

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-317-02-003

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 5/5/2022

## **ACTIVE ITEMS**

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

All other items are active

## **SUPERSEDED AND OBSOLETE ITEMS**

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Items 1a1 and 1b1 are one-time authorities for disposal of closed series.

Items 16a and 16b are superseded by GRS 5.1, item 020 (DAA-GRS-2016-0016-0002)

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		JOB NUMBER N1-317-02-03	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received 9/13/2002	
1 FROM (Agency or establishment) U S Department of Labor		<b>NOTIFICATION TO AGENCY</b>  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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION Office of Labor-Management Standards			
3 MINOR SUBDIVISION Labor Management Reporting and Disclosure Act			
4. NAME OF PERSON WITH WHOM TO CONFER 	5 TELEPHONE NUMBER 202 693 0256	DATE 11/11/04	ARCHIVIST OF THE UNITED STATES 
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 _____ page(s) are not needed now for the business for 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,  <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested			
DATE 11/09/04	SIGNATURE OF AGENCY REPRESENTATIVE 		TITLE ESA Records Officer
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	The Office of Labor-Management Standards (OLMS) provides for the administration and enforcement of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), Section 7120 of the Civil Service Reform Act of 1978 (CSRA), Section 1017 of the Foreign Service Act (FSA), and Section 1209 of the Postal Reorganization Act (PRA) In performing these functions, reports from labor organizations, union functions, union officers and employees, employers, and labor regulations consultants are examined for compliance with the statutes and regulations Investigations are conducted of complaints alleging violations of the law or when evidence exists of willful violation Supervision is provided for rerun elections of union officials held under court order or waiver  This schedule also covers program records from the Division of Statutory Programs (DSP) This division provides for the administration and enforcement of the Department of Labor's responsibilities under the Federal Transit Act and Rail Passenger Service Act of 1970	NC1-317-84-1	

SA 11/28/05 copies sent to Agency, NWMD, NWME, NWMW, NWCT, NLR

## **LMRDA Records Schedule**

### **1. LABOR ORGANIZATION REPORTS (OLMS National Office)**

Includes initial Form LM-1 (Labor Organization Information Report), amended Form LM-1s, Form LM-1As (filed prior to December 31, 1994 when Form LM-1A was eliminated), labor organization constitution and bylaws, labor organization annual financial reports (Forms LM-2, LM-3, and LM-4), labor organization trusteeship reports (Forms LM-15, LM-15A, LM-16, and LM-6 (filed prior to 1997 when Form LM-6 was eliminated)), and attachments filed with the reports

#### **A. Active Filers**

##### **1. Filed before 1990**

Temporary. Initial Form LM-1, latest constitution and bylaws, and latest applicable amended Form(s) LM-1 and/or LM-1A, if any, retained in OLMS National Office. Other reports retired to FRC. Destroy in January 2009.

##### **2. Filed on or after January 1, 1990**

Temporary. Retain initial Form LM-1, latest constitution and bylaws, and latest applicable amended Form(s) LM-1 and/or LM-1A, if any, in OLMS National Office. Cut off reports in five-year blocks. Retire to the FRC in five-year blocks, 10 years after cutoff. Destroy 15 years after cutoff.

#### **B. Terminated Filers**

##### **1. Terminated Prior to 1995**

Temporary. Retired to the FRC. Destroy in January 2009.

##### **2. Terminated on or after January 1, 1995**

Temporary. Cut off after termination. Retire to the FRC 3 years after cutoff. Destroy 15 years after cutoff.

(Supersedes N1-317-99-1 item 1)

## **2. INTERNATIONAL LABOR ORGANIZATION REPORTS (OLMS National Office)**

Includes textual records described under item 1 maintained for large international labor organizations.

File Scheme. By assigned file number  
Volume On Hand: 400 cubic feet  
Annual Accumulation: 15 cubic feet  
Inclusive Dates: 1960 to present

PERMANENT. Transfer to National Archives 20 years after the termination of the labor organization.

(Supersedes N1-317-89-1, item 2)

## **3. LABOR ORGANIZATION REPORTS CORRESPONDENCE (OLMS National Office)**

Copies of incoming and outgoing letters, memoranda, and other textual records relating to Forms LM-1, LM-2, LM-3, LM-4, LM-15, LM-15A, LM-16, or equivalent that are filed with appropriate LM reports..

### **A. Documents Filed with International Union Reports**

PERMANENT. See Item 2.

