

Request for Records Disposition Authority

Records Schedule Number DAA-0174-2013-0006

Schedule Status Modified Approved Version

Agency or Establishment Department of Labor

Record Group / Scheduling Group General Records of the Department of Labor

Records Schedule applies to Major Subdivision

Major Subdivision Office of the Solicitor

Schedule Subject Comprehensive Records Schedule

Internal agency concurrences will be provided Yes

Background Information

The Office of the Solicitor (SOL) provides the Secretary of Labor and agencies within the Department, its clients, with the comprehensive legal services required to accomplish the mission of the Department and the priority goals established by the Secretary while ensuring that the Department itself complies with applicable laws and regulations.

SOL independently litigates in U.S. District Courts, Courts of Appeals, and before administrative bodies; SOL assists the Solicitor General in DOL-related litigation in the U.S. Supreme Court and assists the Justice Department and local U.S. Attorney's offices in case preparation and trial.

SOL supports DOL regulatory activities through the review of rules and provides assistance in the preparation of notices and regulations. SOL provides oral and written interpretations and opinions to client agencies concerning more than 100 statutes, which the Department administers and/or enforces.

SOL coordinates the Department's legislative program and reviews proposed legislation, assists in drafting legislation, prepares testimony and reports on proposed legislation as requested by Congress and the Office of Management and Budget, assists in the preparation of annual reports to Congress, and provides legal advice on certain international matters, including issues involving the International Labor Organization. SOL also serves as in-house counsel to the Department on a variety of matters including but not limited to labor-management relations, procurement, grants, appropriations, and ethics.

SOL Structure

This schedule covers the Office of the Solicitor as presently arranged, and as it may exist in the future. This section describes the agency's present structure. The Immediate Office of the Solicitor consists of the Solicitor of Labor, the Deputy Solicitor, a Deputy Solicitor for National Operations, and a Deputy Solicitor for Regional Enforcement, in addition to advisors and assistants.

SOL has ten National Division offices, organized by program-specific areas, which are generally structured to provide client agencies with a single point of contact to the extent possible for legal advice and rulemaking support, and also conduct or support related litigation. The National Divisions also conduct most of SOL's appellate litigation before the Administrative Review Board, the Employees' Compensation Appeals Board, the Federal Mine Safety and Health Review Commission, the Benefits Review Board, Merit System Protections Board, the Occupational Safety and Health Review Commission, Equal Employment Opportunity Commission's Office of Federal Operations, and the federal Courts of Appeals. The Office of Legal Counsel is responsible for managing both legislative and ethics matters concerning the Department as well as SOL's Honors Program. Each Division is headed by an Associate Solicitor, and, in most cases, one or more Deputy Associate Solicitors. The National Divisions are as follows:

- Division of Black Lung and Longshore Legal Services
- Division of Civil Rights and Labor-Management
- Division of Employment and Training Legal Services
- Division of Fair Labor Standards
- Division of Federal Employees and Energy Workers Compensation
- Division of Management and Administrative Legal Services
- Division of Mine Safety and Health
- Division of Occupational Safety and Health
- Division of Plan Benefits Security
- Office of Legal Counsel

SOL also has seven Regional and seven Branch Offices that generally serve as trial litigation centers. The Regional/Branch Offices support SOL's worker protection clients in their investigations and the development of cases, recommend and prosecute litigation before administrative bodies and federal District Courts, prepare legal interpretations and opinions for all of the agencies' regional components, and assist the United States Attorneys to prosecute criminal cases. Each Region is headed by a Regional Solicitor and Deputy Regional Solicitor, and each Branch is headed by an

Associate Regional Solicitor who reports to the respective Regional Solicitor.

Scope and Intent of Schedule

This comprehensive records schedule covers all SOL offices described above or subsequently established (hereinafter referred to as SOL office(s)). It supersedes all previously approved SOL records schedules and applies to all SOL program/mission records. This schedule does not cover administrative/common records that fall under the General Records Schedule. Administrative records are created in performing common functions that support SOL's activities, but do not directly document the performance of mission functions. Administrative records relate to activities such as budget and finance, human resources, equipment and supplies, facilities and contracting (e.g. travel vouchers, purchase orders, time and attendance, etc.).

This comprehensive schedule does not list every possible program/mission records series that may be encountered, but instead groups together logically related records and simplifies the retention periods for all records, including electronic information. The schedule is media neutral, that is, it covers records in all formats, including electronic records.

This large-category approach to records and electronic information management brings records in all media together to achieve a simplified approach to organizing and maintaining records. When additional records are identified they can easily be associated with existing category and subcategory descriptions. Within each major record category are subcategories used to group permanent and non-permanent records.

