



Senior Agency Official for Records Management 2019 Annual Report

The National Archives and Records Administration (NARA) requires Senior Agency Officials for Records Management (SAORM) to provide an annual report demonstrating how agencies are handling important records management initiatives as identified by NARA.

NARA uses the reports to determine the overall progress of the Federal Government in managing its records and the transition away from paper to digital formats, and to identify best practices and model solutions within Federal agencies.

On June 28, 2019, the Office of Management and Budget and the National Archives issued a memorandum: *Transition to Electronic Records* (M-19-21) to ensure that all Federal records are created, retained, and managed in electronic formats by December 31, 2022. This year's SAORM report provides an opportunity for agencies to report on plans and progress towards the milestones and target goals in this memorandum, as well as other important records management initiatives.

The reporting period begins on January 13, 2020, with reports due back to NARA no later than March 13, 2020.

NARA plans to post your 2019 SAORM report on the NARA website upon receipt. Please ensure that your agency's report is a publicly releasable version. This action is in the interest of transparency in Government and to promote collaboration and communication among agencies. NARA intends to list any non-responding agencies in a summary report and on the website.

Instructions for Reporting:

- This template covers records management program developments towards the transition to electronic recordkeeping outlined in M-19-21 through December 31, 2019.
- Please be brief and precise in your answers. Limit answers to each question to no more than 500 words.
- Please complete the questions/items below and send the report to rmsselfassessment@nara.gov. Include the words "SAORM 2019 Annual Report - [Agency Name]" in the subject line of the email.
- If you are responsible for records management in multiple agencies, components, or bureaus, please determine how you will submit reports to NARA. While

NARA prefers a comprehensive report, you may submit separate reports for each component.

Provide the following information (required):

- Name of SAORM: Milton Al Stewart
- Position title: Deputy Assistant Secretary for Operations
- Address: U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210

1. What agencies, bureaus, components, or offices are covered by this report and your position as SAORM and which will be reporting separately? Please also indicate any that are new or have been changed due to reorganization or other circumstances.

Please provide list:

The Department of Labor (DOL)

1. Adjudicatory Boards (ARB, BRB, ECAB)
2. Administrative Law Judges (OALJ)
3. Assistant Secretary for Policy (ASP)
4. Bureau of International Labor Affairs (ILAB)
5. Bureau of Labor Statistics (BLS)
6. Employee Benefits Security Administration (EBSA)
7. Employment and Training Administration (ETA)
8. Office of the Executive Secretariat (EXEC SEC)
9. Mine Safety and Health Administration (MSHA)
10. Office of the Assistant Secretary for Administration and Management (OASAM)
11. Office of the Chief Financial Officer (OCFO)
12. Office of Congressional and Intergovernmental Affairs (OCIA)
13. Office of Disability Employment Policy (ODEP)
14. Office of Federal Contract Compliance Programs (OFCCP)
15. Office of Inspector General (OIG)
16. Office of Labor-Management Standards (OLMS)
17. Office of Public Affairs (OPA)
18. Occupational Safety and Health Administration (OSHA)
19. Office of the Solicitor (SOL)
20. Office of Workers' Compensation Programs (OWCP)
21. Veterans' Employment and Training Service (VETS)
22. Women's Bureau (WB)
23. Wage and Hour Division (WHD)
24. Ombudsman (OMBUD)

2. Is your agency managing all permanent electronic records in electronic format as of December 31, 2019? (M-19-21, 1.1)

- Yes
 No

Please explain your response:

The Department of Labor (DOL) has met the December 31, 2019 deadline to manage all permanent electronic records in electronic format. The Department's current policy is to manage permanent electronic records in place while we continue to explore possible electronic records management system (ERMS) solutions.

In summer of 2019, the Departmental Records Officer (DRO) issued a Department-wide Records Management Internal Evaluation, which was comprised of four parts: (1) a questionnaire, (2) sampling exercise, (3) Electronic Information System (EIS) listing update, and (4) updates to the Department-wide (by agency) records inventories (file plans). This evaluation provided the necessary information to evaluate each agency's preparedness for an ERMS, and the updates to the records inventories required the inclusion of all permanent (and temporary) electronic records. Overall, the completion of this evaluation and its associated exercises has served to prepare each agency for the acquisition of an ERMS and to establish the parameters for alternative methods of complying with the M-19-21 directives.

