

### Request for Records Disposition Authority

Records Schedule Number: DAA-0479-2013-0002  
 Schedule Status: Returned Without Action  
 Agency or Establishment: Merit Systems Protection Board  
 Record Group / Scheduling Group: Records of the Merit Systems Protection Board  
 Records Schedule applies to: Major Subdivision  
 Major Subdivision: U.S. Merit Systems Protection Board  
 Minor Subdivision: Office of the Clerk of the Board  
 Schedule Subject: MSPB Program Case Files  
 Internal agency concurrences will be provided: No

Background Information: The intent of this request is to add/update MSPB's traditional paper-centric approach to current multimedia mixed format reality. MSPB is requesting that media-neutral be added to MSPB's approved schedule NCH 148-35-2 dated 3/27/85. This request will ensure that all MSPB Paper/Electronic Records are in compliance with NARA's revisions GRS 2013-36 CFR 1228.24 and 1228.31 that relate to Media Neutral Records Schedule. Unless specifically stated other wise in the description or the retention, all items are media-neutral and apply to paper, electronic, microform, or other media in which records may exist.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
0	0	0	0

GAO Approval

### Outline of Records Schedule Items for DAA-0479-2013-0002

Sequence Number	
1	Annual Report Files Disposition Authority Number: DAA-0479-2013-0002-0001
2	Appeal Case Control Files Disposition Authority Number: DAA-0479-2013-0002-0002
3	Appeal Log Files Disposition Authority Number: DAA-0479-2013-0002-0003
4	Board Order Compliance Disposition Authority Number: DAA-0479-2013-0002-0004
5	Case Pocket Cards Disposition Authority Number: DAA-0479-2013-0002-0005
6	Case File Records Disposition Authority Number: DAA-0479-2013-0002-0006
7	Case Memoranda Disposition Authority Number: DAA-0479-2013-0002-0007
8	Congressional Correspondence Files Disposition Authority Number: DAA-0479-2013-0002-0008
9	Electronic Records Systems Disposition Authority Number: DAA-0479-2013-0002-0009
10	Litigation Cases Disposition Authority Number: DAA-0479-2013-0002-0010
11	Merit Systems Studies Files Disposition Authority Number: DAA-0479-2013-0002-0011
12	News of Merit Files Disposition Authority Number: DAA-0479-2013-0002-0012
13	Original Jurisdiction Cases Disposition Authority Number: DAA-0479-2013-0002-0013
14	Photographs Files Disposition Authority Number: DAA-0479-2013-0002-0014
15	Pre-Reform Act Cases Disposition Authority Number: DAA-0479-2013-0002-0015
16	Review of Regulation Cases Disposition Authority Number: DAA-0479-2013-0002-0016
17	Subjects Files Disposition Authority Number: DAA-0479-2013-0002-0017
18	Today News Files

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Disposition Authority Number: DAA-0479-2013-0002-0018

Video Cassette Files

Disposition Authority Number: DAA-0479-2013-0002-0019

**Return Without Action**

Records Schedule Items

Sequence Number		
1	<b>Annual Report Files</b>	
	Disposition Authority Number	DAA-0479-2013-0002-0001
	Agency copy of annual report to Congress.	
	Final Disposition	Temporary
	Item Status	Withdrawn
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
	Do any of the records covered by this item exist as structured electronic data?	Yes
	Manual Citation	Manual Title
	GRS or Superseded Authority Citation	NCI-106-85-2
	Disposition Instruction	
	Retention Period	Offer to National Archives in 10 - year blocks when 20 years old.
	Additional Information	
	GAO Approval	Not Required
2	<b>Appeal Case Control Files</b>	
	Disposition Authority Number	DAA-0479-2013-0002-0002
	Cards, computer reports and equivalent records on incoming cases referred to the Board. Files are used to control the processing of the cases within the Agency.	
	Final Disposition	Temporary
	Item Status	Withdrawn
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes

