

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-403-05-8	DATE RECEIVED 3/10/05
1. FROM (Agency or establishment) Equal Employment Opportunity Commission		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION Office of Federal Operations		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	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		DATE	ARCHIVIST OF THE UNITED STATES
4. NAME OF PERSON WITH WHOM TO CONFER Delphine Best	5. TELEPHONE (202) 663-4250	WITHDRAWN	
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 <u>3</u> 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, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE 11/8/2004	SIGNATURE OF AGENCY REPRESENTATIVE <i>James Israel</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 GRS OR SUPERSEDED JOB CITATION	10.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)
1	Government Employment Programs - EEO General Files OFO establishes and maintains the Government Employment Programs - EEO General Files of the Commission. The files are arranged alphabetically by subject and consist of general correspondence, plans, procedures and related records concerning all aspects of the equal employment opportunity programs of ADEA, EPA, Title VII, ADA, and Section 501 of the Rehabilitation Act, as amended.	NC1-403-79-1, Item no. 14G (1)	
1a	Record Copy OFO establishes and maintains the incoming and outgoing correspondence and material related thereto in the Government Employment Programs - EEO General Files for one (1) year. After that, OFO should destroy all unofficial files/copies which are no longer needed for reference, and the Office's official Government Employment Programs - EEO General Files may be: -Stored in a separate letter-size two through five-drawer metal vertical or lateral filing cabinet with a lock in the Office specifically for the Commission's closed Government Employment Programs - EEO General Files material; or -Moved to a NARA compliant commercial or other federal agency record storage facility arranged by the Office of the Chief Financial Officer and Director of Administrative Services; or -Transferred to the Federal Records Center with the prior approval of the Office of the Chief Financial Officer and Director of Administrative Services. When the official Government Employment Programs - EEO General Files materials are three (3) years old, OFO either destroys or arranges for the destruction of these records then.	NC1-403-79-1, Item no. 14G (1)(a)	
1b	All Other Copies Destroy when no longer needed.	NC1-403-79-1, Item no. 14G (1)(b)	

SA 11/22/05

REQUEST FOR RECORDS DISPOSITION AUTHORITY -- CONTINUATION

JOB NUMBER

PAGE
2 OF 4

ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
2	<p>Government Employment Programs - EEO Affirmative Action Plans</p> <p>OFO maintains the Commission's Government Employment Programs - EEO Affirmative Action Plans files. These files are arranged geographically and by name of agency and consist of the EEO affirmative action plans submitted to the Commission by federal, state and local governments and public educational institutions, and correspondence relating to the Commission's review and approval of the individual plans.</p>	<p>NC1-403-79-1, Item no. 14G (2)</p>	
2a	<p>Record Copy</p> <p>OFO establishes and maintains the incoming and outgoing correspondence and material related thereto in the Government Employment Programs - EEO Affirmative Action Plans for one (1) year.</p> <p>After that, OFO should destroy all unofficial files/copies when no longer needed for reference, and the Office's official Government Employment Programs - EEO Affirmative Action Plans files may be:</p> <ul style="list-style-type: none"> -Stored in a separate letter-size two through five-drawer metal vertical or lateral filing cabinet with a lock in the Office specifically for the Commission's closed Government Employment Programs - EEO Affirmative Action Plans files material; or -Moved to a NARA compliant commercial or other federal agency record storage facility arranged by the Office of the Chief Financial Officer and Director of Administrative Services; or -Transferred to the Federal Records Center with the prior approval of the Office of the Chief Financial Officer and Director of Administrative Services. <p>When the closed official files are two (2) years old, OFO automatically transfers them to the Federal Records Center, with the prior approval of the Office of the Chief Financial Officer and Director of Administrative Services, to later destroy when they five (5) years old.</p>	<p>NC1-403-79-1, Item no. 14G (2)(a)</p>	
2b	<p>All Other Copies</p> <p>Destroy when one (1) year old.</p>	<p>NC1-403-79-1, Item no. 14G (2)(b)</p>	
3	<p>Government Employment Programs - EEO Affirmative Action Program Reports</p> <p>Affirmative Action Program Reports files of the Commission. OFO arranges the files by quarter and by name of agencies. The files contain record copies of the reports of on site reviews by the Commission of Agency Affirmative Action Programs and correspondence relating thereto.</p>	<p>NC1-403-83-1, Item no. 14G (3)</p>	
3a	<p>Record Copy</p> <p>OFO establishes and maintains the Government Employment Programs - EEO Affirmative Action Program Reports for one (1) year old, OFO may:</p> <ul style="list-style-type: none"> -Store them a separate letter-size two through five-drawer metal vertical or lateral filing cabinet with a lock in the office specifically for the Commission's closed Government Employment Programs - EEO Affirmative Action Program Reports material; or -Move the closed records to a NARA compliant commercial or other federal agency record storage facility arranged by the Office of the Chief Financial Officer and Director of Administrative Services; or -Transfer the closed records to the Federal Records Center with the prior approval of the Office of the Chief Financial Officer and Director of Administrative Services. <p>When the closed records are five (5) years old after the date of OFO reviews, OFO automatically either destroys or arranges for the destruction of these records then.</p>	<p>NC1-403-83-1, Item no. 14G (3)(a)</p>	
3b	<p>All Other Copies</p> <p>Destroy one (1) year old.</p>	<p>NC1-403-83-1, Item no. 14G (3)(a)</p>	

