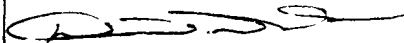



REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK	
TO: GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408		JOB NO. N1-155-90-1	DATE RECEIVED 1/13/90
1. FROM (Agency or establishment) U.S. Department of Labor		NOTIFICATION TO AGENCY 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disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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.	
2. MAJOR SUBDIVISION Employment Standards Administration			
3. MINOR SUBDIVISION Wage and Hour Division			
4. NAME OF PERSON WITH WHOM TO CONFER Ethel P. Miller	5. TELEPHONE EXT. 523-7455	DATE 3/5/90	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 2 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 11 JAN 90	C. SIGNATURE OF AGENCY REPRESENTATIVE  Paul Larson	D. TITLE DEPARTMENTAL RECORDS 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 GRS OR SUPERSEDED JOB CITATION	10.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>The Wage and Hour Division 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), 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).</p> <p>The Wage and Hour Division is headed by an Administrator who reports directly to the Assistant Secretary for Employment Standards.</p> <p>This schedule pertains to records created in the administration of the Service Contract Act of 1965 and the Davis-Bacon and related Acts. Such records have been retired under schedule no. N1-155-82-1, items 1 and 2, respectively.</p>		

REQUEST FOR RECORDS DISPOSITION AUTHORITY - CONTINUATION		JOB NO.	PAGE OF
7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARS USE ONLY)
1.	<p><u>Prevailing Wage Determinations and Related Support Material and Correspondence - Service Contracts Act of 1965</u></p> <p>Withdrawn wage determination dockets, each consisting of an original wage determination, the revisions to it, and the related SF-98's, background materials, correspondence, and investigations.</p> <p>Transfer to FRC, on an annual basis, one year after withdrawal from active use in the issuance of wage determinations under the Service Contract Act.</p> <p>Destroy 10 years after withdrawal.</p>	NC1-155-82-1 Item 1	
2.	<p><u>Prevailing Wage Determinations and Related Support Material and Correspondence - Davis-Bacon and Related Acts</u></p> <p>a. Wage Determinations. Prevailing wage determinations and related material and correspondence.</p> <p>Transfer to FRC when when 1 calendar year old. Destroy when 20 calendar years old.</p> <p>b. Surveys. Davis-Bacon surveys to determine prevailing wage and fringe benefit rates, including related material and correspondence.</p> <p>Transfer to FRC when 6 months old. Destroy when 20 calendar years old.</p> <p>c. Collective bargaining agreements and other correspondence and supporting information.</p> <p>Cut off and transfer to FRC when 2 calendar years old. Destroy when 20 calendar years old.</p> <p><u>National Office</u> will use: Items 1, and 2a, 2b, and 2c.</p> <p><u>Regional Offices</u> will use: Item 2b.</p>	NC1-155-82-1 Item 2a NC1-155-82-1 Item 2b NC1-155-82-1 Item 2b	

BACKGROUND INFORMATION REGARDING CHANGES TO FEDERAL RECORDS CENTER
RETIREMENT SCHEDULE FOR MATERIALS RELATED TO THE DETERMINATION OF
PREVAILING WAGE RATES UNDER THE SERVICE CONTRACT ACT AND
THE DAVIS-BACON AND RELATED ACTS

Service Contract Act (SCA)

Item 1(a), (b), and (c), which will become Item 1(a) under a new authorization:

Copies of the wage determinations and SF-98's, formerly included in (b) and (c) of Item 1 in the authorization that is to be replaced are all included in the wage determination docket files. Thus, it is appropriate to consolidate and simply retire these materials under a new item 1(a).

Historically, these materials may have been organized differently. However, the only materials within the scope of the current item 1 that are on the current FRC inventory list indicate wage determination dockets retired under item 1(b) of the old authorization.

Davis-Bacon and Related Acts (DBRA)

Item 2(a), which will be Item 2(a) under a new authorization:

We wish to retire these materials a year earlier than we have done in the past. Rather than wait until we have accumulated wage decisions for three years, and then retire the wage determinations from the earliest of the past three years, retaining those issued in the last two years and accumulating new ones as they are issued in the current year, we will accumulate wage decisions for two years, retire the ones from the earlier of the past two years, and maintain in-house those from the previous year and those being issued in the current year. Retirement has been, and will continue to be implemented on a calendar year basis. Under this authority, it can be anticipated that in early 1990, after wage determinations issued in 1987 are retired, as would have been done under the old schedule, 1988 wage determinations will also be retired (as a separate transmittal). In 1991, the 1989 wage determinations will be retired; in 1992, the 1990 determinations will be retired, etc.