Supersedes: NNA-1730, NC1-174-81-2, NN-174-095, NN-174-093, NN-174-092, NN-174-091, NN-174-090, NN-174-089, NN-174-088, NN-174-087, NN-174-086, and N1-174-02-02.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
9	3	6	0

GAO Approval

0002, 0006, 0007, 0008, 0009

Outline of Records Schedule Items for DAA-0174-2013-0006

Sequence Number	
1	Litigation Case Files and Advice and Opinion Files.
1.1	All Litigation Case Files and Advice and Opinion Files meeting the definition of historically significant. Disposition Authority Number: DAA-0174-2013-0006-0001
1.2	Litigation Case Files and Advice and Opinion Files not meeting the definition of historically significant. Disposition Authority Number: DAA-0174-2013-0006-0002
2	Immediate Office of the Solicitor.
2.1	Records documenting the activities of the Solicitor, meeting the definition of historically significant. Disposition Authority Number: DAA-0174-2013-0006-0003
2.2	All other records documenting the activities of the Solicitor, including but not limited to, chronological files, activity reports, and calendars. Disposition Authority Number: DAA-0174-2013-0006-0004
3	All other SOL records.
3.1	Rulemaking records.
3.1.1	Rulemaking records for which SOL is the agency initiating the rulemaking and retaining the official rulemaking record. Disposition Authority Number: DAA-0174-2013-0006-0005
3.1.2	Rulemaking records for which the Department or other client agency initiates the rulemaking and retains the official rulemaking records. Disposition Authority Number: DAA-0174-2013-0006-0006
3.2	Non-administrative chronological correspondence files, periodic activity reports, calendars for heads of offices, and for overall office coordination (other than Immediate Office of the Solicitor), and other records used to document staff activities. Disposition Authority Number: DAA-0174-2013-0006-0007
3.3	Attorney working files. Disposition Authority Number: DAA-0174-2013-0006-0008
3.4	Electronic systems tracking SOL legal activities (regardless of significance). Disposition Authority Number: DAA-0174-2013-0006-0009

Records Schedule Items

Sequence Number	
1	<p>Litigation Case Files and Advice and Opinion Files.</p> <p>Litigation Case Files consist of records that include, but are not limited to, motions, briefs and other documents relating to cases litigated on behalf of SOL's client agencies before administrative adjudicators and the courts, exclusive of papers furnished by client agencies, which are returned to the client agencies for maintenance in those client agencies' official files. Advice and Opinion Files consist of records that include, but are not limited to, correspondence, memoranda, testimony, reports, decisions, studies, reference materials, and other similar records relating to the provision of legal advice and opinions to SOL's clients pertaining to proposed and existing statutes, programs, and regulations that client agencies are charged with administering and enforcing. The records in this category may be maintained in any SOL office. Note: Criteria may vary for different practice/program areas. Segregation of cases and other records into significant and non-significant categories must be done by the individual SOL office maintaining the records at the time the file is closed and /or the records are cut off (end of calendar year in which the case or matter is closed). Files may not be transferred to a Federal Records Center (FRC) until a designation of significant or non-significant has been made. Given the high threshold of historical significance to the nation, the Associate Solicitor or Regional Solicitor for the division/region should be consulted before a Litigation Case or Advice and Opinion File is deemed significant, if there is a question regarding the significance determination, or that designation is subsequently changed.</p>
1.1	<p>All Litigation Case Files and Advice and Opinion Files meeting the definition of historically significant.</p> <p>Disposition Authority Number DAA-0174-2013-0006-0001</p> <p>Historically significant Litigation Case Files and Advice and Opinion Files will be transferred to the National Archives for permanent retention. Only approximately 2-3% of all government records are deemed significant, and these records document changes and major events in the nation's history. Factors to be considered by SOL in determining which Litigation Case Files and Advice and Opinion Files qualify as historically significant include whether at the time the file is closed and/or at the time of eligibility for destruction or permanent accession to NARA, the matter is deemed to have: • Established an important legal precedent of lasting historical significance; • Involved a complex, important, or novel issue of lasting historical significance; • Involved high public interest and/or media attention (nationally or regionally) of lasting historical significance; • Involved large classes of victims and is of lasting historical significance; or • Resulted in large-scale monetary relief (millions) and is of lasting historical significance.</p> <p>Final Disposition Permanent</p>

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
Disposition Instruction	
If this item has multiple sections, indicate here records to which this section apply	Non-electronic Textual Records
Cutoff Instruction	End of calendar year in which file is closed.
Transfer to Inactive Storage	Retain in office or transfer to Federal Records Center (FRC) one year after cutoff. If the official records are textual records (hard copy), offer to the National Archives 15 years after cutoff.
Transfer to the National Archives for Accessioning	Transfer to the National Archives 15 year(s) after cutoff.
Additional Information	
First year of records accumulation	1933
What will be the date span of the initial transfer of records to the National Archives?	From 1933 To 2000
How frequently will your agency transfer these records to the National Archives?	Unknown Permanent materials date back to 1933, a good many will be eligible for immediate transfer to regional facilities or to College Park, and additional ones will be eligible every year as the 15 year retention is reached.

	Estimated Current Volume	Annual Accumulation
Electronic/Digital		
Paper	850 Cubic feet	10 Cubic feet
Microform		
Hardcopy or Analog Special Media		

1.2	Disposition Instruction	
	If this item has multiple sections, indicate here records to which this section apply	Electronic Records
	Cutoff Instruction	Close of file.
	Transfer to the National Archives for Accessioning	Transfer to the National Archives 15 year(s) after cutoff
	Additional Information	
	What will be the date span of the initial transfer of records to the National Archives?	Unknown Unknown
	How frequently will your agency transfer these records to the National Archives?	Unknown Unknown
	Litigation Case Files and Advice and Opinion Files not meeting the definition of historically significant.	
	Disposition Authority Number	DAA-0174-2013-0006-0002
	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
	Disposition Instruction	
	Cutoff Instruction	End of calendar year in which file is closed.
	Transfer to Inactive Storage	Retain in office or transfer to Federal Records Center (FRC) one year after cutoff. Destroy/delete 1 to 10 years after cutoff, based on business needs of practice/program area. The retention period will be consistent within each program area or practice within a program area, without regard to which SOL office possesses the records. For litigation files, consistent retention periods will be established for each program area or practice within a program (e.g., appellate cases within a program, trial level cases within a program).

