

<b>Policy Issuer:</b> Legal and Compliance	<b>Applicable To:</b> All business units	<b>Effective Date:</b> October 1, 2004	<b>Last Revised:</b> February 22, 2017
<b>Title:</b> Records and Information Management Policy		<b>Approved By:</b> Compliance Committee	<b>Info Classification:</b> Internal Only

## RECORDS AND INFORMATION MANAGEMENT POLICY

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### 1.0 Purpose

Charter is committed to the efficient, effective, and legally compliant management of Charter's records as business assets, consistent with the following objectives:

1. To comply with applicable laws and regulations requiring management and retention of certain records;

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2. To preserve records that may be relevant to ongoing or anticipated litigation, audits, or governmental investigations;
  3. To meet the business needs of Charter for retention, efficient availability, and cost effective management of records;
  4. To ensure that records no longer required to be retained for legal compliance or business needs are disposed of appropriately; and
  5. To provide a reliable audit trail for important business transactions.

The purpose of this Records and Information Management Policy ("Policy") is to inform [Users](#) of the rules that they must follow when creating, using, managing, retaining, preserving, and disposing of [Information](#) in accordance with Charter's [Record Retention Schedules](#). All capitalized terms within this Policy will have the meanings set forth in the [Glossary](#) in Section 6.0.

This Policy should be read in conjunction with other existing Charter policies cited within, including, but not limited to, the [Code of Conduct](#), the [Employee Privacy Policy](#), the [Acceptable Use of Technology \(AUT\) Policy](#) and the [Information Classification & Protection \(IC&P\) Policy](#).  
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## 2.0 Applicability

This Policy applies to all [Information](#). Computer backup [Media](#) are used by Charter solely for [Disaster Recovery](#) purposes and therefore are neither managed nor retained as [Records](#) subject to this Policy.

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## 3.0 Who Should Read this Policy

[Information](#) is a valuable asset of [Charter](#), and its proper management will help Charter to achieve its business goals and meet its legal requirements. Every [User](#) plays a critical role in helping Charter achieve its Records and Information Management ("RIM") goals. As such, all Users are required to read, understand, and act in accordance with this Policy. Charter representatives with responsibility for relationships with third parties must ensure that RIM requirements are appropriately incorporated into applicable agreements with those third parties.

### Key Provisions

- a. **Record:** A Record is information recorded in any media that has on-going business, legal, compliance, operational or historic value that the Company intends on retaining as evidence of business.
  - b. **Legal Hold:** A legal hold is the practice of identifying and preserving information (both Records and Non-Records) and tangible objects related to any pending or reasonably anticipated litigation, audit, investigation or other proceeding. As a critical component of the Records Management Program, each employee has a
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responsibility for the preservation of information subject to a legal hold. Any questions about legal holds should contact the Company Legal Department at 314-543-2412; [DLLegalHoldNotices@Charter.com](mailto:DLLegalHoldNotices@Charter.com).

- c. **Records are Company Property:** Records belong to Charter and not to the individual. Employees and other third parties working on behalf of the Company may be required to produce any Records or Non-Record information at the request of the Company.
- d. **Responsibility:** Each employee is responsible for the creation of professional Records AND for the proper management of those Records throughout their lifecycle in accordance with business goals and legal requirements. Any questions about Records storage or Records management should contact the RIM Director at 314-543-2618 [Recordsmanager@Charter.com](mailto:Recordsmanager@Charter.com).

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## 4.0 Policy

### 4.1. Introduction

The Policy sets forth the records management goals of Charter and includes the [Record Retention Schedules](#), which are intended to:

- a. Identify the broad range of records and categories of records created and/or held within each department and describe the permitted and required storage of such records (including the format and location);
- b. Facilitate the timely identification, preservations and collection of records when required for business or legal purposes, including legal holds.

The Policy also addresses the storage and disposition of [Non-Records](#). Under the Policy, representatives from each department and division will be appointed and called upon to monitor and provide support to Charter employees regarding records management.