Do any of the records covered by this item exist as structured electronic data?	Yes		
<table border="1"> <tr> <td data-bbox="370 363 943 412">Manual Citation</td> <td data-bbox="943 363 1515 412">Manual Title</td> </tr> </table>		Manual Citation	Manual Title
Manual Citation	Manual Title		
GRS or Superseded Authority Citation	NCI-146-85-2		
Disposition Instruction			
Retention Period	Destroy when seven (7) years old or sooner if purpose has been served.		
Additional Information			
GAO Approval	Not Required		
Appeal Log Files			
Disposition Authority Number	DAA-0479-2013-0002-0003		
Log used in transmitting cases to the Board and in preparing production reports. This item also includes case control cards used previously.			
Final Disposition	Temporary		
Item Status	Withdrawn		
Is this item media neutral?	Yes		
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes		
Do any of the records covered by this item exist as structured electronic data?	Yes		
<table border="1"> <tr> <td data-bbox="370 1438 943 1487">Manual Citation</td> <td data-bbox="943 1438 1515 1487">Manual Title</td> </tr> </table>		Manual Citation	Manual Title
Manual Citation	Manual Title		
GRS or Superseded Authority Citation	NCI-146-85-2		
Disposition Instruction			
Retention Period	Destroy when purpose has been served		
Additional Information			
GAO Approval	Not Required		
Board Order Compliance			
Disposition Authority Number	DAA-0479-2013-0002-0004		

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Return Without Action

Reports and related records pertaining to agencies' compliance with Board Orders in cases where the appellant has a right of redress by action of the Board.

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation NCI-146-85-2

Disposition Instruction

Retention Period Destroy seven (7) years after compliance is completed.

Additional Information

GAO Approval Not Required

Case Docket Cards

Disposition Authority Number DAA-0479-2013-0002-0005

Cards on individual cases decided by the Board for which judicial review was sought by the appellant(s). Cards contain basic information on each case regarding case status, documents filed in case, etc.

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation      NCI -146-85-2

Disposition Instruction

Retention Period      Destroy two (2) years after court action is closed.

Additional Information

GAO Approval      Not Required

Case File Records

Disposition Authority Number      DAA-0479-2013-0002-0006

Civil Service Reform Act appeal case files involving actions appealable to 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 the 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 decision of the Board. If any party has intervened in the case, the file also includes motion to 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.

Final Disposition      Temporary

Item Status      Withdrawn

Is this item media neutral?      Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?      Yes

Do any of the records covered by this item exist as structured electronic data?      Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation      NCI-146-85-2

Disposition Instruction

Cutoff Instruction      Close the case when the initial decision becomes final, the Board issues a final decision, or when all court activity is over, whichever is later. Records are retired to the Federal Records Center one (1) year after the case is closed or earlier if volume presents a

Transfer to Inactive Storage

space problem, providing the reference activity is not excessive.

Records are retired to the Federal Records Center one (1) year after the case is closed or earlier if volume presents a space problem, providing the reference activity is not excessive.

Retention Period

a. Permanent - Those case files that set forth new principles of law, policy and are of unusual or public interest. Offer to National Archives in 10 - year blocks when 20 years old. Those cases not accepted by the National Archives, destroy when no longer needed for reference. b. Temporary - Destroy all other case files when seven (7) years old.

Additional Information

GAO Approval

Not Required

Case Memoranda

Disposition Authority Number

DAA-0479-2013-0002-0007

These are memoranda to the Board prepared by the Office of Appeals Counsel or Office of General Counsel staff who prepared the draft decision in the case. These memoranda customarily contain summaries of the facts and discussion of the issues of law arising in the case. They may be brief or extensive in nature, depending upon the case. In some instances, 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 discussion 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. NOTE: This item was approved by NARA December 8, 1982, Job No. NCI-146-83-1, without the addition of "or by the General Counsel."

Final Disposition

Temporary

Item Status

Withdrawn

Is this item media neutral?

Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?

Yes

Do any of the records covered by this item exist as structured electronic data?

Yes

Manual Citation

Manual Title

Return Without Action



Return Without Action

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GRS or Superseded Authority Citation      NCI-146-85-2

Disposition Instruction

Retention Period      Destroy when the Board's decision is issued, unless the memoranda contains research valuable as reference for similar cases. If the memorandum does contain valuable reference material, file it under the subject of interest. But in reality we give it to the Office of the Regional Operations.

Additional Information

GAO Approval      Not Required

Congressional Correspondence Files

Disposition Authority Number      DAA-0479-2013-0002-0008

Congressional inquiries pertaining to employee appeal cases.

Final Disposition      Temporary

Item Status      Withdrawn

Is this item media neutral?      Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?      Yes

Do any of the records covered by this item exist as structured electronic data?      Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation      NCI-146-85-2

Disposition Instruction

Retention Period      Destroy when three (3) years old.

Additional Information

GAO Approval      Not Required

Electronic Records Systems

Disposition Authority Number      DAA-0479-2013-0002-0009

MSPB's internal and external customers currently use three main electronic records systems: Case Management System (CMS), Document Management

System (DMS) and e-Appeal. These systems are used to manage the MSPB appeal workflow processes from the beginning of the appeal cycle to the end.

