

# Request for Records Disposition Authority

(See instructions on reverse)

To: **National Archives and Records Administration (NIR)**  
**Washington, DC 20408**

1. From: (Agency or establishment)  
**U.S. Department of Labor**

2. Major Subdivision  
**Wage and Hour Division**

3. Minor Subdivision

4. Name of Person with whom to confer  
**Dan Daly**

5. Telephone (include area code)  
**(202) 693-0731**

## Leave Blank (NARA Use Only)

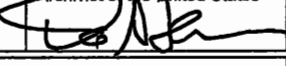
Job Number  
**N1-155-11-1**

Date Received  
**2/1/11**

### Notification to Agency

In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

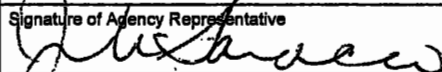
Date \_\_\_\_\_ Archivist of the United States

**19 Feb 12** 

### 6. Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 6 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, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies:

is not required       is attached       has been requested

Signature of Agency Representative  


Title  
**Agency Records Officer (Alternate)**

Date (mm/dd/yyyy)  
**01/20/2011**

7. Item Number	8. Description of Item and Proposed Disposition	9. GRS or Superseded Job Citation	10. Action taken (NARA Use Only)
1	See attached schedule for agency Policy Records		

## **Wage Hour Division Simplified Policy Records Schedule**

The Wage and Hour Division (WHD) administers programs to provide for the execution of the Department of Labor's responsibilities under the Fair Labor Standards Act (FLSA), Davis-Bacon and related Acts (DBRA), McNamara O'Hara Service Contract Act (SCA), Walsh-Healey Public Contracts Act (PCA), Contract Work Hours and Safety Standards Act (except safety and health provisions), the Copeland Act, the Migrant Seasonal Agricultural Worker Protection Act (MSPA), the Family and Medical Leave Act, and labor standards provisions of various other statutes, including the National Foundation on Arts and Humanities Act, Title III of the Consumer Credit Protection Act (CCPA), the Immigration Reform and Control Act (IRCA), and the Employee Polygraph Protection Act (EPPA).

The Wage and Hour Division is headed by an Administrator who reports directly to the Secretary of Labor.

Because the records created and received are in a variety of media and formats, this schedule is media neutral and permits the retention and disposition of records in any media (36 CFR 1228.24(b)(3)). Temporary records in electronic formats will be maintained by WHD throughout their life cycle. All electronic records are created and maintained in accordance with NARA standards.

Unless otherwise specified, the record cut off is at the end of each calendar year.

This schedule applies to records stating agency policies and records that document the development of those policies.

Item 1: Rulemaking

Records of administrative rulemaking processes under all program administered by the Division. These records include, but are not limited to, correspondence, reports, dockets, transcripts related to hearings, notices of proposed rulemakings, public comments, interim rules and final rules.

Disposition: Permanent. Cut-off at the end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. ~~Pre-accession~~ electronic records ~~when five years old~~ and transfer legal custody to the National Archives when 15 years old.

*NARA revoked pre-accession policy 4/19/2022*

Item 2: Briefings, Hearings, and Meetings of Special Committees

These records include, but are not limited to, testimony or presentations offered in substantive briefings, hearings, testimony, and meetings of special committees including Section 14 Workshop Advisory Committee Files; materials developed during the briefings, hearings, testimony, and meetings of special committees; substantive background materials used in the preparation of the testimony or presentation; minutes, transcripts, and notes and other materials developed during the briefings, hearings, testimony, and meetings of special committees.

Disposition: Permanent. Cut-off at the end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. ~~Pre-accession~~ electronic records ~~when five years old~~ and transfer legal custody to the National Archives when 15 years old. (Supersedes NC1-155-84-1, Items 1,2a,2b,2c,2d,2e,2f,2g,2h,2i and NN-164-171, Item 4)

*Pre-accession ~~policy~~ policy revoked 4/19/2022*

Item 3: Development of policies

Records that document development of Division policies (including superseded and superseding policies). These include legislative histories, guidance or comments offered to Congress on technical questions or proposed legislation, Regional Administrator Memos, orders, directives, substantive correspondence, and records of revisions to statements of internal guidance (such as the Field Operations Handbook).