### **B. Documents Filed with other Labor Organization Reports**

Temporary. See Item 1.

#### **4. LABOR ORGANIZATION SPECIAL REPORTS (OLMS National Office)**

Textual records used for administrative reference and public disclosure:

1. Employer Report

Form LM-10 or equivalent and related correspondence. Forms are filed by number assigned to the employer upon receipt of an initial report and filed chronologically in each employer's disclosure file.

2. Agreement and Activities Report

Form LM-20 or equivalent and related correspondence. Forms are filed by number assigned upon receipt of an initial report and filed chronologically in each disclosure file.

3. Receipts and Disbursements Report

Form LM-21 or equivalent and related correspondence. Forms are filed by number assigned upon receipt of an initial report and filed chronologically in each disclosure file.

4. Labor Organization Officer and Employee Report

Form LM-30 or equivalent and related correspondence. Forms are filed by number assigned upon receipt of an initial report and filed chronologically in each disclosure file.

5. Surety Company Annual Report

Form S-1 or equivalent and related correspondence. Forms are filed by number assigned upon receipt of an initial report and filed chronologically in each disclosure file.

Temporary. Destroy when no longer needed for reference.

## **5. INVESTIGATIVE CASE FILES**

### **(OLMS National Office and Field Offices)**

Textual Records: Correspondence, complaints, investigative reports, exhibits and other materials relating to civil and criminal investigations conducted under the LMRDA and related statutes.

File Scheme: By assigned case number

Volume On Hand: 2000 cubic feet

Annual Accumulation: 200 cubic feet

Restriction: Privacy Act System DOL/ESA-45

#### **A. Case files deemed historically significant.**

These cases meet at least one of the following criteria: generates significant national or regional media attention; results in a congressional investigation; causes substantive change in agency policy or procedure; or involves high level or prominent labor organization officials.

PERMANENT. Cut off after case is closed. Retain on site two years after cutoff and then transfer to the FRC. Transfer to the National Archives 25 years after cutoff.

#### **B. All other Case Files**

Temporary. Cut off after case is closed. Retain on site two years after cutoff and then transfer to FRC. Destroy 10 years after cutoff.

**6. LABOR ORGANIZATION REPORTING SYSTEM (e.LORS) DATABASE RECORDS  
(OLMS National Office)**

The e. LORS system captures data (financial expenditures, assets, liabilities, etc.) extracted from reports covered under items 1, 2, and 4 of this schedule and related administrative information.

File Scheme: By name of reporting entity and/or designated file number

Inclusive Dates: 1999 to present

File format: Text format

Volume on Hand: 29.5 gigabytes

Annual Accumulation: 4 gigabytes

Restriction: None

A. Database source. Union organization and financial information from Forms LM-1, LM-2, LM-3, and LM-4 and simplified annual reports, and special reports.

Temporary. Disposition is covered by items 1, 2, and 4 of this schedule.

B. E.LORS data extracted from Forms LM-1, LM-2, LM-3, and LM-4 and simplified annual reports, and special reports.

✓ Permanent. Data is retained until no longer needed for agency purposes. Purged data will be transferred to National Archives. ✓

(Supersedes N1-317-99, item 4)

**7. CASE DATA SYSTEM (CDS)  
(OLMS National and Field Offices)**

Internal case tracking system for criminal and civil investigations used by OLMS National and Field Offices. Includes identification of parties, violation, case status, predication, and other pertinent information.

File Scheme: By designated case number

Inclusive Dates: 1997 to present

Restriction: Privacy Act System DOL/ESA-45

A. Database source. Selected limited information extracted from OLMS criminal and civil investigative case files. (Investigative case files contain complete case records, see item 5 of this schedule). Privacy Act System DOL/ESA-45

Disposition covered by item 5 of this schedule.

B. CDS database extracted from OLMS investigative case files.

Temporary. Delete when no longer needed for agency purposes.

**8. ZERO FILES  
(OLMS Field Offices)**

Textual records containing nonspecific or general intelligence information about unions, officers/employees, employers, consultants, and other persons or organizations in regard to potential LMRDA violations. Zero files include letters, memoranda, and supporting documents provided by complainants and informants; field office general correspondence; pertinent newspaper articles concerning union activity; OLMS memoranda summarizing information received from telephone inquiries and office visitors; and, copies of internal union documents. Any information contained in zero files deemed pertinent to an OLMS opened investigation is transferred to the appropriate OLMS investigative case file (see item 5 of this records schedule).

