

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-403-08-002

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 2/18/2025

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These items, unless subsequently superseded, may be used by the agency to disposition records.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 remain 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SUPERSEDED AND OBSOLETE ITEMS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 They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling.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.

Item 15/B is superseded by DAA-0403-2023-0001-0002, 0003, 0004 and 0005 in Part

Note: Records are being scheduled to separate temporary litigation records previously scheduled as permanent records.

Item 15/B is superseded by DAA-0403-2023-0001-0006 (Historically Significant Enforcement Litigation Case Files)

Item 15/B is superseded by DAA-0403-2023-0001-0007 (Historically Significant Defensive Litigation Case Files)

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER NI-403-08-2	
1 FROM (Agency or establishment) EQUAL EMPLOYMENT OPPORTUNITY COMMISSION		DATE RECEIVED 7/18/08	
2. MAJOR SUBDIVISION Executive Secretariat		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
3. MINOR SUBDIVISION			
4. NAME OF PERSON WITH WHOM TO CONFER Delphine J. Best	5. TELEPHONE (202) 663-4223	DATE 6/11/09	ARCHIVIST OF THE UNITED STATES Adrienne Thomas
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 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, <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested. </div>			
DATE	SIGNATURE OF AGENCY REPRESENTATIVE Delphine J. Best <i>Delphine J. Best</i>	TITLE Records Officer	
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	See attached sheets		

COMMISSION RECORDS (COMMISSIONERS)
EEOC RCS No. 13

The EEOC has a five-member Commission appointed by the President and confirmed by the Senate. Commissioners are appointed for five-year, staggered terms. The President designates a Chairman and Vice Chairman. The Commissioners make equal employment opportunity policy and approve most litigation not otherwise delegated. The Executive Secretariat serves the Chairman as the focal point for the receipt, documentation, review, coordination and monitoring of all policy development and related activities, and decision documents that flow to and from the Chairman, Commissioners, and program offices.

A. General Correspondence. Public inquiries and complaints sent to the Chairman

1. **Correspondence Responded to by the Chairman.** Incoming correspondence, the Chairman's response, and signed declarations

Disposition: **PERMANENT.** Cut off at end of tenure of each Chairman. Transfer to Federal Records Center (FRC) five years after cut off. Transfer to National Archives ten (10) years after cut off.

Supersedes EEOC Order 201, Appendix A, Item 13A [Job No. NC1-403-79-1, Item 13A] [NOTE: New items A(1) and A(2) have been split from the same item, 13A]

2. **Correspondence Responded to by other Offices.** These files contain copies of correspondence received by the Chairman's office and forwarded to field offices or other offices at headquarters for reply.

Disposition: **TEMPORARY.** Cut off at end of tenure of each Chairman. Destroy two years after cut off.

Supersedes EEOC Order 201, Appendix A, Item 13A [Job No. NC1-403-79-1, Item 13A] [NOTE: New items A(1) and A(2) have been split from the same item, 13A]

B. Chairman's Chronological Files. Replies to internal correspondence to the Chairman and copies of all internal communications signed by the Commission Chairman

Disposition: **TEMPORARY.** Cut off at end of tenure of each Chairman. Destroy three (3) years after cut off.

Supersedes EEOC Order 201, Appendix A, Item 13B [Job No. NC1-403-79-1, Item 13B]

C. **Commission Meetings.** Files documenting both closed Commission meetings and those open to the public. The closed meetings concern sensitive issues or deliberations related to case files referred to the Commission from field offices. The open meetings involve policy-making processes of the Commission and issues of a non-ministerial nature. Video recordings of open Commission meetings are transcribed and those transcripts are included in the meeting file.

1. **Agendas, Meetings, and Background Material.** Agendas include a summary of topics to be discussed at Commission meetings and a statement indicating whether the meeting is open or closed to the public. The open meeting transcript contains a complete summary of the subjects discussed at the meeting, including actions taken, reasons for the actions, views expressed on any items and any vote(s).

Disposition. **PERMANENT.** Cut off at end of tenure of each Chairman. Transfer to National Archives twenty-five (25) years after cut off.

Supersedes EEOC Order 201, Appendix A, Items 13C(1) and (2) [Job No. NC1-403-79-1, Items 13C(1) and (2)]

2. Meeting Minutes combined with 13C(1) above.

3. **Recordings.** Audio and video recordings of Commission meetings.

Disposition **PERMANENT.** Cut off at end of tenure of each Chairman. If the Chairman serves more than one term, cut off at the end of each term. Transfer to National Archives one (1) year after cut off.

