

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

NCO 132W 8/1/81

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

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JOB NO	NC1-403-81-3
DATE RECEIVED	July 15, 1981
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.	
9-15-81 <i>Date</i>	<i>Robert M. King</i> <i>Archivist of the United States</i>

1. FROM (AGENCY OR ESTABLISHMENT)
Equal Employment Opportunity Commission

2. MAJOR SUBDIVISION
Office of Administration

3. MINOR SUBDIVISION
Administrative Services & Records Management Div.

4. NAME OF PERSON WITH WHOM TO CONFER
Gayle Lowe

5. TEL EXT
634-6983

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 7/9/81	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>Thomas P. Goggin</i>	E. TITLE Thomas P. Goggin, Deputy Director for Records Management
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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
10.A. (1)	<u>Amendment to EEOC Records Control Schedule, Item Numbers 10, 14 and 15.</u> (Only those paragraphs that have been changed, added, or repositioned in the text are included here.) <u>Press Advisory/News Releases.</u> (Arranged chronologically by date.) Formal informational releases announcing to the public and news media the Commission's activities as provided under the Age Discrimination in Employment Act (ADEA), the Equal Pay Act (EPA), Title VII of the Civil Rights Act of 1964, as amended, and/or the Rehabilitation Act, as amended. (see attached p. 1a for disposition)	NC1-403-79-1, Item 10(A)	(1)(a) + (b)
14.	<u>COMPLIANCE RECORDS.</u> Covers records created in the Commission to carry out its mission to establish and implement policy on eliminating job discrimination, and to enforce the policy through operating activities as required by the Age Discrimination in Employment Act (ADEA), the Equal Pay Act (EPA), and Title VII of the Civil Rights Act of 1964, as amended (Title VII).		

Note to all FRC's: Mass Data Change Worksheet is not needed for this job, since item #5 &

Closed Out: 10-7-81: K.T.D.

115-107 dispositions have NOT changed. Dispositions have been included on this job only for easy reference. Only Item 14C(4)(a) is NEW.

STANDARD FORM 115
Revised April, 1975
Prescribed by General Services Administration
FPMR (41 CFR) 101-11.4

sent to all FRC's except NNB, NNF to agency, all FRC's except 3rd M + 11/3/81

10A(1) Press Advisories/News Releases. (see p. 1 for description)

(a) Record Copy. (Program Office)

PERMANENT. Break files annually. Transfer to FRC when 2 years old. Offer to NARS when 10 years old, in ~~5~~¹⁰-year blocks.

(b) All other copies, including background material.

Destroy on site when obsolete or no longer needed for reference.

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
14.A.	<p><u>PLANS AND POLICY.</u> (Arranged alphabetically by subject.) Documents relating to the establishment of policy, direction, guidance and assistance in the compliance process. Records include guidelines enunciating ADEA, EPA, and/or Title VII related policy, policy interpretations of the equal employment opportunity laws and regulations, Commission rules and regulations published in the Federal Register, and other related matters to translate Commission policy. <i>(see p. 2A, attached, for dispositions)</i></p>	<p>NCI-403-79-1, <i>Item</i> 14A(1)² (2)</p>	
14.C.	<p><u>CHARGES.</u> Records pertaining to the compliance process which include receipt of complaints of job discrimination; investigation; conciliation with the employer, union, employment agency or labor management apprenticeship programs; compliance review; Commissioner charges; and general material pertaining to discrimination under ADEA, EPA, and/or Title VII. <u>Record copies of documents, including forms and ADP data, created during the compliance process of a discrimination complaint are maintained in the official charge file.</u> (Schedule applies to Headquarters and Field Offices.) <i>(see NCI-403-79-1, Items 14C, for dispositions)</i></p>		
14.C. (4) (a)	<p>Concurrent ADEA/EPA/Title VII cases where monetary benefits are realized.</p> <p>Retire to FRC one (1) year after date of last action. Destroy two (2) years later.</p>	<p>NCI-403-79-1, Item 14C(4)</p>	
14.C. (4) (b)	<p>All other negotiated settlements, including cases where equal pay or age monetary benefits are not realized.</p> <p>Destroy one (1) year after the expiration of the calendar year in which respondent submitted written notice of having satisfied each obligation contained in the contract, or date of signature of the contract, whichever occurs later.</p>	<p>NCI-403-79-1, Item 14C(4)</p>	
14.C. (5) (a) ²	<p><u>Files of Value.</u> No Violation/No Cause files which are of value in the development of class action or pattern and practice for future cases. <i>Retire to FRC 1 year after last action, Destroy 3 yrs. later.</i></p>	<p>NCI-403-79-1, Item 14C(5)(a) ²</p>	
14.C. (5) (a) ³	<p><u>All Other No Violation/No Cause Files.</u> Files having no future value. <i>Destroy 1 year after the year of the last action.</i></p>	<p>NCI-403-79-1, Item 14C(5)(a) ³</p>	
14.C. (5) (b)	<p><u>Letter of Violation/Cause.</u> All documents in the charge file. <i>(see p. 2A, attached, for disposition)</i></p>	<p>NCI-403-79-1, Item 14C(5)(b)</p>	

