

Request for Records Disposition Authority

Records Schedule Number DAA-0155-2022-0002

Schedule Status Approved

Agency or Establishment Wage and Hour Division

Record Group / Scheduling Group Records of the Wage and Hour Division

Records Schedule applies to Agency-wide

Schedule Subject WHD Policy, Planning, and Reporting Records

Internal agency concurrences will be provided No

Background Information

The Wage and Hour Division (WHD) administers programs to provide for the execution of the Department of Labor's responsibilities under the Fair Labor Standards Act (FLSA), Davis-Bacon and related Acts (DBRA), McNamara O'Hara Service Contract Act (SCA), Walsh-Healey Public Contracts Act (PCA), Contract Work Hours and Safety Standards Act (except safety and health provisions), the Copeland Act, the Migrant Seasonal Agricultural Worker Protection Act (MSPA), the Family and Medical Leave Act, and labor standards provisions of various other statutes, including the National Foundation on Arts and Humanities Act, Title III of the Consumer Credit Protection Act (CCPA), the Immigration Reform and Control Act (IRCA), the United States-Mexico-Canada Agreement (USMCA), and the Employee Polygraph Protection Act (EPPA).

The Wage and Hour Division is headed by an Administrator who reports directly to the Secretary of Labor.

Because the records created and received are in a variety of media and formats, this schedule is media neutral and permits the retention and disposition of records in any media (36 CFR 1228 24(b)(3)) Temporary records in electronic formats will be maintained by WHD throughout their life cycle. All electronic records are created and maintained in accordance with NARA standards Unless otherwise specified, the record cut off is at the end of each calendar year.

This schedule applies to records stating agency policies and records that document the development of those policies.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
7	5	2	0

GAO Approval

Outline of Records Schedule Items for DAA-0155-2022-0002

Sequence Number	
1	Rulemaking Records
1.1	Docket and Decisional Records Disposition Authority Number: DAA-0155-2022-0002-0001
2	Congressional Briefings, Congressional Hearings, and Meetings of Special Committees Disposition Authority Number: DAA-0155-2022-0002-0002
3	Agency Mission Policies and Interpretive and Technical Guidance Disposition Authority Number: DAA-0155-2022-0002-0003
4	Plans and Reports
4.1	Substantive plans and reports submitted to entities outside of WHD Disposition Authority Number: DAA-0155-2022-0002-0004
4.2	Routine Wage Hour reports of a non-substantive nature Disposition Authority Number: DAA-0155-2022-0002-0005
5	Supporting, Background, and Development Materials Disposition Authority Number: DAA-0155-2022-0002-0006
6	Historically Significant Administrative and Management Records Disposition Authority Number: DAA-0155-2022-0002-0007

Sequence Number			
1	Rulemaking Records		
1.1	Docket and Decisional Records		
	Disposition Authority Number	DAA-0155-2022-0002-0001	
	<p>Records of development of agency rules used for and documenting management decision making as well as records included in the rulemaking docket file, in preparation for Federal Register publication as a proposed rule, including docket records that result in final rules, docket records that do not result in final rules, and docket records of exemptions to rules. This item includes decisional records not typically included in the docket that include, but are not limited to: • White papers • internal comments in response to drafts presented to management • briefing papers and options papers presented to management • rule/regulation drafts presented to management • decision memoranda</p>		
	Final Disposition	Permanent	
	Item Status	Active	
	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?	No	
	GRS or Superseded Authority Citation	N1-155-11-001 / 1	
	Disposition Instruction		
	Cutoff Instruction	Cutoff after publication of final rule or decision to abandon publication.	
	Transfer to the National Archives for Accessioning	Transfer to the National Archives in 5 year blocks 15 year(s) after block closes	
	Additional Information		
	What will be the date span of the initial transfer of records to the National Archives?	From 2015 To 2019	
	How frequently will your agency transfer these records to the National Archives?	Every 5 Years	
		Estimated Current Volume	Annual Accumulation

2

Electronic/Digital	2 GB	400 MB
Paper		
Microform		
Hardcopy or Analog Special Media		

Congressional Briefings, Congressional Hearings, and Meetings of Special Committees

Disposition Authority Number **DAA-0155-2022-0002-0002**

These records are of testimony or presentations offered in Congressional briefings, hearings, testimony, as well as meetings of special committees including Section 14 Workshop Advisory Committee Files, and materials developed during the briefings, hearings, testimony, and meetings of special committees.