	Retention Period	Destroy between 1 year(s) and 10 year(s) after cutoff, based on business needs of practice/program area.
	Additional Information	
2	GAO Approval	Required and Received
	Immediate Office of the Solicitor.	Records created in or received by the Immediate Office of the Solicitor that document the activities of the Solicitor, including but not limited to, correspondence, advice, opinions, recommendations and decisions of the Solicitor; directives issued by the Immediate Office of the Solicitor concerning SOL policies and procedures; chronological files; speeches or congressional testimony by personnel in the Immediate Office of the Solicitor; activity reports; and calendars. Historically significant Records of the Immediate Office of the Solicitor will be transferred to the National Archives for permanent retention. Only approximately 2-3% of all government records are deemed significant, and these records document changes and major events in the nation's history. Factors to be considered by SOL in determining which Records of the Immediate Office of the Solicitor qualify as historically significant include whether at the time the record is closed and/or at the time of eligibility for destruction or permanent accession to NARA, it is deemed to have: • Established an important legal precedent of lasting historical significance; • Involved a complex, important, or novel issue of lasting historical significance; • Involved high public interest and/or media attention (nationally or regionally) of lasting historical significance; • Involved large classes of victims and is of lasting historical significance; or • Resulted in large-scale monetary relief (millions) and is of lasting historical significance. Note: Files may not be transferred to a Federal Records Center (FRC) until a designation of significant or non-significant has been made. Given the high threshold of historical significance to the nation, a Deputy Solicitor should be consulted before a Record of the Immediate Office of the Solicitor is deemed significant, if there is a question regarding the significance determination, or that designation is subsequently changed.
2.1	Records documenting the activities of the Solicitor, meeting the definition of historically significant.	
	Disposition Authority Number	DAA-0174-2013-0006-0003
	Including but not limited to correspondence, advice, opinions, recommendations and decisions of the Solicitor; directives from the Immediate Office of the Solicitor concerning SOL policies and procedures (record copies); speeches or congressional testimony by personnel in the Immediate Office of the Solicitor.	
	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

Disposition Instruction

Cutoff Instruction

End of calendar year in which file is closed.

Transfer to Inactive Storage

Retain in office or transfer to Federal Records Center (FRC) one year after cutoff. Transfer to the National Archives 15 years after cutoff.

Transfer Electronic Records to the National Archives for Pre-Accessioning

Transfer electronic records to the National Archives for pre-accessioning 3 year(s) after close of file.

Transfer to the National Archives for Accessioning

Transfer to the National Archives 15 year(s) after cutoff.

Additional Information

First year of records accumulation 1933

What will be the date span of the initial transfer of records to the National Archives?

From 1933 To 2000

How frequently will your agency transfer these records to the National Archives?

Unknown
Unknown

	Estimated Current Volume	Annual Accumulation
Electronic/Digital		
Paper	65 Cubic feet	1 Cubic feet
Microform		
Hardcopy or Analog Special Media		

2.2

All other records documenting the activities of the Solicitor, including but not limited to, chronological files, activity reports, and calendars.

Disposition Authority Number

DAA-0174-2013-0006-0004

Final Disposition

Temporary

Item Status

Active

	<p>Is this item media neutral?</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?</p> <p>Disposition Instruction</p> <p>Cutoff Instruction</p> <p>Transfer to Inactive Storage</p> <p>Retention Period</p> <p>Additional Information</p> <p>GAO Approval</p>	<p>Yes</p> <p>No</p> <p></p> <p>End of calendar year in which file is closed.</p> <p>Retain in office or transfer to Federal Records Center (FRC) one year after cutoff. Destroy/delete 5 years after cutoff or when superseded or no longer needed, whichever is later</p> <p>Destroy 5 year(s) after cutoff or when superseded or no longer needed occurs, whichever is later</p> <p></p> <p>Not Required</p> <p>All other SOL records. All other SOL program records, including, but not limited to, rulemaking records, working files, reference materials, periodic activity reports, calendars for heads of offices and for overall office coordination (excluding calendars of the Immediate Office of the Solicitor), copies of articles written by SOL high-level staff, copies of briefs and litigation materials maintained for reference in "pleadings banks", and the variety of electronic systems used to track time, work accomplished, resources expended, etc.</p> <p>Rulemaking records. Copies of proposed regulations, memoranda, public comments, correspondence, and background materials relating to official DOL agency rulemaking. May include correspondence between SOL and OMB, internal agency correspondence, correspondence with interested parties, and other related unofficial records.</p> <p>Rulemaking records for which SOL is the agency initiating the rulemaking and retaining the official rulemaking record.</p> <p>Disposition Authority Number</p> <p>Final Disposition</p> <p>Item Status</p> <p>Is this item media neutral?</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?</p>
3		
3.1		
3.1.1		
		DAA-0174-2013-0006-0005
		Permanent
		Active
		Yes
		No

Disposition Instruction

Cutoff Instruction

Cut-off case file at the end of year in which rulemaking case is closed.