### 4.2. Management of Electronic Records

- a. All [Records](#), regardless of the media, object, device or application on which they reside, must be managed according to their content in compliance with this Policy and other applicable Charter policies. Although the unique attributes of [Electronic Records](#) (i.e., alterable at any time, not viewable without a computer, etc.) require a different management approach than paper Records, it is nonetheless essential that the [Company](#) manage Electronic Records and all other records in a manner consistent with the principles, goals and directives of this Policy.

### 4.3. Creating Information and Records

The following directives apply to all [Users](#) creating [Information](#) and [Records](#):

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- a. **Never Draw Legal Conclusions.** Users (other than Charter lawyers) should never attempt to draw or describe legal conclusions in communications or in Records that they create.
  - b. **Simply Express the Facts.** Limit descriptions in Records to facts, not conjecture or speculation that others could misinterpret as legal admissions or facts, and always explain the factual basis for any conclusion. Separate opinion from fact and, when possible, attribute an opinion to its source if the opinion is not your own.
  - c. **Act with Integrity.** Common sense and ethical conduct enhances Charter's business and reputation. Users should always be truthful in what they record and never attempt to cover up any action by altering, disposing or concealing a Record.
  - d. **Use Appropriate Language.** Be courteous and polite, and avoid vulgarity. Avoid exaggeration and the use of dramatic adjectives and/or comparisons that would not be accurate. Maintain a businesslike tone and avoid humor and sarcasm as they can be misunderstood, especially in business communications.
  - e. **Store Information in Approved Storage Locations.** See the [Acceptable Use of Technology Policy](#) and [Information Classification & Protection Policy](#).

#### 4.4. Record Retention

##### a. General

- Charter decides how long to retain its [Records](#) and when to dispose of them based on legal requirements and business needs. The [Retention](#) periods in the [Record Retention Schedules](#) are general retention requirements for each category of Record.
  - The time periods listed in the Record Retention Schedules must be observed, regardless of the media (e.g., paper, microfilm, magnetic disk, etc.) on which the Record is stored. A Retention period may not be extended or altered without permission from one of Charter's Record Managers. Any [User](#) aware of a legal, regulatory or business requirement that is in conflict with the Record Retention Schedules should contact one of Charter's [Records Managers](#).
  - Voicemail should not be used to document business activities that would rise to the level of a Record. Voicemail messages must be deleted within 14 days of receipt. If a User receives a voicemail that is a Record, the voicemail must be transcribed in a Word document and stored in one of the Charter-approved storage locations for unstructured data, in accordance with the [Acceptable Use of Technology Policy](#), and retain the Record in accordance with the Record Retention Schedules.
  - Email is a communication tool, and the content of the email message will determine
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whether that email is a Record. If the content of the email rises to the level of a Record and the User is responsible for maintaining the Record, the User must save it as an “.msg” file to a Charter-approved storage location for unstructured data, in accordance with the [Acceptable Use of Technology Policy](#), and retain the Record in accordance with the Record Retention Schedules.

- An email message that is not a Record should be deleted when the Email [Non-Record](#) when it is no longer needed. Non-Record emails will be automatically deleted from Outlook on day 91.
- Instant message tools should not be used to document business activities that would rise to the level of a Record. If a User receives an Instant Message that is a Record, that user must retain the message in a Charter-approved storage location for unstructured data, in accordance with the [Acceptable Use of Technology Policy](#), and retain the Record in accordance with the Record Retention Schedules.
- Users storing [Information](#) on Charter-approved SharePoint sites must be designate as Records or Non-Records by applying content types to all libraries and documents and maintain such Information in accordance with this Policy and the Record Retention Schedules.
- Mobile Devices in including, but not limited to, mobile phones, tablet devices, and notebook computers that store communications and files that meet the definition of a Record need to be retained. In addition, the mobile nature of such devices may subject the Records stored on such a device to greater risk of loss or corruption or theft. Records from these devices should be transferred to Company approved locations and should not uses for the long term storage of Company Records.