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation NCI-146-85-2

Disposition Instruction

Cutoff Instruction Close the case when the initial decision becomes final, the Board issues a final decision, or when all court activity is over, whichever is later. Records are retired to the Federal Records Center one (1) year after the case is closed or earlier if volume presents a space problem, providing the reference activity is not excessive.

Retention Period a. Permanent - Those case files that set forth new principles of law, policy and are of unusual or public interest. Offer to National Archives in 10 - year blocks when 20 years old. Those cases not accepted by the National Archives, destroy when no longer needed for reference. b. Temporary - Destroy all other case files when seven (7) years old.

Additional Information

GAO Approval Not Required

Litigation Cases

Disposition Authority Number DAA-0479-2013-0002-0010

These files customarily contain the administrative record before the Board (see items 8-11); all pleadings and briefs filed in the litigation; correspondence with the opposing party; the Department of Justice; or the U.S. attorney; and the rulings of the court.

Records Without Action

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Final Disposition Temporary  
 Item Status Withdrawn  
 Is this item media neutral? Yes  
 Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes  
 Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation NCI-146-85-2

Disposition Instruction

Cutoff Instruction Close the case when the initial decision becomes final, the Board issues a final decision, or when all court activity is over, whichever is later.

Transfer to Inactive Storage Records are retired to the Federal Records Center one (1) year after the case is closed or earlier if volume presents a space problem, providing the reference activity is not excessive.

Retention Period  
 a. Permanent: Those case files that set forth new principles of law, policy and are of unusual or public interest. Offer to National Archives in 10 - year blocks when 20 years old. Those cases not accepted by the National Archives, destroy when no longer needed for reference. b. Temporary: Destroy all other case files when seven (7) years old.

Additional Information

GAO Approval Not Required

Merit Systems Studies Files

Disposition Authority Number DAA-0479-2013-0002-0011

Files consist of reports, reviews, monographs and related records on MSPB surveys, reviews, and investigations pertaining to Federal agencies conformance with merit principles. This MSPB function is based on a statutory mandate contained in the Civil Service Reform Act of 1978. These reports are printed by commercial printers authorized by GPO.

Final Disposition Temporary

Records Without Action

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Item Status Withdrawn  
 Is this item media neutral? Yes  
 Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes  
 Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation NCI-146-85-2

Disposition Instruction

Retention Period Permanent. - a. Offer to the National Archives in six months after the publication/surveys are published. b. General correspondence and other records produced in connection with MSPB reviews and studies are stored in DMS and on the public website. Also, a copy is placed in the Executive is to be maintained in the OOB Executive Copy folder.

Additional Information

GAO Approval Not Required

News of Merit Files

Disposition Authority Number DAA-0479-2013-0002-0012

One copy of the internal and external newsletter published by Office of Policy and Evaluation (OPE) relating to various issues of interest to agency staff and the Federal Government as a whole.

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

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Records Without Action

Manual Citation	Manual Title
GRS or Superseded Authority Citation	NCI-146-85-2
Disposition Instruction	
Retention Period	Permanent. Offer in 10 year blocks when 20 years old.
Additional Information	
IAO Approval	Not Required
Original Jurisdiction Cases	
Disposition Authority Number	DAA-0479-2013-0002-0013
<p>These files contain complaints, responses, motions, briefs and other pleadings filed by the parties to the cases; all Board orders on motions and procedural matters, such as briefing schedules, hearing dates, etc.; hearing transcript or recording and exhibits; related correspondence; the Board's final decisions and order on the matter; and evidence of compliance with the Board's ruling, if required.</p>	
Final Disposition	Temporary
Item Status	Withdrawn
Is this item media neutral?	Yes
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
Do any of the records covered by this item exist as structured electronic data?	Yes
Manual Citation	Manual Title
GRS or Superseded Authority Citation	NCI-146-85-2
Disposition Instruction	
Cutoff Instruction	Close the case when the initial decision becomes final, the Board issues a final decision, or when all court activity is over, whichever is later.
Transfer to Inactive Storage	Records are retired to the Federal Records Center one (1) year after the case is closed or earlier if volume presents a space problem, providing the reference activity is not excessive.

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15	<p>Manual Citation</p> <p>GRS or Superseded Authority Citation</p> <p>Disposition Instruction</p> <p>Retention Period</p> <p>Additional Information</p> <p>GAO Approval</p> <p>Pre-Reform Act Cases</p> <p>Disposition Authority Number</p> <p>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</p>	<p>Manual Title</p> <p>NCI-146-85-2</p> <p>Official portraits of senior agency officials. Permanent. Offer to national archives in 10 year blocks when 20 years old. For all other photographs, destroy when one (1) year old or no longer needed.</p> <p>Not Required</p> <p>DAA-0479-2013-0002-0015</p>

Return Without Action

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; 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.