Transfer Electronic Records to the National Archives for Pre-Accessioning

Transfer electronic records to the National Archives for pre-accessioning 1 year(s) after cut-off.

Transfer to the National Archives for Accessioning

Transfer to the National Archives 15 year(s) after cut-off.

Additional Information

What will be the date span of the initial transfer of records to the National Archives?

Unknown
From approximately 2004.

How frequently will your agency transfer these records to the National Archives?

Unknown
Last case is 10 years old.

	Estimated Current Volume	Annual Accumulation
Electronic/Digital		
Paper	1 Cubic feet	
Microform		
Hardcopy or Analog Special Media		

3.1.2

Rulemaking records for which the Department or other client agency initiates the rulemaking and retains the official rulemaking records.

Disposition Authority Number

DAA-0174-2013-0006-0006

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

Disposition Instruction

3.2	Cutoff Instruction	End of calendar year in which file is closed.
	Transfer to Inactive Storage	Destroy/delete 1 year after cutoff or when no longer needed, whichever is later.
	Retention Period	Destroy 1 year(s) after cutoff or when no longer needed, whichever is later.
	Additional Information	
	GAO Approval	Required and Received
	Non-administrative chronological correspondence files, periodic activity reports, calendars for heads of offices, and for overall office coordination (other than Immediate Office of the Solicitor), and other records used to document staff activities.	
	Disposition Authority Number	DAA-0174-2013-0006-0007
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
3.3	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	End of calendar year in which file is closed.
	Transfer to Inactive Storage	Immediately after cutoff.
	Retention Period	Destroy 2 year(s) after cutoff, or when no longer needed whichever is later.
	Additional Information	
	GAO Approval	Required and Received
	Attorney working files.	
	Disposition Authority Number	DAA-0174-2013-0006-0008
	Including but not limited to, working drafts, attorney notes, reference materials, reference copies of material from agency rulemaking records, reference copies of briefs and significant motions; reference files, including pleadings bank materials; background files, such as drafts, notes, and reference materials used to create directives. These may include copies of judgments and opinions that have already met their retention period and have become useful for reference needs.	
	Final Disposition	Temporary

3.4	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
	Disposition Instruction	
	Cutoff Instruction	Destroy/delete when no longer needed.
	Retention Period	Destroy immediately after no longer needed.
	Additional Information	
	GAO Approval	Required and Received
	Electronic systems tracking SOL legal activities (regardless of significance).	
	Disposition Authority Number	DAA-0174-2013-0006-0009
	Including statutes or program involved and nature and type of activity; attorney work hours; and SOL resources. This category includes existing and future systems that capture and track time spent by staff on various workload assignments; systems that track legal activities, such as statute or program involved, nature and type of activity or litigation, and status of the item; and systems used to track IT hardware and software, and other resources and equipment under the control of the Office of the Solicitor. This category includes data and documentation.	
	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?	Yes
	Do any of the records covered by this item exist as structured electronic data?	Yes
	Disposition Instruction	
	Cutoff Instruction	End of fiscal year data elements have been completed.
	Retention Period	During the life of the system, delete/destroy data elements when two years old or no longer needed, whichever is later. Delete/destroy data elements when system superseded, if all data transferred to

successor system. Delete/destroy non-transferred data 2 years after life of system.

Additional Information

GAO Approval

Required and Received

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
07/03/2013	Certify	Rachel Vera	U.S. Dept of Labor, Records Management Officer	Office of the Assistant Secretary for Administration and Management - Business Operations Center
04/22/2014	Submit for Concurrence	Jim Cassedy	Appraiser	National Archives and Records Administration - Records Management Services
04/24/2014	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - Records Management Services
04/24/2014	Concur	Laurence Brewer	Director, National Records Management Program	National Archives and Records Administration - National Records Management Program
04/25/2014	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist

Current Schedule	N1-174-02-02		Big Bucket Schedule	New Schedule	
Item #	Title/Series Description	Retention	ERA Sequence #	Title/Series Description	Retention
1.a	Advice and Opinion Files - Immediate Office for the Solicitor	1.a Permanent	2.1	Records documenting Immediate Office of Solicitor	Permanent - 15 years
1.b (1)	Advice and Opinion Files - All other offices - Significant Opinions and Advice Files	1.b (1) Permanent	1.1	Significant Litigation & Advice & Opinion	Permanent - 15 years
1.b (2)	Advice and Opinion Files - All other offices - Non-Significant Opinions	1.b (2) Temporary 20 years	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
1.b (3)	Reference files	1.b (3) Temporary Destroy when no longer needed	3.3	Reference & Working Files	Temporary. When no longer needed.
1.b (4)	Attorney Working Files	1.b (4) Temporary Destroy when no longer needed	3.3	Reference & Working Files	Temporary. When no longer needed.
2.a	Rulemaking Records - Official correspondence relating to DOL rulemaking.	2.a Temporary Destroy 20 years after cut off	3.1.1	SOL Initiated	Permanent - 15 years
			3.1.2	Agency or client initiated	Temporary: 1 yr or when no longer needed, whichever is later
2.b	Rulemaking Records - Attorney Working Files	2.b Temporary Destroy when no longer needed	3.3	Reference & Working Files	Temporary. When no longer needed.