New Item 2(b) and (c), generally, (to replace old Item 2(b)):

The old version, item 2(b), "supporting information and other correspondence," is to be replaced by new item 2(b) and (c). Materials that have previously been grouped together will be divided into the two separate categories, items 2(b) and 2(c). Retirement has been, and will continue to be implemented on a calendar year basis for both categories.

New item 2(b) (regarding Davis-Bacon surveys):

These materials have historically been included within the category "supporting information and other correspondence," the item 2(b) that is being dropped.

There is a need for improved records of where specific surveys are located in archived materials. Staff in the Survey Section of the Branch of Construction Wage Determinations (BCWD), recently created to handle an increased survey workload and to assure consistent survey quality is now responsible for the management of Davis-Bacon surveys, including the preparation of completed surveys to be archived, as appropriate.

The period immediately following the issuance of rates based on a new survey is the most active period for complaints likely to require detailed review and possible adjustments in the survey record. Thus, with this schedule, surveys up to six months old will always be retained on hand in BCWD. It is anticipated that surveys will be accumulated for a year, at which time the surveys that are 6 months old (or older) can be retired.

New item 2(c) (regarding other materials previously retired under item 2(b) as "supporting material and correspondence"):

As has been done in the past under the old version, the item 2(b) that is being replaced, these records will continue to be accumulated in-house for 3 years, at which point the material for the earliest of those years is retired to make space in-house for the current-year incoming collective bargaining agreements (CBA's) and other correspondence. For example, the 1987 files of such materials will be retired in 1990, and new files will be set up to handle incoming materials in 1990. Thus, during 1990, the 1988, 1989 and 1990 files will be maintained in house. The 1988 CBA and other correspondence files will be retired in 1991; the 1989 files will be retired in 1992, etc.

**RECOMMENDATION TO THE ARCHIVIST ON RECORDS
DISPOSITION REQUEST**

JOB NUMBER
N1-155-90-1
ITEM COUNT
3

SUMMARY

The Employment Standards Administration, Department of Labor, requests authority to modify the dispositions for two classes of Wage and Hour Division case file. All of the records were previously approved for disposal, so NN concurrence is not necessary. The retention periods are not being shortened so a Federal Register notice is not necessary.

The changes in this schedule bring the description of the files into agreement with their current arrangement and allow for a more expeditious retirement of the records to Federal Records Centers.

Related machine-readable series are being scheduled under Job No. N1-155-90-2.

I recommend approval of this schedule.

RECOMMENDATION

- 1. **APPROVED FOR DISPOSAL.** The records described under all items of the schedule, except those that may be listed in blocks 2, 3, and 4 of this section, are disposable because they do not, or will not after the lapse of the period specified, have sufficient administrative, legal research, or other value to warrant their continued preservation by the Government.
- 2. **APPROVED FOR PERMANENT RETENTION.** The records described under the following item or items have been appraised by the National Archives and Records Administration (NARA) and are determined to have sufficient historical or other value to warrant their continued preservation by the United States Government. The agency will offer these records to the National Archives as specified.
- 3. **DISPOSITION NOT APPROVED.** The records described under the following item or items are not approved for disposition.
- 4. **WITHDRAWN.** The records described under the following item or items have been withdrawn at the request of the agency and/or NARA

FEDERAL REGISTER NOTICE

Not Required. Required — Publication Date:
Copies Requested:
Comments Received:

SIGNATURES

	TITLE	SIGNATURE	DATE
APPRaisal	APPRaiser	<i>Michael J. Muller</i>	3/5/90
	DIRECTOR, RECORDS APPRAISAL AND DISPOSITION DIVISION	<i>Kenneth F. Rossman</i>	3/5/90
CONCURRENCES			

National Archives



Washington, DC 20408

Date : **March 2, 1990**
Reply to : **Michael L. Miller, NIR**
Attn of :
Subject : **Job No. N1-155-90-1**
To : **Director, NIR**

The Office of Employment Standards, Department of Labor, requests a modification to the retention period for two series of case files maintained by its Wage and Hour Division (WHD). The schedule is being changed to reflect the current organization of the files, to allow for more effective transfer of the records to the WNRC, and to indicate which records will be maintained by field units. These items concern records previously approved for disposal, so NN concurrence is not necessary. The total length of retention has not been lowered, so publication in the Federal Register is not necessary.

