

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

June 7/82

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

LEAVE BLANK
JOB NO NC1-146-82-1
DATE RECEIVED June 7, 1982
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10
WITHDRAWN
Date _____ Archivist of the United States _____

1. FROM (AGENCY OR ESTABLISHMENT)
Merit Systems Protection Board

2. MAJOR SUBDIVISION

3. MINOR SUBDIVISION

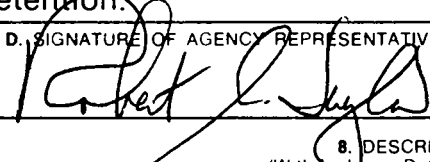
4. NAME OF PERSON WITH WHOM TO CONFER
Kathy W. Semone

5. TEL EXT
653-7200

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 4 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

- A Request for immediate disposal.
- B Request for disposal after a specified period of time or request for permanent retention.

C. DATE <u>6/2/82</u>	D. SIGNATURE OF AGENCY REPRESENTATIVE 	E. TITLE <u>Secretary, Merit Systems Protection Board</u>
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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
1.	<p>This grouping of records is related to actions taken by the Merit Systems Protection Board under the Civil Service Reform Act and to appeal actions taken under the laws, rules and regulations of the U.S. Civil Service Commission in effect prior to January 11, 1979 which fall within the jurisdiction of the Merit Systems Protection Board</p> <p>Reform Act appeal case files involving actions appealable to the MSPB pursuant to 5 C.F.R. 1201.3. These files customarily include the petition for appeal; the agency's response, including a copy of its file in the matter; hearing notices; lists of witnesses to testify; hearing transcript and exhibits; post-hearing briefs; and initial decision of the Board. If a petition for review is filed or the Board reopens a case on its own motion, the file also includes the petition for review and response of the opposing party; or reopening order and briefs filed in connection with it; and the Opinion and Order of the Board. If any party has intervened in the case, the file also includes the motion to</p>		<p><i>Withdrawn</i></p> <p><i>7 items</i></p>

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1(cont)	<p>intervene; orders granting or denying intervention; briefs filed by the intervenor and the other parties in response to the intervention brief. The case file may also include amicus briefs, and requests for extensions of time and the Board's ruling on the request. Finally, the file may contain correspondence related to the case, such as Congressional inquiries and their responses; letters requesting the status of the matter, and responses; and requests for information or copies of material in the file, and the responses, etc. The file may also include evidence of compliance with the Board's decision or order.</p> <p>RETENTION: <u>Official file</u>: Close the case when order or decision is issued or when compliance is obtained. Break closed cases annually. Retire to Federal Records Center one year after break. Destroy four years after break. If case has unusual significance or public interest, offer to National Archives before retiring to Federal Records Center.</p> <p><u>Working file</u>: Retain with official file until three months after closure, then destroy.</p>		<i>Withdrawn</i>
2.	<p>Case memorandum. These are memoranda to the Board prepared by the Office of Appeals staff who prepared the draft decision in the case. These memoranda customarily contain summaries of the facts and a discussion of the issues of law arising in the case. They may be brief or extensive in nature, depending upon the case. In some cases, the memoranda merely recommend that the Board approve the draft decision for the reasons outlined in the decision, in others they may go beyond the draft decision by including discussions of questions of fact or law not found in the decision as well as options the Board may select in deciding the case. The memoranda accompany the working file and proposed order for the Board's signature.</p> <p>RETENTION; Destroy when the draft Order is approved and signed, unless the</p>		

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2 (cont)	<p>memorandum contains research valuable as reference for similar cases. If the memorandum does contain valuable reference material, file it under the subject of interest and destroy when it becomes outdated or superseded.</p>		<i>withdawn</i>
3.	<p>Original jurisdiction cases arising under 5 C.F.R. 1201.2. These files contain all motions, briefs and pleadings filed by the parties to the case; all Board Orders on motions and procedural matters, such as briefing schedules, hearing dates, etc.; hearing transcript and exhibits; related correspondence; the Board's final ruling on the matter; and evidence of compliance with the Board's ruling, if required.</p> <p>RETENTION: Close file after the Board's final action in the matter. Break closed cases annually. Retire to Federal Records Center one year after break. Destroy four years after break. If case has unusual significance or public interest, offer to National Archives before retiring to Federal Records Center.</p>		
4.	<p>Pre-Reform Act cases. Appeal case files for actions in which the underlying personnel action took place prior to January 11, 1979 and which are appealable to the MSPB. These files customarily include the notice of appeal; the agency's response, including a copy of its file in the matter; hearing notices and lists of witnesses to testify; hearing transcript and exhibits; post-hearing briefs, if any; and the decision in the matter. If reopening and reconsideration is requested, the file also contains the request for reconsideration; the opposing party's response; and the Board's decision in the matter. The file may contain related correspondence such as Congressional inquiries, and responses; letters requesting the status of the case, and responses; letters requesting material from the file, and responses, etc. The file may also include evidence of compliance with the Board's decision or Order.</p>		

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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
4 (Cont)	<p>RETENTION: Close when the final order or decision is issued or evidence of compliance is received. Break closed cases annually. Retire to Federal Records Center one year after break. Destroy seven years after break. NOTE: this group of files has previously been authorized by AMS 44-3, APP 1-c.</p>		<i>withdrawn</i>
5.	<p>Review of regulations cases arising under 5 C.F.R 1203. These files customarily include the request for review of regulations; the Board's Order granting or denying the request; all pleadings and briefs filed in the case; the Board's final ruling on the matter; and evidence of compliance with the Board's ruling, if required.</p> <p>RETENTION: Close case when Board issues its final ruling or when compliance with the ruling is received. Break closed cases annually. Retire to Federal Records Center one year after break. Destroy four years after break. If case has unusual significance or public interest, offer to National Archives before retiring to Federal Records Center.</p>		
6.	<p>Litigation of cases decided by the Board for which judicial review was sought by the appellant(s). These files customarily contain the administrative record before the Board (see items 1,2,3, and 4); all pleadings and briefs filed in the litigation; correspondence with the Department of Justice or the U.S. Attorney; and the rulings of the court.</p> <p>RETENTION: Close when the case is concluded in litigation or by the Board upon remand from the court. Break closed cases annually. Retire to Federal Records Center one year after break. Destroy four years after break. If case has unusual significance or public interest, offer to National Archives before retiring to Federal Records Center.</p>		