

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 <i>NI-174-08-1</i>	
1 FROM (Agency or establishment) U S DEPARTMENT OF LABOR		DATE RECEIVED <i>1/30/08</i>	
2 MAJOR SUBDIVISION BENEFITS REVIEW BOARD		NOTIFICATION TO AGENCY	
3. MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER FRANK W CLUBB	5. TELEPHONE 202-693-6234	DATE <i>1-13-09</i>	ARCHIVIST OF THE UNITED STATES <i>Adreine Thomas</i>

6. AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in the matters pertaining to the disposition of its records and that the records proposed for disposal attached 2 page(s) are not 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 Manuel 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 <i>1-23-2008</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Karen H. Runley</i>	TITLE DEPARTMENTAL RECORDS OFFICER

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1	SEE ATTACHED SHEET	NC1-174-83-2	
2	SEE ATTACHED SHEET	NC1-174-83-2	
3	SEE ATTACHED SHEET	NC1-174-83-2	
4	SEE ATTACHED SHEET		
5	SEE ATTACHED SHEET		

U.S. Department of Labor Benefits Review Board (BRB)

Introduction: This records schedule covers the records of the U.S. Department of Labor (DOL), Benefits Review Board (BRB), and will be used in conjunction with the National Archives and Records Administration's General Records Schedule and other appropriate (DOL) records schedules.

Background: Congress established the BRB in 1972. The mission of the BRB is to review and issue decisions on worker's compensation claims under the Black Lung Benefits Amendments to the Federal Coal Mine Health and Safety Act of 1969, and the Longshore and Harbor Workers' Compensation Act and its extensions. These claims are initially filed with the Employment Standards Administration (ESA), Office Workers' Compensation Programs (OWCP). The claim can then go to the DOL Office of Administrative Law Judges (OALJ) when the parties disagree with the OWCP disposition of the claim. The claim may be appealed to the BRB, should a party be dissatisfied with the OALJ decision. BRB Decisions may be appealed to the federal courts of appeals. The OALJ, not the BRB, is the official custodian of appealed cases.

1. Official Record File

Official Case and Docket Files are arranged by year of appeal and thereunder by docket number. These files include appeals of decisions made by the Office of Administrative Law Judges (OALJ). These cases may result in court decisions that interpret legislation and regulations. The case file contains original appeals, and related documents, including decisions and orders, pleadings and motions, transcripts, exhibits, correspondence, briefs, and transmittal letters (**Supersedes Schedule #NC1-174-83-2**)

a. **Official Record File.**

Disposition: Return to the OALJ for disposition according to that agency's approved records schedule.

b. **BRB Non-Record Copy File Material.**

Disposition: Temporary Destroy BRB copy file material upon disposition of the case.

2. Decisions and Orders

Decisions and Orders are arranged by year of appeal and thereunder by docket number. 20 CFR 802.302 requires the board to publish its decisions in a form which is readily available for inspection.

a. Recordkeeping Copy.

If Recordkeeping Copy is **Paper**.

Disposition: Permanent. Cut off files every five years. Transfer to a Federal Records Center (FRC) 5 years after cutoff. Transfer to NARA 10 years after cut-off.

If Recordkeeping Copy is **Electronic**

Disposition: Permanent. Transfer electronic copy to the National Archives in five year blocks, when last year in block is 5 years old in accordance with 36 CFR 1228.270. Destroy paper copy six months after verification that a complete and accurate electronic image of the original has been created

b **Reference File – (Agency working copy of Record Copy Material)**

Disposition: Temporary. Maintain one copy of complete electronic or hardcopy file at the BRB or the Office of the Clerk of the Appellate Boards (OCAB) Destroy when no longer needed for reference.

3. **General and Miscellaneous Files of the Board (BRB)**

Miscellaneous office documents, BRB Member correspondence, and other administrative material either in paper or electronic format that does not become part of the official record (**supersedes Schedule #NC1-174-83-2**).

Disposition: Temporary. Maintain at agency Destroy when superseded or determined obsolete, or upon the termination of employment of Board employee or member, whichever comes first.

4. **Adjudicatory Boards' Monthly and Quarterly Production Reports**

These reports provide the Deputy Secretary of Labor with monthly and quarterly production data rollups. The reports include a narrative, tables, and graphics that present data on appeals received, appeals closed, and appeals pending. The purpose of these reports is to provide the Deputy Secretary an update on Board progress and near-term trends. These reports are maintained by the Administrative Officer for the Boards

Disposition: Temporary. Cut off paper or electronic files at the end of fiscal/calendar year.

If paper: Transfer to a Federal Records Center 2 years after cut-off. Destroy 5 years after cut-off.

If electronic: Destroy 5 years after cut-off.

5. **Adjudicatory Boards' Annual Report**

This is a report for the Deputy Secretary of Labor that addresses the Boards' past year achievements, production statistics, cost data, and associated information. The purpose of the report is to provide the Deputy Secretary and other members of the Department's senior leadership a management tool for operational decision-making and long-term planning This report is maintained by the Administrative Officer for the Boards.

Disposition: Permanent. Cut off paper or electronic files at the end of fiscal/calendar year.

If Recordkeeping Copy is **Paper:** Transfer to a Federal Records Center 2 years after cut-off. Transfer to NARA 5 years after cut-off.

If Recordkeeping Copy is **Electronic:** Transfer to NARA 5 years after cut-off in accordance with 36 CFR 1228.270.