**b. Retention Responsibilities**

- Retention responsibilities vary with the content of a Record and with who generates and is considered the “owner” of the Record. Generally, if a Record is created by a User, it is that User’s responsibility to make sure that the Record is retained in accordance with the Record Retention Schedules. This rule helps to ensure that, unless otherwise necessary, multiple recipients do not retain copies of the same Record, which would unnecessarily burden the Company’s systems. However, when a third party sends a Record to a User, it is the User’s responsibility to maintain the Record in accordance with this Policy and the other policies referenced herein.
- Users must retain Information in a manner that enables the delineation of Records from Non-Records.

**c. Special Retention Rules**

- All resources developed or purchased by Charter and intended to be used for the creation, manipulation, storage, or transmission of Records must be used and
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maintained in compliance with all relevant Charter policies and procedures, including this Policy, the [Acceptable Use of Technology Policy](#) and the [Information Classification & Protection Policy](#). All such resources must be reviewed by their proposed acquirer or principal user for their ability to comply with this requirement prior to their purchase, development, and installation.

- [Disaster Recovery](#) systems/Disaster Recovery Backup Tapes create a copy of Information on a secondary system/tape so that such information can be recovered to the system in the event of a system failure or a disaster that renders Information on the primary system inaccessible. These systems are not provided for, and are not permitted to be used for, routine Retention or [Preservation](#) purposes.

d. **Disposal**

- Unless a Record is (1) subject to [Legal Hold](#), or (2) there are extenuating circumstances that require the continued Retention of a Record beyond its Retention period AND such continued retention has been approved by one of Charter's Record Managers, Charter will dispose of the Record at the end of its Retention period, and not before.
- Unless subject to a Legal Hold, Users should only retain [Non-Records](#) (e.g., [Drafts](#), copies of Records, etc.) for as long as is necessary for immediate referential or operational purposes. In any event, Non-Records should never be retained for longer than 2 years.
- All Users must review Records on a regular basis, preferably each calendar quarter, but at least annually. Records should be evaluated to determine the length of storage time pursuant to the Record Retention Schedules and the most suitable storage media and location (e.g., online or archived, in paper format, or offsite storage).
- Any applicable disposal must comply with the [Information Classification & Protection Policy](#).

**4.5. Legal Holds**

The [Company](#) uses [Legal Holds](#) to identify and preserve [Information](#) (including all [Records](#) and [Non-Records](#)) and [Tangible Objects](#) relating to any pending or reasonably anticipated litigation, audit, investigation or other legal proceeding. Information and Tangible Objects subject to a Legal Hold must be preserved and not altered, destroyed, concealed, or falsified.

Information and Tangible Objects subject to a Legal Hold will be identified in a Legal Hold Notice issued by the Charter Legal Department. Legal Hold Notices will be disseminated by the Charter Legal Department to [Users](#) who may have materials subject to a Legal Hold in their possession. The following directives apply to Legal Holds:

a. **Once a Legal Hold Notice is issued, all Information and Tangible Objects covered**

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**by the Notice must be Preserved until further notice by the Charter Legal Department.** This means that a User must not alter, dispose, erase, or otherwise make any Information subject to the Legal Hold inaccessible. Information subject to a Legal Hold must be Preserved in the manner and location designated by the Legal Hold Notice or as otherwise instructed by a Charter Legal Department Attorney.

