

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK

JOB NO. N1-142-91-3

TO: GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

DATE RECEIVED
11-5-90

1. FROM (Agency or establishment)

NOTIFICATION TO AGENCY

Tennessee Valley Authority

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disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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

Human Resources

3. MINOR SUBDIVISION

Labor Relations

4. NAME OF PERSON WITH WHOM TO CONFER


5. TELEPHONE EXT.

DATE
6/22/92

ARCHIVIST OF THE UNITED STATES

Ronald E. Brewer

615-751-2520



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 _____ 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	C. SIGNATURE OF AGENCY REPRESENTATIVE	D. TITLE
<u>10/29/90</u>	<u>Ronald E. Brewer</u> <i>by LBS</i>	TVA Archivist

ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARS USE ONLY)
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See the attached revisions to the dispositions for the following records belonging to Labor Relations. These were originally submitted and approved on NARA Job NCI-142-83-11.

1. Grievances
2. Jurisdictional Files
3. Work Stoppage and Strikes
4. Wage and Salary Conference Negotiation Records
5. Cooperative Committee Program

All changes to this proposed schedule have been approved by:

<u>[Signature]</u> NARA appraiser	<u>6/15/92</u> date	<u>[Signature]</u> Agency representative	<u>6/5/92</u> date
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Copies sent to agency, NARA, & NAW 7/14/92

Item 1.

GRIEVANCES - SALARY POLICY AND TRADES AND LABOR EMPLOYEES

This record series consists of case files of grievances that are filed by employees who believe they have been treated unfairly or disagree with the application of a policy to them by their supervisors (excluding EEO complaints). Upon the filing of a grievance, a case file is begun in the office in which the grievance originates and in Labor Relations. The file includes the various forms and correspondence related to the case. The record copy of the file is located in Labor Relations; however, the organization file may contain some information not found in the Labor Relations file.

When a grievance is not settled at the office level and is appealed to the Manager of Labor Relations, an official grievance file is established and maintained by Labor Relations. Copies of correspondence relating to the case is also included in the case file kept by the office. Additions to the file may include TVA hearings, Merit Systems Protection Board hearings, arbitrator decisions, and other related material. When the grievance is not settled in Labor Relations or arbitration but enters litigation, the official file remains with Labor Relations and copies of legal proceedings are added to it and to the case file maintained by the office. Only 20 percent of the grievances go to arbitration. Once the case is closed, the official case file is retained by Labor Relations where it has reference value in providing research information for grievance case issues currently in litigation or arbitration.

Unions and employees use past decisions to defend current issues, and these past decisions have been crucial in justifying management's position. Management would be unable to properly defend its position if these records were not available.

Grievance records are needed in some instances to substantiate that certain issues or disputes have not been handled under the grievance adjustment procedure. Example: Jurisdictions have not been accepted under the trades and labor grievances adjustment procedure, etc.

Much of the language in the General Agreements and the Articles of Agreement has remained essentially unchanged since the first agreements were adopted in 1940 (General Agreements) and 1950 (Articles of Agreement). Records are therefore needed to maintain consistency of decisions and contract interpretations regarding these longstanding agreements. There are 210 cu. ft. of these files from 1935 to 1986.

GRIEVANCES (Continued)

This series of records is covered by the Privacy Act System of Records, TVA-14, Grievance Records.

DISPOSITION

A. Sent to Arbitration.

Destroy in agency ^{when 4 years old or when no longer needed for administrative} ~~when agency is dissolved.~~ use, whichever is later.

~~B. Not sent to arbitration.~~

~~Destroy 3 years after case is closed.~~

(GRS 1, item 30.a.)

Item 2.

JURISDICTIONAL FILES

Jurisdictional files involve disputes usually between two or more crafts, as to which craft will be allowed to perform a specific job. There is usually a gray area in construction in which two or more crafts may be qualified to perform the same job. Usually, one craft is designated as being responsible for that job, but in some cases, that responsibility is disputed by other crafts who claim it is in their jurisdiction.

If a craft feels they should have jurisdiction over a job being performed by another craft, a complaint is made in writing by the international representative to the Manager of Labor Relations. The investigation of the complaint may involve any of the following: examining drawings, visiting the construction site, or taking pictures of the area in dispute. Past cases are referred to, as are applicable international agreements and past practices in the geographic area.

Once the complaint has been investigated, a meeting is held with the international representatives of the crafts involved in the dispute. A report of the investigation is presented to the representatives, and each is given a chance to relinquish their claim on the job. If it is not relinquished, an assignment is rendered which becomes applicable throughout TVA from that time onward. The decision made in Labor Relations is binding and final unless changed by an "appropriate body" recognized as having the authority to make such decisions.

This series includes the following: a jurisdictional manual, consisting of three volumes and an index, which contains TVA's previous assignments made in jurisdictional dispute cases; international agreements; and related research material involved in work disputes between the unions comprising the Tennessee Valley Trades and Labor Council.

A large majority of jurisdictional decisions rendered by the Agency are based on past practice within TVA and therefore all materials relevant to any dispute, either past or present, must be kept on file. Without these materials, TVA would not have the basis to justify assignments of disputed work in accordance with the General Agreement. This is the reason for asking for the specified retention period.

DISPOSITION

- A. Jurisdictional Manual (volumes and index)
Permanent. Transfer to National Archives upon approval of schedule.
~~Destroy when no longer needed.~~

~~(Previously scheduled as permanent.)~~

- ~~B. All other records~~

~~Destroy in agency when no longer needed.~~

(NC1-142-83-11, Item 3)

Item 3.

