Schedule for retention and/or destruction.
- A document/record review shall be conducted annually to determine which records are eligible for destruction (e.g., records classified as "Expired" or past the applicable retention period).
- Many documents/records have multiple copies that may be distributed throughout the Company. For the purposes of this Policy, one copy, preferably the original, shall be treated as the "document/record" to which the retention period shall apply. All others are classified as copies.
- Copies can be retained only as long as they are useful, but in no event shall be retained longer than the retention period for the original copy that is subject to this Policy.

## **6.0 Instant Messaging and Text Messaging**

The Company-provided tools such as instant messaging and text messaging shall only be used to communicate Transitory Information, which is defined as information that is only temporarily useful. Instant messages and text messages does not have significant business value, legal value, and should not be used to support work processes. **No business decisions should be made within an instant message or text message.** If a business decision is made, the business decision should be documented in an email, through formal correspondence, or through some other type of authorized medium.

Under no circumstances are these forms of messaging to be used for transmit of work-in-progress records or Company records such as word documents, excel spreadsheets, power point presentations, etc.

## **7.0 Classified or Sensitive Documents**

All matters relating to the access, retention, administration, and destruction of any U.S. classified or government sensitive documents shall be the responsibility of each company's Facility Security Officer (FSO) and its respective Security Department. Nothing in this Policy should be construed to affect or apply to the proper treatment of such documents.

## **8.0 Scanning/Imaging of Business Records**

Imaging, also known as scanning, is the process by which paper documents are copied and saved as a digital image. The below guidelines are for any business records that we obtain in a paper format that need to be preserved per our Company's Records and Information Policy and Records Retention Schedule.

If a business record document is provided to an employee or a third-party representative electronically, the electronic version is not to be printed and maintained in a hard copy file. The electronic version must be stored in the Company's Document Management System, department's shared drive, or SharePoint site. Saving records to your desktop, personal drive, or email account as a backup source is not authorized.

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### 8.1 Imaging Requirements for Hard Copy Documents

The below guidelines are for any business records that are obtained in a paper format that needs to be preserved in accordance with the Company's Records and Information Policy and Records Retention Schedule.

- Scanning in black and white is the ideal option. Grayscale and color images take up preventable extra server space and should be avoided. **All color or grayscale scans must be approved by Records Management.** [recordsmanagement@constellis.com](mailto:recordsmanagement@constellis.com)
- Scanners must be set at a minimum of 300 dpi (dots per inch). IT can assist with setting your scanner. Please submit an IT help desk ticket if need be.
- After paper documents are scanned, it does not automatically authorize the destruction of the source documents from which the scanned images have been created.
- In some incidents, per the FAR, we are required to maintain original hardcopies for 1 yr. after imaging. When in doubt, please reach out to [recordsmanagement@constellis.com](mailto:recordsmanagement@constellis.com).

### 8.2 Destruction of Original Hard Copy Business Records

The below guidelines are required to take place before destroying the paper version after scanning/imaging.

- Documents must be validated for completion and clarity by the individual conducting the scanning/imaging of the document(s).
- Scanned document images must be inspected visually to ensure they are complete (the entire document has been captured), clear and easily read.
- **If the original paper version is not legible, every effort must be made to obtain a legible document.**
- The number of paper documents to be scanned must be compared to the number of the final scan count to ensure that every document was captured.

## 9.0 Destruction of Documents

### 9.1 Request to Consider Business Records Destruction From

A **Request to Consider Business Records Destruction Form** must be completed in its entirety and submitted to the Records Management Department when there is a business need to destroy records in mass numbers. **This does not apply to the daily upkeep of emails, other forms of electronic items or paper documents not classified as business records.** This form is to be utilized for all forms of information classified as a business record. (i.e., paper, electronic).

**The Request to Consider Business Records Destruction Form is not an authorization to destroy.** Please note on the form if circumstances exist that warrant against the destruction of a document (i.e., legal or business reasons). Such circumstances must be brought to the attention of the Records Management Department immediately.

A review of each form will be conducted by the business record's Departmental Leader, Records Management, Financial Compliance and Legal Department in order to determine if the documents are eligible for destruction. Written approval must be given by Records Management before any business documents are destroyed. Destruction of all eligible documents should be completed in a timely manner once approval is given.

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## 9.2 Methods of Document Destruction

The following methods of destruction are approved for Company documents after obtaining appropriate approvals to destroy (see § 8.2):

- For *physical/hard copy documents*, burning or secure shredding is acceptable, unless there is a contractual or legal requirement (e.g., relating to destruction of military or government records held by the Company) that dictates a specific destruction method or standard.
- For *electronic/soft copy documents or data*, electronic erasure or destruction methods sufficient to render the document unusable and/or irretrievable. Appropriate methods for such destruction shall be determined by the Records Management Department and the IT Department.

## 10.0 Implementation of the Document Retention Policy

### 10.1 Basis for the Retention Period

The retention period for each document is determined based on three conditions:

- *Legal Requirements* – a retention period specified by state and/or federal laws and regulations, or relevance to a pending legal action.
- *Contractual Requirements* – a retention period specified within a contract or other agreement that obligates the Company to retain certain documents.
- *Reference Requirements* – a retention period based on anticipated use of the document by individuals or departments/programs of the Company.