Item 1: Service Contract Act Case Files

In NC1-155-82-1, these records were divided into three subitems with differing retention periods. The three types of records are now filed together in a single series. WHD is requesting that the longest retention period previously approved for a part of the file (10 years) be applied to the entire file. I recommend approval.

Item 2: Davis-Bacon Case Files

In NC1-155-82-1, these case files were described in two subseries. This schedule breaks them into three parts. The survey forms (Item 2b of this schedule) are maintained in both the regions and at headquarters. WHD requested the breakout because the records are to be retained on site for different periods of time. I recommend approval as written.

Concerning 2NC's comment, WHD and ESA argued that in many cases the surveys are not repeated on a regular basis. They selected a 20 year retention for the survey data because they find that data up to 20 years old can be useful in current investigations for analysis of change over time. Therefore the retention for Item 2b has not been reduced. Concerning 4NC's comments, the changes suggested were minor and not judged sufficiently important to warrant the extensive Department of Labor review necessary to approve them.

MICHAEL L. MILLER
Records Appraisal
And Disposition Division

National Archives



Washington, DC 20408

HW, 1/17/90

W.i.

Date : January 16, 1990

Reply to

Attn of : NCF

Subject : Request for comments on N1-155-90-1

To : Director, Records Appraisal and Disposition Division - NIR

We have received the attached comments concerning the above mentioned disposition job.

Please resolve these issues before the job is approved. If you have any questions concerning the attached comments, please call Polly Korpanty on 653-7897.

Alan J. Kramer

ALAN J. KRAMER
Director, Field
Operations Division

Attachment



Federal Records Center—New York

Building 22, Military Ocean Terminal Bayonne, New Jersey 07002-5388

JH
NCF — Dr
Pallen 1/10

Date : January 8, 1990

Reply to

Attn of : Acting Director, 2NC

Subject : Comments on N1-155-90-1

To : Assistant Archivist for Federal Records Centers, NC

The New York Center holds 1,305 cubic feet of Wage and Hour Division records retired by nine agency offices. All of the records are described as wage and hour investigation files or merely investigation files. All but one of the accessions were retired under disposition authority NN168-43, item 1a. A review of the records showed that they are case files accumulated during the investigation of claims under the Fair Labor Standards Act.

We do not hold any records relating to the Davis-Bacon Act. Under this law the Wage and Hour Division is responsible for predetermining the prevailing wage rates for Federal construction contracts and federally assisted programs for construction, alteration and repair of public works. In light of the strength and wage patterns of the construction industry in the New York area, the twenty year retention for this type of information seems overly long. A ten year retention should be long enough to supply information for wage studies and determinations.

Please call John Celardo on (201)823-5428 if you have any questions.

Karen Lucas
KAREN LUCAS
Acting Director



Federal Records Center—Atlanta

1557 St. Joseph Avenue East Point, Georgia 30344

Date : January 4, 1990
 Reply to
 Attn of : 4NC
 Subject : Comments on N1-155-90-01
 To : National Archives and Records Administration (NCF)
 Washington, DC 20408

As requested, we have reviewed the proposed schedule covering Prevailing Wage Determination records of the Wage and Hour Division of the Department of Labor.

Our comments are brief as we have had no prior experience with this series.

- 1) Other than Investigation Case Files (NN168/43/1A), the only series that we receive on a regular basis from USDL Wage and Hour is identified as Back Wage Records (NN168/43/11a-i; GRSN/6/1A). In comparison to our other W&H series, the requested 20 year retention for these Wage Determinations, Surveys, and Collective Bargaining Agreements seems excessive.

Similar records relating to wage determinations maintained by the Department of Housing and Urban Development in 2225.6, Appendix 49, carry much shorter retentions. (See 2225.6/49/3; 2225.6/49/4; 2225.6/49/5; 2225.6/49/6; 2225.6/49/7)

- 2) We would like to see a 'cutoff' statement inserted before the transfer instructions for items 1a and 1b of the proposed disposition to eliminate any confusion that might arise about the transfer.

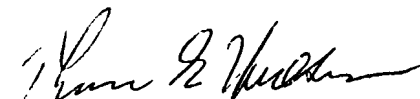
Suggested wording for item 1a:

Cutoff annually; Hold one year and transfer to the FRC.
 Destroy 20(?) years after cutoff.

Suggested wording for item 1b:

Cutoff annually, hold 6 months and transfer to the FRC.
 Destroy 20(?) years after cutoff.

if you require additional information on this matter, contact Tom Steinichen on 246-7651.


 THOMAS G. HUDSON
 Director