2.c	Rulemaking Records - Reference Files	2.c Temporary Destroy when no longer needed	3.3	Reference & Working Files	Temporary. When no longer needed.
3.a	Litigation Case Files - Significant	3.a Permanent	1.1	Significant Litigation & Advice & Opinion	Permanent - 15 years
3.b (1) (a)	Litigation Case Files - Non-significant & Non-injunctive cases- Chicago and New York -	3.b (1) (a) Temporary Destroy 3 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (1) (b)	Litigation Case Files - Non-significant & Injunctive cases- Chicago and New York -	3.b (1) (b) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (2) (a)	Litigation Case Files - Non-significant & Non-injunctive cases- Dallas Regional Office	3.b. (2) (a) Temporary destroy 3 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b.(2) (b)	Litigation Case Files - Non-significant & Injunctive cases- Dallas Regional Office	3.b. (2) (b) Temporary Destroy 15 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (3)	Non-significant case files in all other regional offices	3.b (3) Temporary Retention based on program area	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (4)	Non-significant litigation case files in the Special Appellate and Supreme Court Litigation Division	3.b (4) Temporary Destroy 5 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (5)	Non-significant litigation case files in the Occupational Safety and Health Division	3.b (5) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (6) (a)	Non-significant litigation case files in the Employee Benefits Division	3.b (6) (a) Temporary Destroy 3 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (6) (b)	Non-participation files in the Employee Benefits Division	3.b (6) (b) Temporary Destroy 3 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 e 10 years

3.b (7) (a)	Non-significant litigation case files in the Black Lung Division when Benefits Review Board issued final decision which has not been appealed.	3.b (7) (a) Temporary Destroy 3 years after cut off	1	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (7) (b)	Non-significant litigation case files in the Black Lung Division when United States Court of Appeals issued a final unpublished decision.	3.b (7) (b) Temporary Destroy 5 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (7) (c)	Non-significant litigation case files in the Black Lung Division when United States Court of Appeals issued a final decision that was published.	3.b (7) (c) Temporary Destroy 20 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (8)	Non-significant litigation case files in the Civil Rights Division	3.b (8) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (9)	Non-significant litigation case files in the Wage and Hour Division	3.b (9) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (10) (a)	Non-significant litigation case files in the Mine Safety and Health Division - National Office files	3.b (10) (a) Temporary Destroy 5 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (10) (b)	Non-significant litigation case files in the Mine Safety and Health Division - Regional Office files	3.b (10) (b) Temporary Destroy 5 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (11) (a)	Non-significant litigation case files pertaining to ERISA enforcement in the Plan Benefits Security Division and the Regional Offices - Injunction files in National Office	3.b (11) (a) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (11) (b)	Non-significant litigation case files pertaining to ERISA enforcement in the Plan Benefits Security Division and the Regional Offices - Injunction files in Kansas City Regional Office	3.b (11) (b) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years

3.b (11) (c)	Non-significant litigation case files pertaining to ERISA enforcement in the Plan Benefits Security Division and the Regional Offices - Injunction files in all other Regional Office	3.b (11) (c) Temporary Destroy 10 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (11) (d)	Non-significant litigation case files pertaining to ERISA enforcement in the Plan Benefits Security Division and the Regional Offices - Non-Injunction files in all offices	3.b (11) (d) Temporary Destroy 5 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (11) (e)	Non-significant litigation case files pertaining to ERISA enforcement in the Plan Benefits Security Division and the Regional Offices - case files of amicus participation in or monitoring of private litigation.	3.b (11) (e) Temporary Destroy 3 years after cut off	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (11)(f)	Non-significant litigation case files pertaining to ERISA enforcement in the Plan Benefits Security Division and the Regional Offices - Tax information obtained from Internal Revenue Service	3.b (11) (f) Temporary Destroy upon completion of use.	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b (11) (g)	Non-significant litigation case files in the Employment Training and legal Services Division, the Fair Labor Standards Division and the Division of Labor-Management Laws.	3.b(12)Temporary. Destroy 5 years after cut off.	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years
3.b(13)	Non-significant litigation case files in the Legislation and Legal Counsel Division.	3.b(13)Temporary.Destroy 7 years after cut off.	1.2	Non-significant Litigation & Advice & Opinion	Temporary. 1 - 10 years

3.c	Reference files. Copies of documents from litigation case files which are closed but which need to be maintained in the office for an extended period of time because of continuing interest on the part of a particular party or group.	3.c Temporary. Destroy when no longer needed.	3.3	Reference & Working Files	Temporary. When no longer needed.
3.d	Attorney Working Files. Files include working drafts, attorney notes, reference materials, routine administrative records, and related documentation whose value does not warrant inclusion in SOL official files. Files may also include reference copies of briefs and significant motions, record copies of which are maintained in the case files.	3.d Temporary. Destroy when no longer needed.	3.3	Reference & Working Files	Temporary. When no longer needed.
4	Correspondence. Incoming and outgoing correspondence that are not related to a specific case. This includes routine correspondence with members of the public.	4. Temporary. Destroy 3 years after cut off	3.2	Non-administrative chronological correspondence, activity reports, calendars, and other records documenting staff activities	Temporary. 2 years or when no longer needed, whichever is later.

