

Electronic Data: Tips for Creating an Effective Retention Policy

WHETHER IT'S BLACKBERRIES ON JOBSITES OR COMPUTER-ASSISTED DRAWINGS,

construction contractors increasingly rely on electronic communications and records to do business.

With this in mind, it is critical for contractors to adopt data-retention policies that effectively deal with the exponential growth in electronically stored information. If your company becomes enmeshed in a litigated dispute, a robust, consistently enforced policy can significantly alleviate your headaches and save your company considerable time and money.

In implementing a sound records-retention policy for your electronically stored data, you should:

- **Know your data.** This sounds axiomatic, but a retention policy drafted in a vacuum will not effectively deal with the vast number and types of storage repositories and the myriad ways documents are created, transmitted, stored, and ultimately deleted. To craft an effective policy, bring your IT personnel into the process. They are the stewards of your data and are integral in developing effective policies and procedures. Moreover, knowing how your employees create, transfer and store electronic documents, including emails, is vital. Having this information before you begin drafting the retention policy allows it to be tailored to your unique company culture.
- **Control your data.** Ask your project

managers, superintendents, and engineers how they save documents and use email. Chances are, if you interview five people, you'll get five different answers.

A document-retention policy must address employee email use and include procedures on how and where emails and other documents are to be stored and maintained. You should also consider implementing a data-destruction policy which takes into account—in advance—the types of electronic information that need to be preserved and for how long. Without an effective, consistent way to reduce the ever-increasing volume of data created and stored, your policy will ultimately provide little solace.

- **Enforce the policy.** A sound data-retention policy is only as good as it is enforced. To this end, your IT personnel can be your biggest assets as they can help design and implement controls that force end users into compliance. Moreover, an effective email archiving solution can be integrated with your existing email system so that policy enforcement can be automated behind the scenes.



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