- b. A Legal Hold Notice supersedes all other Records and Information Management policies, including the Record Retention Schedules, until the Legal Hold is released by the Charter Legal Department. . A Legal Hold mandates the immediate suspension of destruction of all information and tangible objects identified in the Notice.
- c. Users in all Charter locations in possession of Information must comply with Legal Hold Notices.
- d. Some Information or Tangible Objects may be subject to more than one Legal Hold, and as such, require preservation until all applicable Legal Holds are released.
- f. Legal Hold Notices will be reviewed regularly to determine if modification or release is warranted. Once a Legal Hold is released, the applicable Record Retention Schedules will be resumed for the affected Records.
- g. Failure to preserve Information or Tangible Objects specified in a Legal Hold Notice can subject the Company to fines, sanctions and other legal penalties. Users who disregard Legal Hold Notices will be subject to discipline up to and including termination of employment. Criminal penalties may also apply to anyone found guilty of altering, destroying or failing to Preserve Information or Tangible Objects that are subject to a Legal Hold.
- h. Users with questions as to whether or not Information or Tangible Objects in their possession are subject to a Legal Hold should contact the Charter Attorney identified in the Legal Hold Notice before disposing of any Information or Tangible Objects.
- i. Users who become aware of or who are unsure whether to Preserve Information or Tangible Objects, even though they have not received a Legal Hold Notice, should contact one of Charter's Records Managers or the Charter Legal Department. Information or Tangible Objects should not be disposed of until the User receives a response to the inquiry granting permission to do so.

#### **4.6. Governmental Investigative Requests**

All record requests from governmental agencies must promptly be referred to the Corporate Legal Department.

#### **4.7. Ownership of Information and Privacy**

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- a. All [Information](#) is Charter's property and does not belong to any [User](#) or third party, whether created, transmitted and/or stored on Charter's resources or facilities or a facility maintained by a third party on behalf of Charter. Theft or appropriation of Records, or giving access to another person who is not authorized to have access to, review, or otherwise see Records is strictly prohibited and may result in criminal penalty.
  - b. During their relationship with Charter, all Users must make available and/or provide any and all Information to Charter upon request, at any time, for any reason. Users should not expect privacy for any information contained in, on or conveyed using any of Charter's [Media](#) or resources. For more information regarding Charter's right to access, review, audit, intercept and disclose any messages created, sent, received or stored on Charter's resources, including deleted Information, employees should review the [Employee Privacy Policy](#).
  - c. Personal use of Charter's resources will be permitted so long as it is in accordance with the [Acceptable Use of Technology Policy](#) (AUT), however, Information considered by an employee to be "personal" may become subject to a legal hold if maintained on Company resources. All personal use is subject to the provisions of this Policy and the AUT.
  - d. When a Charter employee's employment ceases or when a relationship with a third party with access to Charter's Information is terminated, whether voluntarily or involuntarily, the employee or third party must make originals and all copies of Information in his/her possession, custody or control available to his/her supervisor or the applicable Charter representative, prior to departure. It will be the supervisor's responsibility to review all Information, whether it is a Record or Non-Record, maintained by departing employees in order to ensure compliance with the Policy. Charter representatives responsible for the relationships with third parties must ensure that this and other requirements of this Policy are addressed as part of any applicable agreements with third parties.

#### **4.8. Confidentiality and Security**

[Records](#) must be maintained and used in a safe and secure manner, preserving their integrity and in accordance with the [Acceptable Use of Technology Policy](#) and [Information Classification & Protection Policy](#).

#### **4.9. Offsite and Onsite Retention of Paper Information**

[Non-Records](#) should not be moved to off-site storage unless approved by the Corporate Records Manager.

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[Records](#) not required for reference purposes or which are not expected to be retrieved two or more times a year should be archived.

Records subject to a [Legal Hold](#) may be archived only with the written authorization of the Legal Department.

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## 5.0 Responsibilities

1. It is the User's responsibility to read, understand, and follow this Policy.
2. Users who violate this Policy may be subject to other penalties and disciplinary action, including, but not limited to civil and criminal penalties, and termination from employment or termination of Charter's contractual relationship with the violating User and/or his or her employer.

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## 6.0 Glossary

*Company or Charter* – Charter Communications. Inc. and its subsidiaries and affiliates.

*Disaster Recovery* – The act of creating a copy of Information on a secondary system so that such information can be recovered to the primary system in the event of a primary system failure or a disaster that renders Information on the primary system inaccessible.