Furthermore, the Office of Asset and Resource Management (OARM) formed a multi-functional committee, which includes the Office of Procurement Services and Office of the Chief Information Officer. The team has held several demonstrations with ERMS vendors, has completed the market research for the project, and is in the process of finalizing the acquisition plan. The Department has set forth a goal of implementing a limited ERMS pilot by the end of Fiscal Year 2020.

Also in preparation for the M-19-21 deadlines, OARM has reconvened the Strategic Records Management Plan (SRMP) Working Group whose sole purpose is to develop a strategic plan to meet the directives outlined in the OMB/NARA memorandum.

Lastly, the Department issued its policy on electronic messaging in November 2019 to all Agency Heads. The updated policy is in final clearance to be added to the Departmental of Labor Manual Series (DLMS): Records Management directive.

3. Has your agency made progress towards managing all permanent records in an electronic format with appropriate metadata by December 31, 2022? (M-19-21, 1.2)

- Yes
 No

Please explain your response (include specific goals and example metrics):

The aforementioned SRMP Working Group, which includes representatives from the Office of the Solicitor, OCIO, the Office of the Inspector General, Bureau of Labor Statistics, Wage and Hour Division, and the Assistant Secretary for Administration and Management; continues to work towards developing the guidelines for managing permanent records with the associated metadata. The Department's agencies are also working to create their own mission specific metadata requirements.

The Department is also taking into consideration that the metadata requirements may vary depending on the commercially available ERMS. Although, in order to promote and ensure that the necessary metadata is attached to all permanent electronic records, the Department will establish supplemental policy guidance in order to ensure compliance by end users.

4. Has your agency made progress towards managing all temporary records in electronic format? (M-19-21, 1.3)

- Yes
 No

Please explain your response (include specific goals and example metrics):

As previously mentioned, the Department's current policy is to manage permanent electronic records in place while we work to acquire and implement an ERMS. However, the Department's current priority is to establish procedures for managing all electronic records in place and we will continue to review our temporary electronic records practices. We do anticipate that managing temporary electronic records will require additional internal controls and education for the end users.

In addition, the DRO will revise the mandatory 2020 Department-wide records management training to include more training on electronic recordkeeping.

5. Have you, as the SAORM, taken steps to ensure that your records management program complies with the Federal Records Act and its regulations through strategic plans including performance goals, objectives and measures? (M-19-21, 1.4)

- Yes

No

Please explain your response (include specific goals and example metrics):

As the SAORM for DOL, it is imperative that I offer support and leadership to the Departmental Records Program. The DLMS 1-400 serves as the Records Management directive and is updated as required when new policies or procedures are implemented. The DLMS requires that each agency update their records retention schedule, file plan and inventory as needed.

Each year, agencies are required to include a memorandum with the submission of their Records Management Self-Assessment (RMSA), which attests to any deficiencies within their programs. Subsequently, the agencies are required to certify that any deficiencies will be addressed in the following calendar year.

In June 2019, the DRO distributed a Records Management Internal Evaluation tool to 24 Agency Records Officers (ARO). Using the submissions from the evaluation tool and the scoring methodology from NARA's Records Management Self-Assessment, the DRO assigned each agency a risk category and provided each ARO with a plan of corrective action (POCA). At the conclusion of the evaluation, a final report with the summary analysis of the results from the evaluation was submitted for my review and intervention where necessary. Additionally, the POCA's will be monitored quarterly for progress on recommendations for improvement. The purpose of this evaluation was to ensure each of our agencies has the tools and resources required to ensure full compliance with the Federal Records Act. The ongoing oversight has my full support.

In addition to my support for improvements through policies and education, I have also ensured that funding was approved for the acquisition of an ERMS.

On November 8, 2019, the Deputy Secretary of Labor issued a memorandum to all Agency Heads – *Records Management for Social Media, Instant Messages, Text Messages, and Websites*. This update to DOL policies on electronic messaging also required a change to the annual mandatory records management training, which now includes an acknowledgement form for rules of behavior.

