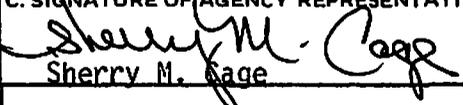


REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK	
TO: GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408		JOB NO.	NI-40-90-4
1. FROM (Agency or establishment) <u>Department of Commerce, Office of the Secretary</u>		DATE RECEIVED	9-28-90
2. MAJOR SUBDIVISION <u>Office of Personnel & Civil Rights</u>		NOTIFICATION TO AGENCY	
3. MINOR SUBDIVISION		In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.	
4. NAME OF PERSON WITH WHOM TO CONFER <u>Mike Chen</u>	5. TELEPHONE EXT. 377-4250	DATE 9/5/91	ARCHIVIST OF THE UNITED STATES 
6. CERTIFICATE OF AGENCY REPRESENTATIVE			

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 3 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A. GAO concurrence: is attached; or is unnecessary.

B. DATE 9/19/90	C. SIGNATURE OF AGENCY REPRESENTATIVE  Sherry M. Cagg	D. TITLE Departmental Records and Forms Management Officer
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7. ITEM NO.	8. DESCRIPTION OF ITEM <i>(With Inclusive Dates or Retention Periods)</i>	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN <i>(NARS USE ONLY)</i>
	<p><u>Mission of the Office</u></p> <p>Office of Personnel</p> <p>The Office of Personnel is a Departmental office and has Departmentwide staff responsibility for providing leadership, developing policies, and directing programs in all aspects of human resources management and administration. This includes development and use of executive recruitment and placement; pay administration, payroll support and time and attendance, bonuses and incentives; training and development; performance appraisal; labor management relations; employee relations; employee benefits and services; worker's compensation; unemployment compensation; and personnel data system management.</p>		

Copies sent to agency, GRS, NCF 9/11/92

Justification for deviation to GRS

GRS 1, Item 30a, Grievance, Appeals Files (5 CFR 771)

The GRS for grievances and appeals files is 3 years after the case is closed. We request that the retention period be increased to 7 years after the case is closed. In an atmosphere of extremely litigious bargaining units, grievances that have been settled well over 3 years can regularly crop up in arbitrations and negotiations. Misquotes of both a subtle and more blatant nature are not uncommon. In these circumstances, we found ourselves defenseless against the long term corporate memory of existing union officials.

GRS 1, Item 30b, Adverse Action Files (5 CFR 752)

The current retention schedule requires that adverse action files be destroyed after 4 years after the case is closed. We request it be increased to 7 years after the case is closed also. A landmark case, Douglas vs VA, now requires that in selecting a penalty, factors such as past disciplinary records and consistency with penalty imposed on other employees for similar offenses be considered. Also, our experience has shown that it was not unusual for employees to claim long unblemished records, conveniently failing to mention that they have received multiple disciplinary or adverse actions in the past for the same offense. While older actions such as letters of counseling, warnings, and written reprimands may not be counted as "offenses" when an official is selecting an appropriate penalty, they have been considered as counter-arguments to employee's claim of unblemished records or that they "did not know the rules." These counter-arguments were used to impeach employee's untrue testimony at the Merit Systems Protection Board and arbitration about their past records. In effect, that case law has overcome the 4 year limit on these records.

- *1. Grievance, Appeal Files (5 CFR 771)
Destroy 7 years after case is closed.
- *2. Adverse Action Files (5 CFR 752)
Destroy 7 years after case is closed.

Other Records Not Covered under GRS

3. Intergovernmental Personnel Act Assignment Folders
Destroy 2 years after assignment ends.
4. Thrift Savings Plan Loan Payment Allotment (Form TSP-22)
Destroy when no longer needed.
5. Request for Information (Form AD-354).
This is a form to request personnel/payroll data from the National Finance Center in New Orleans, LA.
Destroy after requested information is received.
6. Request for Job Consideration While on Leave File (Form CD-427)
Destroy at end of leave period.
7. Clearance of Employee Accountability (Form CD-126)
Destroy when 2 years old.
8. College Recruiting-Related Records
(Includes Form CD-417, College Recruiting Evaluation, CD-418, Itinerary Guide for College Recruiters, CD-419, College Applicant Interview Evaluation, and CD-430, College Recruiting Questionnaire)
Break annually. Destroy 1 year after break.
9. Leave Analysis (Form CD-425)
Destroy when 1 year old.
10. Exit Questionnaire (Form CD-480)
Destroy when 3 years old.
11. Notice of Employee Entry on Duty (Form CD-483)
Destroy 1 year after entrance on duty.

* Deviation to GRS 1, Items 30a and b