Temporary. Destroy on site 10 years after recordkeeping copy is produced.

**9. GENERAL CORRESPONDENCE FILES  
(OLMS National Office)**

OLMS Division of Interpretations and Standards general correspondence. Responses to mail from the White House, members of Congress, union officials, union members, the public and others. Documents stored by date of outgoing correspondence.

Temporary. Cut off monthly. Destroy 5 years after cutoff.



## **10. PROGRAM POLICY FILES (OLMS National Office)**

Correspondence, memoranda, reports, and other records produced by OLMS Division of Interpretations and Standards relating to program policy.

File Scheme: By numerical codes that correspond to various subject matters  
Volume On Hand: 60 cubic feet  
Annual Accumulation: 1 cubic foot  
Inclusive Dates: 1960 to present

### **A. Textual Records Related to the Development of Federal Regulations**

PERMANENT. Cut off after regulation is published in final. Transfer to National Archives 30 years after cutoff.

### **B. All other Textual Records**

Temporary. Destroy when no longer needed for reference.

## **11. ASSISTANT SECRETARY DECISION AND ORDER FILES (OLMS National Office)**

Copies of signed Assistant Secretary Decision and Order rulings from 1979 to present issued pursuant to Title VII of the Civil Service Reform Act of 1978 (CSRA) (5 U.S.C. 7120) which deal with the standards of conduct provisions for Federal sector labor organizations and the implementing regulations, 29 CFR parts 457-459. Files from 1983 to present also include copies of complaints, briefs, investigative reports, exhibits, correspondence, and other material relating to Assistant Secretary Decisions and Orders.

File Scheme: By decision number and year  
Volume On Hand: 25 cubic feet  
Annual Accumulation: 1 cubic foot

PERMANENT. Cut off after the Decision and Order is issued. Transfer to National Archives 30 years after cutoff.

## **12. PROGRAM OPERATIONS FILES (OLMS National Office)**

Memoranda, reports, and other records produced by the OLMS Director relating to program operations. Records are arranged and filed by operational subject matter.

Temporary. Destroy when no longer needed for reference.

## **13. OPERATIONS MANUAL (OLMS National Office)**

Organizational information and program operations procedures.

### **A. Superseded Operations Manual**

File Scheme. By operational subject matter  
Volume on Hand: One-half cubic foot  
Annual Accumulation: Periodically updated  
Inclusive Dates: 1988 to present  
Restriction: FOIA exemptions 2 and 7(E)

PERMANENT. The superseded Operations Manual, in paper format, will be transferred to National Archives upon approval of this schedule.

### **B. All other Copies of the Superseded Manual**

Temporary. Destroy when no longer needed for reference.

### **C. Current Operations Manual**

File Scheme: By operational subject matter  
Format: Electronic Format (PDF Adobe Acrobat)  
Inclusive Dates: 2004 to present  
Restrictions: FOIA exemptions 2 and 7(E)

PERMANENT. Obsolete or superseded records will be transferred to National Archives annually.

### **D. Copies of the Operations Manual**

Temporary. Destroy when no longer needed for reference

## STATUTORY PROGRAMS RECORDS SCHEDULE

The Division of Statutory Programs (DSP), Office of Labor-Management Standards, Employment Standards Administration, provides for the administration and enforcement of the Department of Labor's transit employee protection responsibilities under the Federal Transit law (formerly the Urban Mass Transportation Act of 1964, Public Law 88-365, as amended). Procedural guidelines to administer this program are set forth at 29 C.F.R. Part 215 (July 28, 1999). The primary provisions of the law for which the Department is responsible are codified at 49 U.S.C., Section 5333 (b) (commonly referred to as "Section 13(c)") and Section 5311 (commonly referred to as "Section 18"). DSP also administers the Department's responsibilities under the Rail Passenger Service Act of 1970, as amended, Public Law 91-518, as amended. Additionally, DSP administers the Department's responsibilities under certain protective arrangements established pursuant to these statutory provisions.