5	Recommendations to and Decisions by Solicitor/Deputy Solicitors on recommendations to file appeals or amicus briefs. Includes memorandums and letters containing recommendations for decisions on filing appeals or amicus brief and correspondence with Department of Justice and/or Solicitor General stating the Department's recommendations for and/or decision on filling appeals or amicus briefs. Files are maintained in the immediate Office of the Solicitor.	5. Temporary Destroy 3 years after cut off	2.2	Other records documenting activities of Solicitor	Temporary. 5 years
6.a.	Directives. Solicitor's directives to legal staff concerning office policies and procedures maintained chronologically in the immediate office of the Solicitor. Record keeping copy (paper).	6.a. Permanent. Transfer 20 years after cutoff.	2.1	Records documenting Immediate Office of Solicitor	Permanent - 15 years
6.b.	Directives. All other copies.	6.b. Temporary. Destroy when superseded	3.3	Reference & Working Files	Temporary. When no longer needed.
6.c.	Directives background files. Consists of drafts, notes, and reference materials used to develop directives.	6.c. Temporary. Destroy when directive has been published and distributed.	3.3	Reference & Working Files	Temporary. When no longer needed.
6.d.	Reference files. Copies of materials from directives background files maintained solely for reference.	6.d. Temporary. Destroy when no longer needed.	3.3	Reference & Working Files	Temporary. When no longer needed.

7	Chronological correspondence files of the Solicitor, Deputy Solicitors and members of the immediate office of the Solicitor. Maintained chronologically in the immediate office of the Solicitor.	7. Temporary. Destroy 5 years after cutoff.	2.2	Other records documenting activities of Solicitor	Temporary. 5 years
8	Activity Reports. Copies of weekly activity reports prepared by SOL divisions and regions and copies of weekly activity reports provided by the Front Office to the Office of the Secretary.	8. Temporary. Destroy after 3 years.	3.2	Non-administrative chronological correspondence, activity reports, calendars, and other records documenting staff activities	Temporary. 2 years or when no longer needed, whichever is later.
9	Calendars. Copies of computer generated calendars for the Solicitor and Deputy Solicitors.	9. Temporary. Destroy after 3 years.	2.2	Other records documenting activities of Solicitor	Temporary. 5 years
10	Articles. Copies of articles written by the Solicitor or members of the Immediate Office of the Solicitor.	10. Temporary. Destroy after 10 years.	2.2	Other records documenting activities of Solicitor	Temporary. 5 years
11	Speeches and Congressional testimony of the Solicitor, Deputy Solicitors and members of the immediate office of the Solicitor. Maintained chronologically in the immediate Office of the Solicitor.	11. Permanent. Transfer when 20 years old.	2.1	Records documenting Immediate Office of Solicitor	Permanent -15 years
12	Brief and Litigation-related Pleadings Banks. Electronic copies of selected briefs and other litigation-related materials which attorneys and paralegals in any SOL office may maintain as convenience copies to make research and writing new briefs easier. Record keeping copies of such materials are included in the record keeping files scheduled in items 1 through 3 above.	12. Temporary. Destroy when no longer needed.	3.3	Reference & Working Files	Temporary. When no longer needed.

13.a.	<p>Time Distribution (TO) System. The Time Distribution (TO) software system was developed to provide the Office of the Solicitor a standardized method for capturing and tracking the time each attorney or paralegal spends on their various workload assignments. This system, when combined with the SOLAR system, provides a method for determining how SOL resources are used.</p> <p>Input: Data is entered manually by the attorneys on a daily basis. Data entered into the TO system is for the purpose of recording the time spent by SOL attorneys and paralegals in providing legal services. Data collected is used to analyze the volume, diversity, trends and impact of the workload in SOL divisions and field offices.</p>	13.a. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
13.b.	Time Distribution System. Data: Time and activity data (statute, client, nature of matter, nature of activity, task code, comp hours, comments)	13.b. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
13.c.	Time Distribution System. Output: Reports are generated for individual and office activity. Reports are run monthly, annually, and ad hoc.	13.c. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	When superseded or no longer needed.
13.d.	Time Distribution System. Documentation. This system is well documented (user's manual, system's manual, etc.)	13.d. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	When superseded or no longer needed.

14.a.	Solicitor's Office Legal Activity Reporting (SOLAR) System. The Solicitor's Office Legal Activity Reporting (SOLAR) software system is a database designed to track all Significant legal activities referred to the various components of the Office of the Solicitor. Input: The SOLAR docket clerk enters data manually as legal activities are assigned to SOL. This system tracks all significant legal activities referred to the various components of SOL.	14.a. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
14.b.	Solicitor's Office Legal Activity Reporting (SOLAR) System. Data: SOLAR Number, Date Received, Title, Statute/Program, Client, Nature of Matter, Specific Activity, Party Status, Reference Trail Number, Source, Primary Number, State Code, Supervisor, Assigned Attorney, Date Assigned, Associate Attorney, Citation/SSN/Control Number, Docket Number, Court 10, Assigned Judge, Farm Workers, Potential Claim, Successful Outcome, Liquidated Damages, Status Code, Restitution Date, Restitution Amount, Restitution Employee Count, Recovery Date,	14.b. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
14.c.	Solicitor's Office Legal Activity Reporting (SOLAR) System. Output: Various standards reports can be run from the SOLAR system providing status information about the legal matters that SOL is working on.	14.c. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.