WORK STOPPAGES AND STRIKES

Records accumulated in investigations of work stoppages and strikes. When a work stoppage occurs, a joint committee is established to investigate. The committee is comprised of representatives of the Tennessee Valley Trades and Labor Council and TVA managers. These joint investigations consist of interviews held with every employee suspended and suspected of participating in the work stoppage. These employees are barred from TVA employment until they have completed this interview as required by the General Agreement. From interview sheets and other material such as notes and photographs, a final report of the committee is issued with a memorandum sent to each employee interviewed explaining the finding of the committee. Employees found guilty of participating in work stoppages receive varying degrees of discipline, depending on circumstances, up to and including termination, and a possible bar to reemployment considerations by TVA.

Strikes are more serious than work stoppages and are investigated and handled unilaterally by TVA. Section 7311 of Title 5, United States Code, provides that an individual may not accept or hold a position in the Government of the United States if he participates in a strike against the Government of the United States. Accordingly, individuals found guilty are barred from reemployment with TVA.

The contents of work stoppage and strike files are used in litigation cases, some of which by experience remain pending for years, and for other various appeal processes. Additionally, TVA needs to retain these records because of the need to have available a complete history of TVA's work stoppages and strikes such as has been furnished to a Senate Investigation Committee during its investigation of such matters.

The inclusive dates are 1939 and continuing. The 1983 accumulation is 7.5 cubic feet, and the approximately annual accumulation is 1.5 cubic feet.

DISPOSITION

Permanent. Transfer to National Archives upon approval of schedule.
~~Destroy 20 years after investigation is complete. Transfer to the
Knoxville Records Center 5 years after investigation is complete.~~

~~(Previously scheduled by Job NO1 142 83 11, Item 4 as Permanent.)~~

Item 4

WAGE AND SALARY CONFERENCE NEGOTIATION RECORDS

Records, including raw wage and raw salary data, consisting of data and agreements collected by TVA surveyors and data and agreements submitted by the unions and used for each annual wage conference and salary conference. The number of volumes for each year varies with the amount of data collected. Both the raw wage data and the raw salary data are also contained on computer tapes in Human Resources, Labor Relations Group (NC1-142-83-5, Item 7).

There are two types of raw data: initial raw data which includes the agreements and survey forms; and the condensed raw data which contains information taken from the initial raw data to be maintained on magnetic tape in the Human Resources Labor Relations Group. Records also included in this series include wage data books, recommendations to TVA Board of Directors, reports of negotiations, correspondence, procedures, wage schedules, fringe benefits, contract wage schedules, and analyses. The series as a whole is referred to as volume files. These files are frequently used to trace the background of negotiated provisions, benefits, wage rates, etc., for purposes of dealing with grievances, arbitration cases, and court actions. In some cases, reviews must be made to, and perhaps even before, the origin of a negotiated provision. Since many of the labor contract provisions had origins very early in the bargaining history, even the very earliest of the records need to be retained.

DISPOSITION

A. Initial raw salary and initial raw wage data

Destroy when no longer needed not to exceed 5 years after completion of survey.

~~B. Volume entitled, "Recommendations Resulting from the Annual Wage Conference and Review of Procedure and Negotiations"~~

~~PERMANENT. Transfer to the National Archives when 50 years old. Corporate Records Management to notify Labor Relations prior to transfer so organization can make a copy to retain.~~

~~C. Other Wage Conference and Salary Conference Records, except for "A" above.~~

~~Destroy in agency when no longer needed.~~

(Previously approved under job NC1-142-83-11, Item 5)

Item 5. COOPERATIVE COMMITTEE PROGRAM

The Cooperative Committee Program was established in 1942 as a union-management program to increase efficiency, improve work conditions, and create a better understanding of TVA. It is a joint program involving trades and labor employee organizations and TVA management. The cooperative program has proved to be a good way to stimulate creative ideas and put them to work. The program establishes a channel through which these ideas can be culled and perfected freely.

The program is administered in accordance with the negotiated language as stated in the General Agreements between TVA and the Tennessee Valley Trades and Labor Council. The Central Joint Cooperative Committee (CJCC) provides central guidance for the overall program and the Executive Board of the Tennessee Valley Trades and Labor Council and top members of management, as indicated in the General Agreement. Labor and management each designate a member of the Central Joint Cooperative Committee to serve as cochairpersons. A member of Labor Relations serves as secretary. The secretary is responsible for maintaining the records.

Local joint cooperative committees are established in organizational units throughout the Valley. These committees are approved by the CJCC upon request and operate at the local level. Local management and employees of that organization each designate their cochairpersons and the entire body then elects a secretary. The remainder of the committee consists of management representatives designated by the employee organizations.

The CJCC meetings are held annually. The central files are located in Labor Relations office and are arranged chronologically. The volume from 1942 to 1983 was 5 cubic feet. The approximate annual accumulation is .5 cubic feet.

DISPOSITION

- A. Central Joint Cooperative Committee meeting minutes and reports.
Permanent. Transfer to National Archives upon approval of schedule.
~~Destroy in agency when agency dissolves.~~

~~(Previously scheduled as permanent.)~~

- B. Local Joint Cooperative Committee meeting minutes.

Destroy in agency when 1 year old.

- ~~C. All other records.~~

~~Destroy in agency when no longer needed.~~

(Previously approved under job NC1-142-83-11, Item 6)