Supersedes EEOC Order 201, Appendix A, Item 13C(3) [Job No. NC1-403-79-1, Item 13C(3)(a)]

D. **Commission Decision Files.** These files document Commission positions and decisions about EEOC policy as well as discrimination complaints under Title VII of the Civil Rights Act of 1964 (Title VII), Equal Pay Act (EPA), Age Discrimination in Employment Act (ADEA), Americans With Disabilities Act (ADA), and other laws which EEOC administers. Files include the decision cover sheets, decision documents and background materials.

Disposition **PERMANENT.** Cut off at end of tenure of each Chairman. Transfer to National Archives twenty-five (25) years after cut off.

Supersedes EEOC Order 201, Appendix A, Items 13D(1)(a); 13D(1)(b); and 13D(2)(a) [Job No. NC1-403-79-1, Items 13D(1)(a); 13D(1)(b) and 13D(2)(a)]

**OFFICE OF GENERAL COUNSEL
EEOC RCS No. 15**

B. Appellate Services Case Files and Amicus Curiae Briefs

Appellate Services is responsible for conducting all appellate litigation where the Commission is a party, and participates as amicus curiae in both appellate and district court cases involving unusual issues or developing areas of the law. Appellate Services also represents the Commission in the United States Supreme Court through the Solicitor General

The records include appellate case files pertaining to EEOC's enforcement litigation under Title VII of the Civil Rights Act of 1964 (Title VII), Equal Pay Act (EPA), Age Discrimination in Employment Act (ADEA), Americans With Disabilities Act (ADA), and other laws which EEOC administers as well as case files in all appellate litigation in which EEOC is a defendant. The case files include motions, briefs, court decisions and other similar legal documents. Records also include case files in litigation in which EEOC participated as amicus curiae.

Disposition. **PERMANENT.** Cut off at the end of the fiscal year in which the final court action occurred. Transfer to Federal Records Center (FRC) one (1) year after cut off. Transfer to National Archives ten (10) years after cut off in ten (10) year blocks.

Supersedes EEOC Order 201, Appendix A, Items 15B(1)(a); 15B(2)(a), 15B2(b)(1); 15B(3)(a); 15B(3)(b) and 15B(3)(c)(1) [Job No. NC1-403-81-3, Items 15B(1)(a); 15B(2)(a); 15B2(b)(1), 15B(3)(a), 15B(3)(b) and 15B(3)(c)(1)]

**OFFICE OF FEDERAL OPERATIONS
EEOC RCS 16**

A. Appeals Records

Records created in the Office of Federal Operations relating to appeal actions taken under Title VII of the Civil Rights Act of 1964, as amended, Section 501 of the Rehabilitation Act, as amended, the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, and Americans with Disabilities Act of 1990 and other laws which EEOC administers. Records include appeals and supporting/opposition statements from the parties regarding a federal agency's final action on a complaint; appeals of a final decision of an agency, arbitrator, or the Federal Labor Relations Authority on a grievance involving claims of discrimination; petitions for review of decisions issued by the Merit Systems Protection Board involving claims of discrimination; petitions for enforcement of decisions issued under the Commission's appellate jurisdiction; and requests for reconsideration of Commission decisions

1. Significant Appeals Case Files

Significant appeals case files involve: (1) appellate decisions which were circulated to the Commissioners and issued under the signature of the Commission's Executive Officer that involve novel issues or issues of first impression, establish legal precedent or new policies and procedures regarding the laws, regulations and directives applied by the Commission, or, gain national attention because of Congressional or public interest or (2) other appellate decisions identified by the Director of the Appellate Review Programs and/or Director of the Office of Federal Operations as involving significant matters.

Disposition **PERMANENT**. Cut off at the end of the fiscal year in which the final EEOC decision occurs. Transfer to Federal Record Center (FRC) after cut off. Transfer to National Archives ten (10) years after cut off in ten (10) year blocks.

Supersedes EEOC Order 201, Appendix A, Item 16A(1) [Job No NC1-403-81-2, item 16A(1)]

2. Routine Appeals Case Files

Case files that do not meet the "Significant Appeals Case Files" criteria

Disposition. **TEMPORARY**. Cut off at the end of the fiscal year in which the final EEOC decision occurs. Transfer to Federal Record Center (FRC) after cut off. Destroy four years after cut off.

Supersedes EEOC Order 201, Appendix A, Item 16A(2) [Job No. NC1-403-81-2, item 16A(2)]

- B. Control Cards and Logs - no longer created.
- C. "Unsanitized" Decisions - no longer created.
- D. "Sanitized" Decisions - no longer created.