14.d.	Solicitor's Office Legal Activity Reporting (SOLAR) System. Documentation: This system is fully documented (user's manual and system's documentation).	14.d. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
15.a	Hardware and Software Tracking System (HAST) System. The Hardware and Software Tracking System (HAST) is a database designed to track hardware and software under the control of the Office of the Solicitor. Input: Data is entered manually when hardware and software is purchased by SOL.	15.a. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
15.b.	Hardware and Software Tracking System (HAST) System. Data: Serial numbers, SOL 10 number, date purchased, license information, office located, value, etc.	15.b.. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
15.c.	Hardware and Software Tracking System (HAST) System. Output: Reports can be run as needed.	15.c. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.
15.d.	Hardware and Software Tracking System (HAST) System. Documentation: This system has adequate system's documentation.	15.d. Temporary. Destroy when no longer needed.	3.4	Electronic systems tracking SOL legal activities	Temporary. When superseded or no longer needed.

16	Annual Freedom of Information Act (FOIA) Reports. Pursuant to the Electronic Freedom of Information Act Amendments of 1996, SOL maintains its FY 1996 and later Annual Report submissions to the Department of Justice on the Department of Labor Home Page: http://www2.dol.gov/dol/sol/public/foia/reports.htm . Hard copies of the report and the incoming questions are maintained in the office.	16. Temporary. Destroy 3 years after cut off	3.2	Non-administrative chronological correspondence, activity reports, calendars, and other records documenting staff activities	Temporary. 2 years or when no longer needed, whichever is later.
17.a.	Electronic Mail and Word Processing System Copies for all series included in this SF 115 in the Office of the Solicitor, Department of Labor. Copies that have no further administrative value after the record keeping copy is made.	17.a. Temporary. Delete within 180 days after recordkeeping copy has been produced.	3.3	Reference & Working Files	Temporary. When no longer needed.
17.b.	Copies used for dissemination, revision, or updating that are maintained in addition to the record keeping copy.	17.b. Temporary. DELETE when dissemination, revision, or updating is complete.	3.3	Reference & Working Files	Temporary. When no longer needed.
Old schedules					
NN-174-086					
4	Weekly significant activity reports	Temp 1 yr	3.2	Corres., Periodic activity reports	Temp 2 yrs
NN-174-087					
1	Budget work papers	Temp 2 yrs	GRS		
5	Lists of retired litigation cases	Destroy after disposal of cases.	GRS		
6	Weekly significant activity reports	Temp 1 yr	3.2	Corres., Periodic activity reports	Temp 2 yrs
NN-174-088					

1	Hearings - Congressional Committees	Perm		Records no Longer Produced-Obsolute	
2	Legislation Reports to Cong. Committees	Perm		Records no Longer Produced-Obsolute	
3	Private Relief Bills - reports to Cong. Comm	Perm		Records no Longer Produced-Obsolute	
4	Proposals - drafts of bills for Congress	Temp 2 yrs	2.2	Solicitor - all other	Temp 5 yrs or when no longer needed
5	Weekly statistical reports	Temp 2 yrs	3.2	Corres., Periodic activity reports	Temp 2 yrs
6	Special Studies on request of Solicitor or Secretary	Perm		Records no Longer Produced-Obsolute	
7	Task Forces - special committees appointed by Secretary or Solicitor	Perm		Records no Longer Produced-Obsolute	
NN-174-089					
1	Budget	Temp 3 yrs	GRS		
2	FOIA	Temp 3 yrs	GRS		
3a	Significant litigation case files	Perm 30 yrs	1.1	Significant litigation case files	Perm 15 years
3b	Non-significant case files	Temp 30 yrs	1.2	Non-significant case files	Temp 1 -10 yrs
4	Copies of environmental impact statements re: health standards	Temp 2 yrs	3.3	Attorney working/reference files	Temp - when no longer needed
5	NIOSH - Material used to develop health standards	Temp 2 yrs		Records no Longer Produced-Obsolute	
6	OSHA interpretations, rule-making	Permanent		Records no Longer Produced-Obsolute	
7	Weekly significant activity reports	Temp 1 yr	3.2	Corres., Periodic activity reports	Temp 2 yrs
8	Representation in civil litigation - correspondence with OMB & DOJ	Permanent		Records no Longer Produced-Obsolute	
NN-174-090					
3	Weekly statistical reports	Temp 2 yrs	3.2	Corres., Periodic activity reports	Temp 2 yrs
4	Oral arguments - cases argued before Circuit Court of Appeals	Perm 30 yrs	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp

