

**OFFICE OF
ADMINISTRATIVE LAW
JUDGES**

AGENCY PLAN

10/24/2019

Record Type	Description	Cutoff	Retention Period	Location	DOL Schedule (Enter N/A if unscheduled)	Comments
General Correspondence Files - Recordkeeping copy	Temporary	Cut off files at the end of the calendar year.	Destroy two years after cut off.	Maintained in employees' offices	N1-174-00-4, 1, a	Office copies of paper correspondence of all types arranged chronologically without regard to subject or content. Used primarily for reading or reference file.
General Correspondence Files - Electronic Copies	Temporary	Cut off after recordkeeping copy has been produced.	Delete after recordkeeping copy has been produced or when no longer needed for updating, revising or official business.	Employees' government-provided computer and IT equipment.	N1-174-00-4, 1, b	Electronic copies of records created on electronic mail and word processing systems.
Congressional Correspondence Files - Recordkeeping Copy	Temporary	Cut off files at the end of the calendar year.	Destroy two years after cut off.	Maintained in employees' offices	N1-174-00-4, 2, a	Fax communications and paper correspondence received and responded to from Congress, Congressional Committees and the White House. These files are related to the adjudication of cases and other program activities.
Congressional Correspondence Files - Electronic Copies	Temporary	Cut off after recordkeeping copy has been produced.	Delete after recordkeeping copy has been produced or when no longer needed for updating, revising or official business.	Employees' government-provided computer and IT equipment.	N1-174-00-4, 2, b	Electronic copies of records created on electronic mail and word processing systems.

<p>Official Case Files - Where the OALJ is the Official Custodian (Whistleblower and Traditional Cases)</p>	<p>Permanent</p>	<p>Cut off case file when the appeal process is complete.</p>	<p>Transfer the case file to the National Archives three years after the appeal process is complete.</p>	<p>Closed Traditional and Whistleblower case files are stored in the National Office's and District Offices' Docket Section until transferred to the National Archives.</p>	<p>N1-174-00-4, 3, a, 1, 2, 3 and/or 4, (When OALJ is the custodian a case is deemed Permanent when at least one of the following criteria occurs: 1) Case was reviewed by the Supreme Court; 2) Case was reviewed by a Courts of Appeals and deemed precedent setting; 3) Case received significant or substantial (National or Regional) media attention or 4) the Chief Judge designates the case as setting important precedent for a specific case area.</p>	<p>Records containing pertinent data necessary to hear and decide cases. Cases may result in court decisions, which interpret legislation or regulations, and may contain letters of transmittal, administrative files which delineate the case events prior to arrival in the OALJ, transcripts with exhibits, motions, briefs, decisions, orders and all other official correspondence dealing with the case. <i>Supersedes NC1-174- 81-3 Item 1</i> . These "Traditional" cases arise from statutes, executive orders and regulations providing for an administrative law judge hearing as they may become applicable in the future and may contain information applicable to Exemption 4 of the Freedom of Information Act, 5 U.S.C. §552(b)(4). <i>Supersedes NC1-174-81-3, Item 1(a).</i></p>
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<p>Official Case Files - Where the OALJ is the Official Custodian (Whistleblower and Traditional Cases)</p>	<p>Temporary - For all cases not identified as Permanent.</p>	<p>Cut off case file when the appeal process is complete.</p>	<p>Transfer the case file to the Federal Records Center or off-site facility three years after the appeal process is complete. Destroy case file 15 years after cut off.</p>	<p>Closed Traditional and Whistleblower case files are stored in the National Office's and District Offices' Docket Section until transferred to the National Archives.</p>	<p>N1-174-00-4, 3, b</p>	<p>Records containing pertinent data necessary to hear and decide cases. Cases may result in court decisions, which interpret legislation or regulations, and may contain letters of transmittal, administrative files which delineate the case events prior to arrival in the OALJ, transcripts with exhibits, motions, briefs, decisions, orders and all other official correspondence dealing with the case. <i>Supersedes NC1-174- 81-3 Item 1</i> . These "Traditional" cases arise from statutes, executive orders and regulations providing for an administrative law judge hearing as they may become applicable in the future and may contain information applicable to Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4). <i>Supersedes NC1-174-81-3, Item 1(a).</i></p>
<p>Official Case Files - Electronic Copies</p>	<p>Temporary</p>	<p>Cut off after recordkeeping copy has been produced.</p>	<p>Delete after recordkeeping copy has been produced or when no longer needed for updating, revising or official business.</p>	<p>Employees' government- provided computer and IT equipment.</p>	<p>N1-174-00-4, 3, c</p>	<p>Electronic copies of records created on electronic mail and word processing systems.</p>