Final Disposition **Permanent**

Item Status **Active**

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? **No**

GRS or Superseded Authority Citation **N1-155-11-001 / 2**

Disposition Instruction

Cutoff Instruction **Cutoff annually.**

Transfer to the National Archives for Accessioning **Transfer to the National Archives in 5 year blocks 15 year(s) after block closes**

Additional Information

What will be the date span of the initial transfer of records to the National Archives? **From 2015 To 2019**

How frequently will your agency transfer these records to the National Archives? **Every 5 Years**

	Estimated Current Volume	Annual Accumulation
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Electronic/Digital	2 GB	400 MB
Paper		
Microform		
Hardcopy or Analog Special Media		

3 **Agency Mission Policies and Interpretive and Technical Guidance**

Disposition Authority Number **DAA-0155-2022-0002-0003**

Documents and records setting out agency policies (including superseded and superseding policies). • Field Advisory bulletins • Administrator Orders • Administrator Interpretations • Wage and Hour Memoranda (WHAM) • Opinion Letters (incoming and response letter for letters developed after 1/20/2017) • Legal Field Letters • Exemption Field Letters • All-Agency Memoranda • Ruling Letters • Determination Letters • Mission directives and internal mission policy (such as the Field Operations Handbook) • Records of revisions to statements of internal mission guidance (such as the Field Operations Handbook • Legislative histories • Guidance or comments offered to Congress on technical questions or proposed legislation • Regional Administrator Memos, orders, directives Excludes administrative policies not focused on agency mission activities

Final Disposition **Permanent**

Item Status **Active**

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? **No**

GRS or Superseded Authority Citation **N1-155-11-001 / 3
N1-155-11-001 / 4**

Disposition Instruction

Cutoff Instruction **Cut-off at the end of calendar year in which final action was taken**

Transfer to the National Archives for Accessioning **Transfer to the National Archives in 5 year blocks 15 year(s) after block closes**

Additional Information

What will be the date span of the initial transfer of records to the National Archives? **From 2015 To 2019**

How frequently will your agency transfer these records to the National Archives? **Every 5 Years**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital	2 GB	400 MB
Paper		
Microform		
Hardcopy or Analog Special Media		

Plans and Reports

Substantive plans and reports submitted to entities outside of WHD

Disposition Authority Number **DAA-0155-2022-0002-0004**

These records are of the agency annual strategic plan, strategic initiative final reports, program plans, the Annual Report of State Labor Legislation, economic reports, and reports created for the Department, Congress, special industry and other committees or the public, conferences and committee meetings. These also include reports, files, agendas, and minutes of significant meetings and conferences attended by the Administrator, Deputy Administrator, Assistant Administrators or their designees, including survey materials, work papers, docket files and exhibits. Excludes budget requests and GPRA reports as these are covered by General Records Schedule 1.1 and 6.