Disposition: Permanent. Cut-off at the end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. ~~Pre-accession~~ electronic records ~~when five years old~~ and transfer legal custody to the National Archives when 15 years old.

*Pre-accession policy revoked 4/19/2022*

Item 4: Interpretive and Technical Guidance

Documents and records setting out Division policies. These include, but are not limited to, Field Advisory Bulletins, orders, opinion letters, administrator interpretations, legal field letters, exemption field letters, All-Agency Memorandum,

directives, and manuals for general or internal use (such as the Field Operations Handbook)

Disposition. Permanent Cut-off at the end of calendar year in which final action was taken Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old Pre-accession electronic records when five years old and transfer legal custody to the National Archives when 15 years old

Item 5 Supporting and background materials.

Documents of a transitory or non-substantive nature used to analyze, prepare, and develop rules, briefings and hearings, policies, and interpretive and technical guidance that are not included in the final product.

Disposition: Temporary. If the official recordkeeping copy is.

Paper Destroy after 16 years

Electronic Delete after 16 years.

Previously Scheduled	Record Name	Big Bucket / Sub-Bucket	Previous Retention	Proposed Retention	New SF 115 Number
New Item	Rulemaking	Policy / Rulemaking		Permanent - Paper or Electronic: Cut off at end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. <del>Pre-accession electronic records when five years old and transfer legal custody to the National Archives when 15 years old.</del>	1  <i>Pre-accession revoked by NARA on 4/19/2022</i>
New Item	Briefings, Hearings, and Meetings of Special Committees	Policy / Briefings, Hearings, and Meetings of Special Committees		Permanent - Paper or Electronic: Cut off annually at end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. <del>Pre-accession electronic records when five years old and transfer legal custody to the National Archives when 15 years old.</del>	2  <i>Pre-accession policy revoked 4/19/2022</i>
NC1-155-84-1 Item 1	Public Contract Minimum Wage Determination Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item -- schedule under "Briefings, Hearings, and Meetings of Special Committees"	2

Previously Scheduled	Record Name	Big Bucket / Sub-Bucket	Previous Retention	Proposed Retention	New SF 115 Number
NC1-155-84-1 Item 2 a	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 b	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 c	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 d	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 e	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 f	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2

<b>Previously Scheduled</b>	<b>Record Name</b>	<b>Big Bucket / Sub-Bucket</b>	<b>Previous Retention</b>	<b>Proposed Retention</b>	<b>New SF 115 Number</b>
NC1-155-84-1 Item 2 g	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 h	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NC1-155-84-1 Item 2 i	Fair Labor Standards Act Hearing Records	Policy / Briefings, Hearings, and Meetings of Special Committees	Temporary. Approved for immediate disposal on July 1, 1984.	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2
NN-164-171 Item 4	Walsh-Healey Subject Files	Policy / Briefings, Hearings, and Meetings of Special Committees	“Disposal not authorized at the present time”	Delete this item – schedule under “Briefings, Hearings, and Meetings of Special Committees”	2

Previously Scheduled	Record Name	Big Bucket / Sub-Bucket	Previous Retention	Proposed Retention	New SF 115 Number
New Item	Development of policies	Policy / Development of policies		Permanent - Paper or Electronic: Cut off annually at end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. <del>Pre-accession electronic records when five years old and transfer legal custody to the National Archives when 15 years old.</del>	3  <i>Pre-accession policy revoked 4/19/2022</i>
New Item	Interpretive and Technical Guidance	Policy / Guidance		Permanent - Paper or Electronic: Cut off annually at end of calendar year in which final action was taken. Transfer paper records to the National Archives in 5 year blocks when most recent records are 15 years old. <del>Pre-accession electronic records when five years old and transfer legal custody to the National Archives when 15 years old.</del>	4  <i>STET rebt 12/14/2022</i>
New Item	Supporting and background materials	Policy / Supporting and background materials		Temporary. PAPER: Destroy after 16 years. ELECTRONIC: Delete after 16 years.	5