

NLRB-10

System name:

Payroll/Personnel Records.

Security classification:

None.

System location:

Personnel Branch, National Labor Relations Board, 1099 14th Street, NW, Washington, DC 20570-0001. Each Washington and field office maintains a copy of time and attendance records for current employees in its office, and is authorized to maintain such records on former employees of that office. See the attached appendix for addresses of these offices.

Inactive records are stored at the appropriate Federal records center in accordance with provisions of applicable General Records Schedules issued by National Archives and Records Administration.

Categories of individuals covered by the system:

Current and former NLRB employees.

Categories of records in the system:

Records may include employee's name, previous name if any, home address, date of birth, social security number, sex, race, time and attendance records, and employment histories, including prolonged leave without pay and monetary contributions to a retirement fund or thrift-savings plan made during employment and information relevant thereto. In addition, these records may also include:

A. Employment Payroll Records:

These are magnetic tape and microfiche records containing information on current and former pay and leave status for individuals serviced by the automated payroll/personnel system.

B. Employee Pay Records:

These are magnetic tape, microfiche, and individual paper folders containing information on savings bond deductions, savings account allotments, charitable contributions, child support and alimony, and Federal and state tax exemption certificates.

The individual paper folders contain source documents, correspondence, and other papers in support of an active employee's pay and other allowances requested by the employee.

C. History of Earnings and Time and Attendance Records:

These are paper copies and microfiche records containing information on earnings, time and attendance, leave, and other pay-related activities.

D. Copies of Retirement Records:

These are copies of Individual Retirement Records, Civil Service Retirement (SF-2806) or the Federal Employees Retirement System (SF-3100) from the former payroll systems. These records will be used to update employees' records in cases of retroactive adjustments.

E. Former Employee Pay Records:

These records are the employee pay records (A and C, above) for employees who have been separated, transferred, or retired. In addition to information contained in the Employee Pay Records, they include information related to retirement, separation or transfer, time and attendance, and leave. These records are destroyed after separation in accordance with the NARA General Records Schedule.

F. Unemployment Records:

These records are the Unemployment Compensation Records for separated employees who seek unemployment benefits. They are maintained in a separate file.

G. Returned Check Records: These records are a manual log for recording and controlling checks issued to employees that were returned to the Agency because they were undelivered, erroneous, or canceled prior to conversion to cash.

H. Indebtedness Records:

These records include source documents, correspondence, and other papers containing information regarding the Government's claims of debt against individuals covered by the system. These records are supplemented by hard copy or electronic records necessary to establish the identity and address of the individuals, including in certain cases, the taxpayer's mailing address provided by the Internal Revenue Service.

Authority for maintenance of the system:

The Agency head is responsible for establishing and maintaining an adequate payroll system, covering pay, leave, time and attendance, and allowances, in accordance with 5 U.S.C. 8301, 29 U.S.C. 153(a) and (d), 154; the Debt Collection Act of 1982 and 49 FR 27470 (salary offset provisions published 7/3/84) and 5 U.S.C. 8501-8508,

Unemployment Compensation for Federal employees, the Debt Collection Improvement Act of 1996, and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 Pub. L. 104-193, 316(f) codified at 42 U.S.C. 653.

Purpose(s):

These records document the payroll process as it relates to current and former NLRB employees, and are used to support various fiscal and personnel functions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records or information contained therein may be disclosed to:

1. Individuals who need the information in connection with the processing of an appeal, grievance, or complaint.
2. The U.S. Department of Agriculture, National Finance Center.
3. The Office of Personnel Management concerning pay and benefits for administering the Civil Service/Federal Employees Retirement Systems, and other information necessary for the office to carry out its Government-wide personnel management functions.
4. State and local authorities for the purpose of verifying tax collections, unemployment compensation claims, and administering public assistance programs.
5. The U.S. Department of Health and Human Services for the administration of the social security program.
6. The U.S. General Accounting Office for audit purposes.
7. Other agencies, offices, establishments, and authorities, whether Federal, State, or local, authorized or charged with the responsibility to investigate, litigate, prosecute, enforce, or implement a statute, rule, regulation, or order, where the record or information, by itself or in connection with other records or information, indicates a violation or potential violation of law, whether criminal, civil, administrative or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto.
8. A Member of Congress or to a Congressional staff member in response to an inquiry of the congressional office made at the written request of the constituent about whom the records are maintained.

9. An arbitrator to resolve disputes under a negotiated grievance arbitration procedure.

10. Officials of labor organizations recognized under 5 U.S.C. chapter 71, when disclosure is not prohibited by law; and the data is normally maintained by the Agency in the regular course of business and is reasonably available and necessary for full and proper discussion, understanding and negotiation of subjects within the scope of collective bargaining. The forgoing shall have the identical meaning as 5 U.S.C. 7114(b)(4) as interpreted by the FLRA and the courts.

11. The Department of Justice for use in litigation when either:

(a) The NLRB or any component thereof; (b) an employee of the NLRB in his or her official capacity; (c) any employee of the NLRB in his or her individual capacity, where the Department of Justice has agreed to represent the employee; or (d) the United States Government where the NLRB determines that litigation is likely to affect the NLRB or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the NLRB to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

12. A court, magistrate, administrative tribunal, or other adjudicatory body in the course of presenting evidence or argument, including disclosure to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations, or in connection with criminal law proceedings, when: (a) The NLRB or any component thereof; or (b) any employee of the NLRB in his or her official capacity; or (c) any employee of the NLRB in his or her individual capacity where the NLRB has agreed to represent the employee; or (d) the United States Government is a party to litigation or has interest in such litigation, and determines that such disclosure is relevant and necessary to the litigation and that the use of such records is therefore deemed by the NLRB to be for a purpose that is compatible with the purpose for which the records were collected.

13. The U.S. Treasury Department for payroll purposes.

14. Names, social security numbers, home addresses, dates of birth, dates of hire, quarterly earnings, employer identifying information, and State of hire of employees may be disclosed to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services for the purpose of locating individuals to establish paternity, establishing and modifying orders of child support, identifying sources of income, and for other child support enforcement actions required by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, (Welfare Reform law, Pub. L. 104-193).

Disclosure to consumer reporting agencies:

None.

Policies for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, on employment history cards, on microfiche, on computer disks and diskettes, on magnetic computer tapes, and on computer printouts.

Retrievability:

Records are retrievable alphabetically by individual name and/or personal identifier (social security number).

Safeguards:

Maintained in file cabinets within the Payroll/Personnel Systems Unit. During duty hours, file cabinets are under surveillance of personnel charged with custody of the records, and after duty hours, records are behind locked doors. Computer records can be accessed only through use of confidential procedures and passwords.

Access is limited to personnel who have a need for access to perform their official functions.

Retention and disposal:

Files are disposed of according to applicable provisions of the General Records Schedules issued by the National Archives and Records Administration, and with General Accounting Office approval. Microfilm, magnetic strip ledgers, and microfiche are maintained for 56 years after the date of last entry, GRS 2.1.

System manager(s) and address:

Director of Personnel, NLRB, 1099 14th St., NW., Washington, DC 20570-1000.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to her or him by directing a request to the system manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to her or him should contact the appropriate manager in accordance with the procedures set forth in 29 CFR 102.117 (g) and (h).

Contesting record procedure:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate system manager in accordance with procedures set forth in 29 CFR 102.117(i).

Record source categories:

Personnel Branch, timekeepers, supervisors, and National FinanceCenter.

Systems exempted from certain provisions of the act:

None.