Official Case Files - where the OALJ is not the Official custodian (Black Lung, Longshore and Immigration Cases)	Temporary	Cut off when the administrative law judge issues his/her decision.	Transfer the official file to the appropriate DOL component for further processing following the applicable guidelines in the Code of Federal Regulations.	Files stored in National Office's and District Offices' Docket Section until assigned to an administrative law judge. Once assigned, stored in the judge's office or filing cabinets until the decision is issued.	N1-174-00-4, 4, a	These case files includes Black Lung, Longshore and Immigration cases arising from statutes, executive orders and regulations providing for an administrative law judge hearing as they may become applicable in the future. These cases may contain information applicable to Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4). <i>Supersedes NC1-174-81-3, Item 1 (b).</i>
Official Case Files - where the OALJ is not the Official custodian (Black Lung, Longshore and Immigration Cases) - Electronic Copies	Temporary	Cut off after recordkeeping copy has been produced.	Delete after recordkeeping copy has been produced or when no longer needed for updating, revising or official business.	Employees' government-provided computer and IT equipment.	N1-174-00-4, 4, b	Electronic copies of records created on electronic mail and word processing systems.
Judge's Working Files - Recordkeeping copy	Temporary	Cut off when the appeals process is complete.	Destroy when the appeals process is complete.	Maintained in employees' offices	N1-174-00-4, 5, a	Files of judges' working papers arranged by case number or name and used in the drafting of decisions, attorney fee requests and appeals.
Judge's Working Files - Electronic copies	Temporary	Cut off after recordkeeping copy has been produced.	Delete after recordkeeping copy has been produced or when no longer needed for updating, revising or official business.	Employees' government-provided computer and IT equipment.	N1-174-00-4, 5, b	Electronic copies of records created on electronic mail and word processing systems.

OALJ's Decisions Library	Permanent	Close out files when final decisions have been rendered.	Transfer a copy of the OALJ final decision to the National Archives 30 years after the final decision has been issued.	Federal Records Centers	N1-174-00-4, 6, a	Paper copies of final decisions issued by the OALJ in cases maintained in the National Office. The library is used as an internal research tool to OALJ and the public.
OALJ'd Decisions Library - Electronic copies	Temporary	Cut off after recordkeeping copy has been produced.	Delete after recordkeeping copy has been filed in the OALJ's library.	Employees' government-provided computer and IT equipment.	N1-174-00-4, 6, b	Electronic copies of records created on electronic mail and word processing systems.
Manuals - Judges' Benchbook	Permanent	Cut off when revised and current version is obsolete.	Transferred one copy and updates to the National Archives in 2001. Transfer manual and updates every three years.	OALJ National and District Offices and the National Archives	N1-174-00-4, 7, 1, a	A research tool to be used as an aid in adjudicating cases before the OALJ (1992, 1994 and 1997).
Manuals - Judges' Handbook	Permanent	Cut off when revised and current version is obsolete.	Transferred one copy and updates to the National Archives in 2001. Transfer manual and updates every three years.	OALJ National and District Offices and the National Archives	N1-174-00-4, 7, 2, a	A reference guide for judges (1998).
Manuals - Technical Manual	Permanent	Cut off when revised and current version is obsolete.	Transferred one copy and updates to the National Archives in 2001. Transfer manual and updates every three years.	OALJ National and District Offices and the National Archives	N1-174-00-4, 7, 3, a	A resource guide for the support staff in processing cases (1992).
Manuals - Electronic Copies	Temporary	Cut off after recordkeeping copy has been produced.	Delete after recordkeeping copy has been produced or when no longer needed for updating, revising or official business.	Employees' government-provided computer and IT equipment.	N1-174-00-4, 7, 3, b	Electronic copies of records created on electronic mail and word processing systems.

Case Tracking System (CTS) - Case Master File - RESTRICTED ACCESS	Temporary	Cut off files at the end of the fiscal year using the date of the docket for each case file.	Delete and destroy 50 years after the cut off date.	https://cts.oalj.dol.gov/ctsportal/login.aspx	N1-174-09-02, 1	Electronic information about OALJ case files (including, but not limited to, events such as dates of docketing, hearing date, motions received, orders issued, date transcripts received) and the parties in those cases (including but not limited to name and contact information). All of this information is maintained in paper form in the case files which has been scheduled under N1-174-00-4.
Case Tracking System (CTS) - Document Repository - RESTRICTED ACCESS	Temporary	Cut off documents at the end of the fiscal year using the date of the docket for each case file associated with the documents.	Delete and destroy 50 years after the cut off date.	https://cts.oalj.dol.gov/ctsportal/login.aspx	N1-174-09-02, 2	Maintains electronic versions of documents which include, but is not limited to, judge-issued orders and decisions; briefs and motions electronically filed by parties to the case and copies of other court-issued decisions that may be relevant to the case. All of these documents are maintained in paper form in the case files which has been scheduled under N1-174-00-4.