If more than one requirement applies to one document, the longest applicable period is established as the retention period. Sometimes multiple documents, each with a different retention period, will be kept in a common file. For example, a personnel file typically has an employee's application form, performance reviews, payroll notices and employee benefits data. In this example, the longest applicable retention period will apply to the entire file.

### 10.2 Records Retention Schedule

Documents shall be retained until their respective retention period expires. Retention periods are mandatory and apply to all companies under Constellis. When an employee's best judgment indicates that a specific retention period is too long or too short, the Records Management Department should be notified at [recordsmanagement@constellis.com](mailto:recordsmanagement@constellis.com).

The **Records Retention Schedule** provides retention periods for broad categories of Company business records. The **Records Retention Schedule** applies to all business records regardless of their media type or location.

Two more common forms of business records are:

- Paper (hard copy)
- Electronic information (email, pdfs, word documents, images, etc.).

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Less common forms of business records include:

- Voice Recordings
- CD, DVD, VHS Tapes
- Magnetic Disks

Any revisions, deletions, additions, changes or questions pertaining to the schedule must be approved by the Records Management Department. If a document classification status is unclear, the Records Management Department should be consulted immediately.

### 10.3 Determining the Document Retention Period

Most retention periods are determined by the age of the document, the legal and/or contractual requirements and the reference requirements. Trigger words help provide guidance on when the retention period begins. For Example:

- The term “End of Current Year” is added to show that the retention period applies after the end of the current year. A retention period of “End of Current Year + 2 yrs.” means that a December 2005 Document will be held during 2006 and 2007, and will be destroyed at the very beginning of 2008 after all approvals have been obtained.
- The term “End of Contract + 7 yrs.” means that the documents are to be maintained as long as the contract is active. Once the contract has closed out or expired is when the 7 yrs. retention takes place. With a retention period of “End of Contract + 7 yrs.” – a contract becomes closed in 2014. It needs to be maintained for 7 additional yrs. (2015, 2016, 2017, 2018, 2019, 2020, 2021) before it is eligible for destruction.

**For more information regarding destruction, see Section 9.0 of this policy.**

## 11.0 Responsibility for Implementation

The following departments and individuals shall take primary responsibility for the implementation and administration of this Policy:

### 11.1 Legal Department

The Legal Department has the final authority to decide on a specific retention, protection or destruction for business records. The Legal Department shall also issue any hold orders relating to the preservation of documents in connection with litigation, pending litigation, or Company internal investigations.

### 11.2 Records Management Department

The Records Management Department reporting to the Company’s VP of Legal, shall coordinate and monitor the retention activities of the Records Management Liaisons (RMLs), and provide advisory services on storage and other document-related issues. The department shall also be responsible for:

- Resolving questions concerning this Policy or the Records Retention Schedule.
- Issuing revised Records Retention Schedule and making recommendations regarding changes to this Policy.

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- Arranging for review and approval for all changes, additions and deletions to the Records Retention Schedule.
- Managing all requests to destroy business records. (See the Request to Consider Document Destruction Form and Training Module).
- Maintaining a master list of all documents destroyed pursuant to the Records Retention Schedule.
- Maintaining all Certifications, Notices and authorizations in the appropriate files.

### 11.3 Records Management Liaisons (RMLs)

The RMLs shall serve as liaisons between the Records Management Department and the respective departments and/or project sites. RMLs are appointed by the relevant Departmental Leader. Records Management Liaisons will also be responsible for:

- Transferring documents from Active to Inactive storage.
- Working with the Records Management Department to identify business records eligible for destruction.
- Liaison with Records Management Department on all other Departmental business record related activities.
- Assisting Records Management in implementing the Records and Information Policy and Records Retention Schedule within their department or program.
- Initiating written recommendations to the Records Management Department for changes to the Records **Retention Schedule**. The Records Management Department and the RMLs may meet periodically to discuss relevant issues and concerns. The Records Management Department shall provide reports, as requested, to the Legal Department.

## 12.0 Compliance

Failure to comply with this Policy may result in disciplinary action against the employee, including suspension or termination. Questions about this Policy should be referred to the employee's manager or to the Records Management Department.

### RELATED DOCUMENTS

- **Records Retention Schedule**
- **Request to Consider Business Records Destruction Form**
- **Records Management Liaison (RML) Listing**

### VERSION HISTORY

	<b>Version</b>	<b>Version Date</b>	<b>Author</b>	<b>Description</b>
1	1.0	08/25/2015	Donna Cantrell	Initial version
2	1.1	03/17/2016	Donna Cantrell	Revised the reference to Constellis, LLC
3	1.1	10/14/2016	Kiersten Miller	Changed "Constellis Group" to "Constellis" throughout
4	1.2	05/05/2018	Donna Cantrell	Total review and revisions made
5	2.0	6/1/2020	Donna Cantrell	Total review and revisions made. Name change.
6	2.1	12/8/2020	Todd Rouse	Removed "Skype" references