

# Request for Records Disposition Authority

(See Instructions on reverse)

## Leave Blank (NARA Use Only)

Job Number

*NI-403-11-1*

Date Received

*8/8/11*

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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

*WITHDRAWN*

Archivist of the United States

*- 4/4/2014*

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

1. From: (Agency or establishment)

**Equal Employment Opportunity Commission**

2. Major Subdivision

**Office of General Counsel**

3. Minor Subdivision

4. Name of Person with whom to confer

**Delphine J. Best**

5. Telephone (include area code)

**202 663-4223**

### 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   v   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

*Delphine J. Best*

Title

**Records Officer**

Date (mm/dd/yyyy)

**7/26/11**

7. Item Number

8. Description of Item and Proposed Disposition

9. GRS or Superseded Job Citation

10. Action taken (NARA Use Only)

Please see attached sheets.

**WITHDRAWN**

OFFICE OF GENERAL COUNSEL  
EEOC RCS No. 15

**C. Litigation**

The Office of General Counsel (OGC) is responsible for managing, coordinating, and directing the Commission's enforcement litigation program. OGC provides overall guidance and management to all the components of the Office, including district office legal units. The General Counsel recommends cases for litigation to the Commission and approves other cases for filing under authority delegated to the General Counsel under the Commission's 1996 National Enforcement Plan. The OGC also reports regularly to the Commission on litigation activities, including issues raised in litigation which may affect Commission policy, and advises the Chair and Commissioners on agency policies and other matters affecting the enforcement of the statutes within the Commission's authority.

The records consist of documents related to court litigation, including discovery, motion, and trial materials.

Designations of significant *plaintiff* cases are made by EEOC's Office of General Counsel. Significant case files are based on the following criteria:

1. All appellate cases
2. All cases designated as significant by a Regional Attorney due to any of the following:
  - Importance as legal precedent
  - Impact on the industry or geographic area involved
  - Size of recovery
  - Injunctive relief obtained
  - Employment policies affected
  - EEOC policies affected
  - Usefulness to the office in the litigation of future cases

WITHDRAWN

Designations of significant *defendant* cases are made by EEOC's Office of General Counsel. Significant case files are based on the following criteria:

1. All appellate cases
2. All defendant cases designated as significant by the Assistant General Counsel-Internal Litigation Services or the General Counsel due to any of the following:
  - Importance as legal precedent
  - Employment policies affected
  - EEOC policies affected
  - Usefulness to the office in the litigation of future cases

1. General Litigation Files

Litigation records initiated by or coordinated with other offices of the Commission in which the Office of General Counsel has an interest. Includes consent decrees, motions, protective orders, etc. This does not include material which becomes a part of the official charge/case file.

**TEMPORARY.** Cut off at the end of each fiscal year. Delete/destroy 5 years after cut off.

2. EEOC Defendant Case Files

Records of the litigation process in which EEOC is the defendant. Included are motions, interrogatories, briefings, consent decrees, final orders of the court and other related legal documents.

(a) Significant Case Files

**PERMANENT.** Cut off at the end of the fiscal year following final court action. Transfer to Federal Records Center (FRC) 2 years after cut off. Transfer to NARA in 10 year blocks when the most recent records are 10 years old.

(b) Routine Case Files

**TEMPORARY.** Cut off at the end of the fiscal year following final court action. Transfer to FRC 2 years after cut off. Delete/destroy 10 years after cut off.

3. EEOC Plaintiff Case Files

Records of the Commission's litigation process against a defendant, including motions, interrogatories, briefings, consent decrees, final court orders and other related legal documents.

(a) Significant Case Files

**PERMANENT.** Cut off at the end of the fiscal year following entry of final order dismissing action. Transfer to FRC 2 years after cut off. Transfer to NARA in 10 year blocks when the most recent records are 10 years old.

(b) Permanent Injunctions

**TEMPORARY.** Cut off at the end of the fiscal year following dismissal of case. Delete/destroy 10 years after cut off.

(c) Routine Case Files

**TEMPORARY.** Cut off at the end of the fiscal year following entry of final order dismissing action. Transfer to FRC 2 years after cut off. Delete/destroy 10 years after cut off.

W/REVIEW