General Support System (GSS) OALJ Intranet Website Content - Electronic Document Respository - RESTRICTED ACCESS	Temporary	None	Destroy or delete when superseded or obsolete.	http://oaljnet.oalj.dol.gov	N1-174-09-02, 3	The agency's Intranet Website is intended to provide OALJ employees with information about the agency. It Includes web instructions for processing any case type adjudicated by the agency. Also, included are internal memoranda, case research materials, contacts, quick links to Earning and Leave Statements, forms, etc. Web Content consists of OALJ internal web pages that contain duplicate information maintained in other OALJ recordkeeping systems and is updated as needed.
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General Support System (GSS) OALJ Internet Website Content	Temporary	None	Destroy or delete when superseded or obsolete.	http://www.oalj.dol.gov	N1-174-09-02, 4	Internet Website provides the public and parties, who appear before the OALJ, information about the agency, legal research tools to help in the adjudicatory process, courtroom security and settlement judge requests. It contains HTML-encoded pages, interactive applications, databases and other information posted to the web (exception: OALJ Electronic Library of Judges' Decisions and Orders, that contain duplicate information maintained on other OALJ recordkeeping systems). Web content consists of HTML-encoded pages, interactive applications, databases and other information posted to the web (exception: OALJ Electronic Library of Judges' Decisions and Orders, that contain duplicate information maintained in other OALJ recordkeeping systems).
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General Support System (GSS) OALJ Electronic Library of Judges' Decisions and Orders	Permanent	Cut off electronic library annually at the end of the calendar year.	Transfer a copy of the electronic library in currently-acceptable e-format to the National Archives in the first quarter (January through March) of the following year.	http://www.oalj.dol.gov	N1-174-09-02, 5	As required by e-FOIA, OALJ publishes its Final Decision and Order in every case that is not covered by a FOIA exemption on its Internet Website. This electronic library is used as a research tool by the OALJ and the Public.
General Support System (GSS) Website Design Records	Temporary	Cut off at the end of the calendar year.	Delete or destroy when one year old or when no longer needed for administrative, legal, audit or other operational purposes, which ever is later.	Employees' government-provided computer and IT equipment.	N1-174-09-02, 6	Records produced in the process of developing and updating the design and implementation of pages on the agency's websites (internet and intranet), including design records and templates.
Non-Confidential Alternate Dispute Resolution (ADR) Records	Temporary	Cut off at the end of the calendar year.	Destroy immediately after appeal process is complete.	Employees' office files and government-provided computer and IT equipment. WARNING: ADR case records will not leave the OALJ. Close files when ADR proceeding is discontinued.	DAA-0174-2018-0001-0001	Non-Confidential ADR case records may include an agreement to use OALJ's ADR services, confidentiality agreements, documentation of the settlement or discontinuance of the ADR case, and related correspondence.

Confidential Alternate Dispute Resolution (ADR) Records	Temporary	Cut off at the end of the calendar year.	When a settlement is reached, confidential records are retained until the underlying proceeding is resolved (such as approval of the settlement by the presiding ALJ where such approval is required) and then destroyed. Where a settlement is not reached, confidential records are retained until dispute resolution proceeding is terminated and then destroyed.	Employees' individual computers or office space. WARNING: ADR case records will not leave the OALJ. Placed in inactive closed files when the ADR proceeding or outreach effort is discontinued.	DAA-0174-2018-0001-0002	Confidential case records contain information provided to an ADR neutral by a party or prepared by an ADR neutral that are protected from disclosure by the ADR Act, 5 U.S.C. § 574. Confidential ADR case records may include statements of a party's position, settlement demands and offers, draft settlement agreement language or statements of the ADR's neutral's impressions on the case, among other materials.
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Alternate Dispute Resolution (ADR) Programmatic Records	Temporary	Cut off at the end of the calendar year.	Destroy when no longer needed.	Employees' individual computers or office space. WARNING: ADR case records will not leave the OALJ.	DAA-0174-2018-0001-0003	ADR Programmatic records relate to the general practices, policies and large scale operation of OALJ's settlement judge and mediation programs. These records may include non-confidential materials such as blank public forms used to facilitate ADR proceedings, internal training materials on OALJ's ADR services, and statements with general information about ADR proceedings or OALJ's program; or confidential materials, such as reports tracking the status of outreach efforts or ADR proceedings, to the extent that such documents identify a particular dispute and reveal informatoin protected under ADR Act, 5 U.S. C. § 574.
Working Files	Temporary	Cut off at the end of the calendar year.	Destroy when no longer needed.	Employees' individual computers or office space. WARNING: ADR Case records will not leave the OALJ.	DAA-0174-2018-0001-0004	Working files constitute the non-recordkeeping copy of any records falling under the other items in this schedule. Working files may include rough drafts, electronic copies of documents created on electronic mail or word processing systems and other materials used to prepare a recordkeeping document.