Final Disposition Temporary  
 Item Status Withdrawn  
 Is this item media neutral? Yes  
 Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes  
 Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation NCI-116-85-2

**Disposition Instruction**

Cutoff Instruction Close the case when the initial decision becomes final, the Board issues a final decision, or when all court activity is over, whichever is later.

Transfer to Inactive Storage Records are retired to an Federal Records Center one (1) year after the case is closed or earlier if volume presents a space problem, providing the reference activity is not excessive.

Retention Period  
 a. Permanent - Those case files that set forth new principles of law, policy and are of unusual or public interest. Offer to National Archives in 10 - year blocks when 20 years old. Those cases not accepted by the National Archives, destroy when no longer needed for reference. b. Temporary - Destroy all other case files when seven (7) years old.

**Additional Information**

GAO Approval Not Required

Return Without Action

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**Review of Regulation Cases**

Disposition Authority Number      DAA-0479-2013-0002-0016

These files customarily include the request for review of regulations; the Board's order granting or denying the request; all pleadings and briefs files in the case; the Board's final ruling on the matter; and evidence of compliance with the Board's ruling if required.

Final Disposition                      Temporary

Item Status                              Withdrawn

Is this item media neutral?            Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?      Yes

Do any of the records covered by this item exist as structured electronic data?                      Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation      NCI-146-85-2

**Disposition Instruction**

Cutoff Instruction                      Close the case when the initial decision becomes final, the Board issues a final decision, or when all court activity is over, whichever is later.

Transfer to Inactive Storage            Records are retired to the Federal Records Center one (1) year after the case is closed or earlier if volume presents a space problem, providing the reference activity is not excessive.

Retention Period                      a. Permanent - Those case files that set forth new principles of law, policy and are of unusual or public interest. Offer to National Archives in 10 - year blocks when 20 years old. Those cases not accepted by the National Archives, destroy when no longer needed for reference. b. Temporary - Destroy all other case files when seven (7) years old.

**Additional Information**

GAO Approval                              Not Required

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Subjects Files



Disposition Authority Number DAA-0479-2013-0002-0017

Files at all organizational levels consisting of correspondence, reports, and other records not related to specific appeal cases but rather to the daily work of the agency in program areas. Excluded are general records of a purely administrative nature which are covered by General Records Schedule 23, Item 1.

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
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GRS or Superseded Authority Citation NCI-146-85-2

Disposition Instruction

Cutoff Instruction Cutoff annually.

Transfer to Inactive Storage Transfer paper records to Federal Records Center when two (2) years old if volume warrants it.

Retention Period Destroy when five (5) years old.

Additional Information

GAO Approval Not Required

Today News Files

Disposition Authority Number DAA-0479-2013-0002-0018

Reproduced copies of press clippings relating to MSPB activities. This represents an informative file of how the agency was covered in the press. Arrange chronologically.

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

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electronic format(s) other than e-mail and word processing?

Do any of the records covered by this item exist as structured electronic data? **Yes**

Manual Citation	Manual Title
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GRS or Superseded Authority Citation **NCI-146-85-2**

Disposition Instruction

Retention Period **Destroy when no longer needed for reference.**

Additional Information

GAO Approval **Not Required**

Video Cassette Files

Disposition Authority Number **DAA-0479-2013-0002-0019**

Agency sponsored internal and administrative training programs that do not reflect the mission of the agency included are "role play" sessions, management and supervisory instruction, etc. (GRS 21/31).

Final Disposition **Temporary**

Item Status **Withdrawn**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **Yes**

Manual Citation	Manual Title
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GRS or Superseded Authority Citation **NCI-146-85-2**

Disposition Instruction

Retention Period **Destroy when obsolete or no longer needed.**

Additional Information

GAO Approval **Not Required**

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### 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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

### Signatory Information

Date	Action	By	Title	Organization
04/24/2013	Certify	Tony Mallett	Records Information Officer	US Merit System Protection Board - US Merit System Protection Board
05/30/2013	Return for Revision	Jametta Davis	Appraiser	National Archives and Records Administration - Records Management Services
04/07/2015	Return Without Action	Alondra Peers	Appraisal Archivist	National Archives and Records Administration - ACNR Records Management Services

**Return Without Action**