NN-174-091					
3	Press Releases	Temp 2 yrs		Records no Longer Produced-Obsolute	
4	Weekly significant activity reports	Temp 1 yr	3.2	Corres., Periodic activity reports	Temp 2 yrs
5.a	Legislation Created or in Interest of DOL	Permanent	1.2	Non-significant Litigation & Advice & Opinion - will depend on significance	Temp 1-10 yrs
5.b	Bills-Legislative & Executive Branch	Destory when no longer need	1.2	Non-significant Litigation & Advice & Opinion - will depend on significance	Temp 1-10 yrs
NN-174-092					
3	Weekly significant activity reports	Temp 1 yr	3.2	Corres., Periodic activity reports	Temp 2 yrs
4	Wage Appeals Board Cases	Perm 30 yrs	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
5	Wage Appeal Board Statements	Perm 20 yrs		Records no Longer Produced-Obsolute	
6.a	Area Wage Determinations	Permanent		Records no Longer Produced-Obsolute	
6.b	Area Wage Determinations-All Other Counties	Temp 10 yrs		Records no Longer Produced-Obsolute	
NN-174-093					
3	FOIA	Temp 3 yrs	GRS		
6	Reference files of Federal Register notices	Temp 2 yrs	3.3	Attorney working/ reference files	Temp - when no longer needed
NN-174-095					
1	Congressional correspondence	Temp 3 yrs	3.2	Corres., Periodic activity reports	Temp 2 yrs
2	Administration operations files	Temp 3 yrs	3.2	Corres., Periodic activity reports	Temp 2 yrs
3	FOIA	Temp 3 yrs	GRS		
5	Weekly significant activity reports	Temp 1 yr	3.2	Corres., Periodic activity reports	Temp 2 yrs
7	Personnel records maintained for convenience	Temp - when no longer needed	3.2	Corres., Periodic activity reports, & other records documenting staff activities	Temp 2 yrs
8	Procurement files maintained for convenience	Temp - when no longer needed	3.2	Corres., Periodic activity reports, & other records documenting staff activities	Temp 2 yrs
NC1-174-81-2					

5	Section 502h ERISA compliant files	Temp 1 yr	1.2	Non-significant case files	Temp 1 -10 yrs
NNA-1730					
Item #	Title/Series Description	Retention	Item #	Title/Series Description	
3.a	General Chronological Reading Files	Permanent	2.1	Records documenting Immediate Office of Solicitor	Permanent - 15 years
3.b	All Other Chronological Reading Files	Temp 2 yrs	2.2	Solicitor - all other	Temp 5 yrs or wh
5	Regional Attorney Instructions Files	Perm	3.3	Reference & Working Files	Temp. When no longer needed.
6.a	Progress Reports	Permanent	3.2	Corres., Periodic activity reports	Temp 2 yrs
6.b	Activity Reports	Temp 2 yrs	3.2	Corres., Periodic activity reports	Temp 2 yrs
7	Legal Reference & Research Files	Temp - when no longer needed	3.3	Reference & Working Files	Temp. When no longer needed.
8	Publications & Issuances	Perm	2.1	Records documenting Immediate Office of Solicitor	Permanent - 15 years
9	Case Processing Control Files	Temp 2 yrs	3.3	Reference & Working Files	Temp. When no longer needed.
12	Cooperative Agreements Review Files	Temp 2 yrs		Records no Longer Produced-Absolute	
16a	Wage Orders, Review & Enforcement- Judicial Review Cases	Perm		Records no Longer Produced-Absolute	
16b	Wage Orders, Review & Enforcement- All other cases	Temp 10 yrs		Records no Longer Produced-Absolute	
17.a	Prevailing Wage Determinations & Enforcement blacklisting, administrative adjudication	Permanent		Records no Longer Produced-Absolute	
17.b	Prevailing Wage Determinations- Record Copies	Perm		Records no Longer Produced-Absolute	
17c	Prevailing Wage Determinations & Enforcement- All Others	Temp 10 yrs		Records no Longer Produced-Absolute	
18.a	Copeland Act Administration Files - interpretive correspondence	Permanent		Records no Longer Produced-Absolute	

19a	Administrative Hearings Official Records- Original Signed Decisions	Perm		Records no Longer Produced- Obsolute	
19b	Administrative Hearings Official Records- Others	Permanent		Records no Longer Produced- Obsolute	
20	Public Contracts Administrative Hearings Docket Volumes	Perm	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
21	Employment Security Administrative Review	Perm	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
22	Employment Security Regional Files	Temp 3 yrs	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
23	State Compliance Review Files	Temp 2 yrs after obsolescence		Records no Longer Produced-Obsolute	
25	Tort Claims Files	Temp 3 yrs	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
26a	Employees Compensation- appeal, judicial review, workmen's comp	Perm	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
26b	Employees Compensation- Cases settled without judicial review	Temp 10 yrs	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
26c	Employees Compensation- Other Cases	Temp 50 yrs	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
27	Attorney Appointment Files	Temp 50 yrs		Records no Longer Produced-Obsolute	
28	Veterans Re-employment Rights Review	Perm	1.1 or 1.2	Litigation & Advice & Opinion - will depend on significance	Perm or temp
29	International Labor Affairs Review & Coordination Files	Perm		Records no Longer Produced- Obsolute	
30	Rulings & Interpretations of Secy of Labor under Davis-Bacon, Anti-Kickback, Eight Hour Law, and labor standards provisions of additional laws	Perm		Records no Longer Produced- Obsolute	