Final Disposition **Permanent**

Item Status **Active**

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? **No**

GRS or Superseded Authority Citation **N1-155-11-002 / 2a**

Disposition Instruction

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4.1

4.2	Cutoff Instruction	Cut-off at the end of calendar year in which final action was taken
	Transfer to the National Archives for Accessioning	Transfer to the National Archives in 2 year blocks 15 year(s) after block closes
	Additional Information	
	What will be the date span of the initial transfer of records to the National Archives?	From 2015 To 2020
	How frequently will your agency transfer these records to the National Archives?	Every 2 Years
	Routine Wage Hour reports of a non-substantive nature	
	Disposition Authority Number	DAA-0155-2022-0002-0005
	These records include reports from regional, district, and other offices to the National Office or Regional Offices, regarding staffing, budget, or other matters related to administrative or management functions or activities.	
	Final Disposition	Temporary
	Item Status	Active
5	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?	Noe
	GRS or Superseded Authority Citation	N1-155-11-002 / 2b
	Disposition Instruction	
	Retention Period	Destroy 5 year(s) after final action
	Additional Information	
	GAO Approval	Not Required
	Supporting, Background, and Development Materials	
	Disposition Authority Number	DAA-0155-2022-0002-0006
	Documents, including circulated drafts and research documents, developed or used to analyze, prepare, and develop all items identified in WHD Policy Schedule	

DAA-0155-2022-0002 items 0002, 0003, 0004, and 0005. This includes all background, supporting, and development documents for rulemaking records not included in the official docket, briefings and hearings, policies, interpretive and technical guidance, and substantive reports that are not included in the final product. Records of internal development of agency rulemaking include: • stakeholder input • analyses • clearances • summary sheets • background and supporting materials • records documenting a notice of inquiry (NOI) advance notice of proposed rulemaking (ANPRM), or request for information (RFI) in the Federal Register inviting comments on a not-yet-proposed rule, and comments received in response • concept releases • petitions to issue, amend, or repeal a rule • petitions for exemption • reports • meeting minutes documenting evaluation of options and decisions made • workplans and timelines • correspondence • Public comments WHD receives in response to a proposed rule, provided WHD retains a summary of those comments with the rulemaking docket in a docket management system.

Final Disposition Temporary

Item Status Active

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? No

GRS or Superseded Authority Citation N1-155-11-002 / 2c
N1-155-11-001 / 5

Disposition Instruction

Retention Period Destroy 16 year(s) after final action

Additional Information

GAO Approval Not Required

Historically Significant Administrative and Management Records

Disposition Authority Number DAA-0155-2022-0002-0007

Official recordkeeping copies of administrative and management records that have continuing value because they document substantive characteristics of the organization. These include the administrator's briefing book, organizational charts, reorganization studies, delegations of authority, and agency histories.

Final Disposition Permanent

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in No

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

GRS or Superseded Authority Citation **N1-155-11-002 / 3**

Disposition Instruction

Cutoff Instruction **Cut-off at the end of calendar year in which final action was taken**

Transfer to the National Archives for Accessioning **Transfer to the National Archives in 5 year blocks 15 year(s) after block closes**

Additional Information

What will be the date span of the initial transfer of records to the National Archives? **From 2015 To 2019**

How frequently will your agency transfer these records to the National Archives? **Every 5 Years**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital	2 GB	400 MB
Paper		
Microform		
Hardcopy or Analog Special Media		

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
04/26/2022	Certify	Steven Pierce	Records Officer	Wage and Hour Division - Wage and Hour Division
05/04/2022	Return for Revision	David Weber	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services
06/09/2022	Submit For Certification	Steven Pierce	Department Records Officer	OASAM - OCIO
06/09/2022	Certify	Steven Pierce	Department Records Officer	OASAM - OCIO
08/05/2022	Return for Revision	David Weber	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services
08/08/2022	Submit For Certification	Steven Pierce	Department Records Officer	OASAM - OCIO
08/08/2022	Certify	Steven Pierce	Department Records Officer	OASAM - OCIO
11/02/2022	Submit for Concurrence	David Weber	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services
11/07/2022	Return to Submitter	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
11/15/2022	Submit for Concurrence	David Weber	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services

11/29/2022	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
11/30/2022	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
12/05/2022	Approve	Debra Wall	Deputy Archivist	National Archives and Records Administration - ND Archives I Office