REQUEST FOR RECORDS DISPOSITION AUTHORITY -- CONTINUATION

JOB NUMBER

PAGE

3 OF 4

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
4	<p>Appellate Records-Appellate Case Files</p> <p>The Appellate Case Files of the Commission are maintained by OFO. The files are arranged numerically by category and consist of appeals, petitions, requests for review, applications for interim relief, and requests to reopen Federal Agency, Merit Systems Protection Board and Equal Employment Opportunity Commission decisions involving equal employment opportunity matters.</p>	<p>NC1-403-79-1RCS, Item no. 16</p>	
4a	<p>Landmark Cases.</p> <p>Permanent. Record copy of cases which state principle(s) of law that are so definite in terms so as to be recognized as the accepted rule on a given question, particularly where a decision is made by a court of last resort construing a statute.</p> <p>The Office of Federal Programs retains the official record copy of the Commission Appellate Case File folders on landmark cases for one (1) year after closure upon which time the Office of Federal Programs automatically breaks them and they may be:</p> <ul style="list-style-type: none"> - Stored in a separate letter-size two through five-drawer metal vertical or lateral filing cabinet with a lock in the Office of Federal Programs specifically for inactive Commission Appellate Case File folders; or - Moved to a NARA compliant commercial or other federal agency record storage facility arranged by the Office of the Chief Financial Officer and Director of Administrative Services; or - Transferred to the Federal Records Center with the prior concurrence of the Office of the Chief Financial Officer and Director of Administrative Services. <p>When the landmark appellate case files are fifteen (15) years old after closure, the Office of Federal Programs, through the Office of the Chief Financial Officer and Director of Administrative Services, offers the files to NARA for permanent retention.</p> <p>*Landmark cases are those determined to be as such by the Office of Federal Programs with the Office of General Counsel and Office of Legal Counsel concurrences based on the following criteria:</p> <ol style="list-style-type: none"> (1) Cases that result in precedential court decisions that significantly interpret legislation or regulations. (2) Cases that result in legal opinion establishing precedent, policies and procedures regarding laws, regulations, directives, decisions, and/or legislation; (3) Cases of value that are heard by appellate or higher court; (4) Cases that are determined valuable for investigative or litigative procedures; (5) Cases that gain national attention because of Congressional or public interest; (6) Cases of major economic impact; or (7) Cases that show possible conflicts of interest. 	<p>NC1-403-79-1RCS, Item no. 16A(1)</p>	
4b	<p>All Other Appellate Files</p> <p>Temporary. The file folders for all other appellate case files are arranged by year of closure and sequentially by appeal number and the Office of Federal Programs breaks the files for closed cases annually. One (1) year after closure, including action in Federal Courts, the file folder for the closed cases may be:</p> <ul style="list-style-type: none"> - Stored in a separate letter-size two through five-drawer metal vertical or lateral filing cabinet with a lock in the Office of Federal Programs specifically for its closed Appellate Case Files material; or 	<p>NC1-403-79-1RCS, Item no. 16A(2)</p>	

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
5	<p>- Moved to a NARA compliant commercial or other federal agency records storage facility arranged by the Office of the Chief Financial Officer and Director of Administrative Services; or</p> <p>- Transferred to the Federal Records Center with the prior concurrence of the Office of the Chief Financial Officer and Director of Administrative Services.</p> <p>When the inactive Appellate Case File folders are four (4) years old after closure, the Office of Federal Programs either destroys them on site or arranges for their destruction then.</p> <p>Appeal Records-Control Cards and Logs</p> <p>OFO maintains the controls and logs for the Appellate Case Files of the Commission. These are paper and electronic control card/forms, logs, and other cross reference indices to the appellate case files of the Commission.</p> <p>OFO automatically destroys the paper and electronic controls and logs onsite when they are no longer needed for administrative purposes.</p>	<p>NC1-403-79-1 RCS, Item no. 16 B</p>	
6	<p>Appeal Records - Unsanitized Decisions</p> <p>OFO maintains the record copies of the unsanitized copies of all appellate decisions rendered by the Commission.</p> <p>OFO automatically destroys the paper and electronic unsanitized copies of all appellate decisions rendered by the Commission when they are no longer needed for administrative purposes.</p>	<p>NC1-403-79-1 RCS, Item no. 16 C</p>	
7	<p>Appeal Records-Sanitized Decisions</p> <p>The Commission record copies of the sanitized copy of all appellate decisions rendered by it and decisions by the MSPB are maintained by OFO. MSPB determines matters of discrimination prohibited by the laws administered by the Commission.</p> <p>OFO automatically destroys the paper and electronic sanitized copies of all appellate decisions rendered by the Commission and MSPB when they are no longer needed for administrative purposes.</p>	<p>NC1-403-79-1 RCS, Item no. 16 D</p>	