14A. Plans and Policy. (see p.2 for description).

(1) Record Copy (Program Office)

PERMANENT. Break files annually. Transfer to the FRC when 5 years old. Offer to NARS 15 years after file break, in ~~5~~¹⁰-year blocks.

(2) All other copies

Destroy on site when 2 years old or when no longer needed for reference, whichever is earlier.

14C(5)(b). Letter of Violation/Cause. (see p.2 for description)

1 Landmark Cases. (Filed alphabetically by respondent/issue) Record copy of cases which state a principle of law and is so definite in its terms and so generally acquiesced in and act on that it has come to be recognized as the accepted rule on a given question, particularly where decision is made by a court of last resort construing a statute. (See Item 15B for criteria of landmark cases.)

PERMANENT. Transfer to nearest Federal Records Center two (2) years after final court action. Offer to National Archives ten (10) years after final court action, in

¹⁰⁻
~~five (5)~~ year blocks.

2 All Other ^{Letter of Violation/}Cause Files. (Arranged by year of closure and sequentially by charge number)

Retire to Federal Records Center one (1) year after the year of the last action, including action in the Federal Courts or the last compliance review (the final report submitted by the respondent after conciliation to indicate compliance). Destroy after three (3) additional years.

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
14.C. (5)(b)2	All Other Letter of Violation/Cause Files. (Arranged by year of closure and sequentially by charge number.) <i>Return to FRC 1 yr. after year of last action, including action in the Federal courts or the last compliance review. Destroy after 3 additional years.</i>	NCI-403-79-1, Item 14C(5)(b)2	
14.G.	GOVERNMENT EMPLOYMENT PROGRAMS. (Arranged alphabetically by subject.) Documents generated in planning, developing, and implementing programs which will facilitate actions by Federal, State and Local governments and educational institutions to bring their employment policies into compliance with ADEA, EPA, Title VII, and the Rehabilitation Act, as amended. Files include EEO matters, affirmative action planning and programming in Federal, State and Local governments and public educational institutions, affirmative action planning for employment and placement of the handicapped and aged in the Federal Government, and related reporting activities. (see p. 3A, attached, for disposition)		
14.G. (1)	EEO General Files. (Arranged alphabetically by subject.) General correspondence, plans, procedures and related records concerning all aspects of the equal employment opportunity programs of ADEA, EPA, Title VII and Section 501 of the Rehabilitation Act, as amended. <i>(see p. 3A, attached, for disposition)</i>	NCI-403-79-1, Item 14G(1)(a)+(b)	
15.A. (2)(a)	External Requests. One complete set of all opinions issued on laws, rules and regulations as they affect the Age Discrimination in Employment Act (ADEA), the Equal Pay Act (EPA), Title VII of the Civil Rights Act of 1964, as amended, (Title VII), the Rehabilitation Act, as amended, or the agency. File includes opinions on race, color, sex, national origin, religion and age. It also includes supporting data, the original request for the opinion and any related materials. <i>(see p. 3A, attached, for disposition)</i>	NCI-403-79-1, Item 15A(2)(a)	
15.B	LITIGATION. Material pertaining to court litigation, which includes court rules, court dockets, briefs, orders, court decisions, ADEA cases, EPA cases, cases under Sections 706 and 707 of Title VII, state cases in discrimination litigation, and other legal court matters. (See Item 12C(2) for computer tapes and printouts of investigative material.) <i>(see p. 3a^{3b}, attached, for disposition)</i>	NCI-403-79-1, Item 15B	

14G(1) EEO General Files. (see p.3 for description)

(a) Record Copy. (Program Office)

Break files annually. Destroy when 3 years old or when material is obsolete or superseded, whichever occurs first.

(b) All other copies

Destroy when no longer needed.