*Disposal* – The permanent destruction of Information.

*Draft* – A working version of a Record that has been, or will be, replaced by a more recent version or the final version of the Record.

*Electronic Records* – Records created, transmitted, received or stored by or with the aid of a computer, or retained on any electronic media, including, but not limited to, hard drives, diskettes, disks, magnetic tapes, magnetic disks, optical disks, optical tapes, audio tapes, and so on.

*Information* – All data within Charter's possession, customer or control that is created or received by Users during performance of their duties at Charter. Information is broken down into two categories that are defined as "Records" and "Non-Records" for the purposes of this Policy.

*Legal Hold* – The practice of identifying and Preserving Information (including all Records and Non-Records) and Tangible Objects relating to any pending or reasonably anticipated litigation, audit, investigation, or other proceedings.

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*Medium* – Object or device (such as a hard drive, tape, or optical disk) upon which Information is stored.

*Non-Record* – Information that has no long-term business value and which is not subject to statutory or regulatory record-keeping requirements, as specified by Charter’s Record Retention Schedules, including, but not limited to, Drafts and copies of Records.

*Preservation* – Ceasing and avoiding any destruction, manipulation, or alteration of Information (including all Records and Non-Records) and Tangible Objects.

*Record* – Information recorded on a Medium and intentionally retained and managed as evidence of an organization’s activities, decisions, events, actions or transactions because of its ongoing business, operational, legal, regulatory, and/or historical value.

*Record Copy* – A reproduction of a Record that is not materially different from the original Record.

*Records and Information Management (RIM)* – The consistent and systematic control of Information (both Records and Non-Records), in all phases of its lifecycle; from creation, management and use, through retention, and possible preservation and ultimately proper disposal.

*Retention* – Maintaining Records for specific periods of time to satisfy various business, legal, regulatory and compliance needs, as specified by Charter’s Record Retention Schedules.

*Record Retention Schedules* –lists of Records that need to be retained to satisfy various business, legal, regulatory and compliance requirements, and how long such Records need to be retained to satisfy those requirements.

*Tangible Objects* – Physical objects containing data or information, including, but not limited to, photographs, charts, printed material, etc.

*User* – Employees, agents, independent contractors, consultants, temporary workers, and other persons or entities that create and/or access Information during the performance of their duties at Charter.

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## **7.0 Appendix/References**

All companywide policies may be found on the [General Policies](#) page of Charter’s intranet site.

[Acceptable Use of Technology Policy](#)

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[Code of Conduct](#)  
[Employee Handbook](#)  
[Information Classification & Protection Policy](#)  
[Legal Hold Site](#)  
[Records Retention Schedules](#)  
[SharePoint Information Site](#)  
[Payment Card Industry \(PCI\) Policy](#)

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## 8.0 Revision History and Contacts

### 8.1. Revision History

Version	Date	Author(s)	Description of change
1.0	October 1, 2004	Christin McMeley, Chief Compliance Officer	Policy created
2.0	July 27, 2009	Christin McMeley, Chief Compliance Officer	Complete policy update
2.1	February 4, 2015	Jason Murray, Compliance Manager	Formatting updated due to revised Charter brand guidelines. Links updated due to new intranet site.
3.0	December 19, 2016	Dan Vasey, RIM Director	Policy update

### 8.2. Contacts

If you have any questions about this document and/or procedures outlined herein, please contact the following individuals:

Subject	Contact	Telephone	E-mail/Web Address
Records Storage	RIM Director	314-543-2618	<a href="mailto:recordsmanager@charter.com">recordsmanager@charter.com</a>
Records Management	Records Manager	314-543-2442	<a href="mailto:recordsmanager@charter.com">recordsmanager@charter.com</a>
Legal Holds	Charter Legal Department	314-543-2412	<a href="mailto:DLLegalHoldNotices@charter.com">DLLegalHoldNotices@charter.com</a>

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