Departmental leadership will continue to make records and information management a priority.

6. If applicable, have you identified all agency-operated records centers and made plans to either close them before 2022, or have you submitted a request to NARA for an exception? (M-19-21, 1.3)

Yes
 No

Please explain your response (include specific goals and example metrics):

After consultation with all agency AROs, we have determined that the Department of Labor does not have any agency-operated records centers.

7. Does your agency have procedures that include documentation to ensure records of outgoing senior officials* are properly captured and/or processed and not improperly removed, altered, or deleted including electronic records and email?

*Senior officials are the heads of departments and independent agencies; their deputies and assistants; the heads of program offices and staff offices including assistant secretaries, administrators, and commissioners; directors of offices, bureaus, or equivalent; principal regional officials; staff assistants to those aforementioned officials, such as special assistants, confidential assistants, and administrative assistants; and career Federal employees, political appointees, and officers of the Armed Forces serving in equivalent or comparable positions.

- Yes
 No

Please explain your response (include specific details of procedures):

DOL's current records management directive, DLMS 1 – Records Management Chapter 400 – Records Management Program (Date: May 2017), includes additional guidance and practices which are already in use within the Department.

“422 Personnel Arrival Training Requirements

All new employees including contractors and interns, must complete the Departmental Records Management for everyone course within 60 days of arrival. Additionally, agencies will provide guidance on where records should be maintained to include storage, access, and application of disposition instructions of assigned records.

[The] DRO or ARO's must provide targeted records management training to political appointees, senior agency officials, and senior executives upon their arrival. This may include conducting entry interviews with your agency's records management staff, IT liaisons, and general counsel to ensure that records are preserved and protected.”

“423 Personnel Departure Training

All departing employees, including contractors and interns, will be briefed by their ARO or RL on agency records management departure procedures. At a minimum, agencies should provide departure procedures 90 days in advance, or as soon as the individual notifies the agency of their departure, to allow records preparation and transfer prior to the employee's departure date.

All DOL employees must request and obtain approval from their supervisor, in consultation with the ARO, when necessary, for removal of copies of materials or information.

To the extent questions involve additional review, the employee should work with the ARO and the agency FOIA representative to identify and coordinate with the appropriate SOL office to assist with the review.

For Senior officials, including Agency Heads, career and non-career Senior Executive Service (SES) employees, Schedule C employees, and Presidential Appointees with or without Senate Confirmation (PAS/PA), please refer to the DOL Policy on Guidelines Governing Disposition of Federal Records when Leaving the Department of Labor found on LaborNet.

The DRO or ARO must provide targeted (i.e., agency specific) records management training to political appointees, senior agency officials, and senior executives upon their departure, and/or within three to six months prior to a presidential administration change; whichever comes first. This may include conducting exit interviews with your agency's records management staff, IT liaisons, and general counsel to ensure that records are preserved and protected.”

Additionally, in 2019, the DRO updated the entrance and exit briefing materials specifically for incoming and outgoing senior officials, political appointees and career senior executive staff.

8. Do you, as the SAORM, see challenges within your agency in meeting the goal of fully-electronic recordkeeping?

- Yes
 No

Please explain your response (include details of specific challenges, if applicable):

The Department is committed to meeting the goal of a fully electronic recordkeeping environment to the furthest extent possible. However, there will be challenges in meeting this goal, such as, staff opposition to changing processes; concern with invasive software; continually evolving technology (i.e. text messages, encrypted messaging, Controlled Unclassified Information, and FOIA); and the resistance to moving away from paper-based processes; long-term funding; and staffing (knowledge base).

9. Do you need support from NARA to ensure a successful transition to fully-electronic recordkeeping?

- Yes
 No

Please provide details on what support is needed:

NARA's support will be critical as the Department seeks to transition into a fully electronic recordkeeping platform. While the Department employs the subject matter

expertise to develop the necessary requirements, it will be especially helpful for NARA to provide examples of successful enterprise-wide electronic recordkeeping systems at other agencies, offer shared services options (if available), and offer examples of other Departments or component agencies developing and implementing user-driven content management systems.