15A(2)(a) External Requests. (see p.3 for description)

1 Record Copy (Program Office)

PERMANENT. Retire to FRC when 2 years old. Offer to NARS when 10 years old, in ~~8~~¹⁰-year blocks.

2 All other copies

Destroy when no longer needed for reference.

15B Litigation. (see p. 3 for description)

(1) General Litigation Files. (Arranged alphabetically by issue/subject.) Litigation records initiated by or coordinated with other offices of the Commission in which the Office of the General Counsel has an interest. Includes consent decrees, motions, protecting orders, etc. (This file excludes material which becomes a part of the official charge/case file.)

(a) Record Copy. (General Counsel)

Break files annually. Destroy when ~~three (3)~~^{four (4)} years old.

(b) All Other Copies.

Destroy when no longer needed for reference.

(2) EEOC Defendant Case File. (Arranged alphabetically by name) 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) *Landmark Cases. Record copy of cases that are of continuing value for future processing.

PERMANENT. Retire to Federal Records Center two (2) years after final court action. Offer to the National Archives ten (10) years after final court action, (An. Vol. 2 cu. ft.)
in ~~five (5)~~⁶ year blocks.

(b) All Other EEOC Defendant Case Files.

1 Record Copy.

Retire to Federal Records Center two (2) years after final court action. Destroy seven (7) years after final court action.

2 All Other Copies.

Destroy on site when no longer needed for reference.

(3) EEOC Plaintiff Case File. (Arranged alphabetically by name) Record of the Commission's litigation process against a defendant, including motions, interrogatories, briefings, consent decrees, final court orders, and other related legal documents.

(a) *Landmark Cases. Record copy of cases that are of continuing value.

PERMANENT. Retire to Federal Records Center one (1) year after entry of final order dismissing action. Offer to the National Archives five (5) years after final dismissing action. (An. Vol. 2 cu. ft.)

in five (5) year blocks.

(b) Permanent Injunction. Where a permanent injunction is entered against a respondent.

~~PERMANENT. Retire to Federal Records Center two (2) years after permanent injunction is entered. Offer to National Archives after five (5) years. (An. Vol. 3 cu. ft.)~~

upon dismissal of case. Destroy 10 years after dismissal of case.

(c) All Other EEOC Plaintiff Case Files.

1 Record Copy.

Retire to Federal Records Center one (1) year after entry of final order dismissing action. Destroy four (4) years after entry of final order dismissing action.

2 All Other Copies.

Destroy on site when no longer needed for reference.

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Foot- note	<p>Page A-48, <u>Definition of "Landmark cases" changed to read:</u></p> <p>(5) cases of major economic impact; or</p> <p>An additional sentence will read:</p> <p>"Designations of landmark cases are made by EEOC's Office of the General Counsel."</p>		
15.D.	<p><u>CONGRESSIONAL/FEDERAL AGENCY RECORDS.</u> Material involving all Congressional matters, which include Congressional developments, inquiries, testimonies, and committees which affect the Commission's responsibilities under ADEA, EPA, and/or Title II; and Government agency inquiries relating to the operations of the Commission.</p> <p><i>(see p. 7a, attached, for dispositions)</i></p>	<p><i>NCI-403 - 79-1, Item 15D</i></p>	

15D. Congressional/Federal Agency Records. (see p.4 for description)

- (1) Congressional Inquiries. (Arranged alphabetically by name of Congressional member). Correspondence, memoranda, and other material received from the Congress concerning the status of constituent complaints; requests for support material for legislation; and general inquiries about the Commission.

(a) Record Copy. (Program Office)

Break files every two (2) years. Destroy upon file break, or when no longer needed for administrative purposes.

- (b) All Other Copies, including routine or general information.

Destroy when no longer needed for reference.

- (2) Office of the President Files. (Arranged alphabetically by issue) Material involving direct relations with the President, Vice President or their first echelon aides/secretaries regarding status of charges of discrimination, or general inquiries about the Commission.

(a) Record Copy. (Program Office)

Break files every two (2) years. Destroy on site upon file break, or when no longer needed for administrative purposes.

- (b) All Other Copies.

Destroy when no longer needed for reference.

- (3) Federal Agency Files. (Arranged alphabetically by agency name) Correspondence, memoranda, rules or regulations or other information received from other Government agencies which relate to the operations of EEOC.

(a) Record Copy. (Program Office)

Break files every two years. Destroy on site when two (2) years old.

- (b) All Other Copies.

Destroy when no longer needed for reference.