### **1. FEDERAL TRANSIT LAW AND RAIL PASSENGER SERVICE ACT FILES**

#### **A. Section 5333(b) Certification Files and Section 5311 Case Files**

Section 5333(b) files each contain a grant application for Federal assistance (either preliminary or final) and either a Department of Labor certification letter or administrative memorandum closing the case file. The files may also contain one or more of the following: labor protective agreements, correspondence, case history sheet, referral letters, objection letters, briefs, signed agreements or side letters, DOL interim and/or final certification(s). Section 5311 Case Files contain letters of assurance from each state, copies of sign-on requests from unions, and copies of DOL letters which approve funding, address the non-compliance status of recipients or otherwise address the rights of employees under the grant.

**1. Significant Case Files** -- Landmark (or historical) section 5333(b) certification cases files, and/or Section 5311 cases and materials are those that result in decisions that interpret basic authority or substantially affect the Program, or that have precedential value, national impact, or special value for interpretation of the statutes and/or have other significant value for the program.

File Scheme: By state, then by grant applicant, then by grant application number

Volume On Hand: 40 cubic feet

Annual Accumulation: 3 cubic feet

Inclusive Dates: 1980 to present

Disposition: PERMANENT. Cut off annually. Retain on site 10 years after cutoff and then transfer to National Archives for permanent retention.

2. **Routine Case Files** -- files in all other certification cases and in all section 5311 cases not designated as significant cases, and not otherwise determined to be of permanent significance.

File Scheme: By state, then by grant applicant, then by grant application number

Volume On Hand: 536 cubic feet

Annual Accumulation: 90 cubic feet

Inclusive Dates: 1996 to present

Disposition: TEMPORARY. Cut off after case is closed. Retain on site three years after cutoff and then transfer to the Federal Records Center. Destroy ten years after cutoff.

(Supersedes NC-1-317-84-1, item 17)

#### B. Program Policy Files

Significant correspondence, memoranda, reports, studies, issue papers, and other records relating to the Federal transit program and/or the Rail Passenger Service Act program.

File Scheme: By subject

Volume On Hand: 10 cubic feet

Annual Accumulation: 2 cubic feet

Inclusive Dates: 1960 to Present

#### 1. Textual Records Related to the **Development of Program Guidelines**

Disposition: PERMANENT. Cut off after regulation is published in final. Transfer to National Archives 10 years after cutoff.

#### 2. All **Other** Textual Records

Disposition: TEMPORARY. Retain in office for ~~minimum of 6 years~~ <sup>then</sup> Destroy ~~when no longer needed for reference~~.

(Supersedes NC-1-317-84-1, item 6)

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## 2. EMPLOYEE PROTECTION CLAIMS

### A. Arbitration Case Files

Case files of disputed claims under Section 5333(b) of the Federal Transit Act (FTA) and/or under the Rail Passenger Service Act. These include the official case file and record in claim(s) filed by employees and/or unions seeking employee protections under protective arrangements certified by DOL. The case files support DOL arbitration decisions included in the case files and create policy precedent.

File Scheme: By name of claimant

Volume On Hand: 6 cubic feet

Annual Accumulation: 3 cubic feet

Inclusive Dates: 1999 to present

Disposition: TEMPORARY. Cut off closed case files every three years. Retain on site 3 years after cutoff. Transfer to Federal Records Center every 3 years beginning in 2005. Destroy 4 years after transfer to FRC.

(Supersedes NC-1-317-84-1, item 4a)

### B. Employee Protection Digest

Compilation of arbitration decisions in employee protections claims cases decided by DOL. It was first published in 1980 and is updated as appropriate by adding new arbitration decisions to the digest.

File Scheme: Chronological by issued date

Volume On Hand: 5 cubic feet

Annual Accumulation: 0.3 cubic feet

Inclusive Dates: 1970 to present

Disposition: PERMANENT. Transfer digest of decisions through year 2000 to National Archives immediately upon approval of this schedule. Cut off closed arbitration decisions every 5 years beginning in 2005. Retain on site 5 years after cutoff. Transfer to National Archives every 5 years beginning in 2010.

(Supersedes NC-1-317-84-1, item 4b,c)

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### 3. ELECTRONIC RECORDS CREATED USING ELECTRONIC MAIL OR WORD PROCESSING

- A. Copies that have no further administrative value after recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

Disposition: TEMPORARY. Delete within 180 days after the recordkeeping copy has been produced.

- B. Copies used for dissemination, review, revision, or updating that are maintained in addition to the recordkeeping copy.

Disposition: TEMPORARY. Documents are transferred to a shared database at the end of each month to facilitate access through document retrieval software. These are duplicates of the paper records created by DOL in item 1 above. Delete when dissemination, review, revision, or updating is complete.