

PBGC-8: Employee Relations Files

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[General Routine Uses](#)

System Name:

Employee Relations Files — PBGC

System Classification:

None

System Location:

PBGC, 1200 K Street NW, Washington, DC 20005 (*Records may be kept at an additional location as backup for Continuity of Operations*)

Categories of Individuals Covered by the System:

Current and former PBGC employees who have initiated grievances under an administrative grievance procedure or under an applicable collective bargaining agreement.

Categories of Records in the System:

Administrative and union grievances submitted by PBGC employees; agency responses to employees' grievances; employees' appeals of responses to grievances; agency responses to such appeals; investigative notes; records of proceedings; appeal decisions; last chance, last rights, and settlement agreements, and related information.

Authority for Maintenance of the System:

29 U.S.C. 1302; 44 U.S.C. 3101; 5 U.S.C. 301; 5 U.S.C.7101; 42 U.S.C. 2000e et seq.

Purpose(s):

The purpose of this system is to catalog, investigate, and appropriately and timely respond to administrative and union grievances and appeals filed by PBGC employees pursuant to PBGC's Administrative Grievance Procedure and the Collective Bargaining Agreement.

Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses:

Information about covered individuals may be disclosed without consent as permitted by the Privacy Act of 1974, 5 U.S.C. 522a(b), and:

1. General Routine Uses G1 through G11 and G14 apply to this system of records (see Prefatory Statement of General Routine Uses).
2. A record from this system of records may be disclosed to the Office of Personnel Management, the Merit Systems Protection Board, the Federal Labor Relations Authority, Office of Special Counsel, or the Equal Employment Opportunity Commission

to carry out their authorized functions (under 5 U.S.C. 1103, 1204, 7105, and 42 U.S.C. 2000e-4, in that order).

Policies and Practices for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System:

Storage:

Records are maintained manually in paper and/or electronic form, including computer databases, magnetic tapes, and discs. Records are also maintained on PBGC's network back-up tapes.

Retrievability:

Records are retrieved by employee name.

Safeguards:

PBGC has adopted appropriate administrative, technical, and physical controls in accordance with PBG's security program to protect the security, integrity, and availability of the information, and to ensure that records are not disclosed to or accessed by unauthorized individuals.

Paper records are kept in file cabinets in areas of restricted access that are locked after office hours. Electronic records are stored on computer networks and protected by assigning user identification numbers to individuals needing access to the records and by passwords set by authorized users that must be changed periodically.

Retention and Disposal:

Records are maintained in accordance with the General Records Retention Schedules issued by the National Archives and Records Administration (NARA) or a PBGC records disposition schedule approved by NARA.

Records existing on paper are destroyed beyond recognition. Records existing on computer storage media are destroyed according to the applicable PBGC media practice.

System Manager(s) and Address:

Director, Human Resources Department, PBGC, K Street, NW, Washington, DC 20005.

Notification Procedure:

Individuals wishing to learn whether this system of records contains information about them should submit a written request to the Disclosure Officer, PBGC, K Street, NW, Washington, DC 20005, and provide the following information:

- a) Full name.
- b) Any available information regarding the type of record involved.
- c) The address to which the record information should be sent.
- d) You must sign your request.

Attorneys or other persons acting on behalf of an individual must provide written authorization from that individual for the representative to act on their behalf.

Individuals requesting access must also comply with PBGC's Privacy Act regulations regarding verification of identity and access to records (29 CFR 4902.3).

Record Access Procedure:

Individuals wishing to request access to their records should submit a written request to the Disclosure Officer, PBGC, 1200 K Street, NW, Washington, DC 20005, and provide the following information:

- a) Full name.
- b) Any available information regarding the type of record involved.
- c) The address to which the record information should be sent.
- d) You must sign your request.

Attorneys or other persons acting on behalf of an individual must provide written authorization from that individual for the representative to act on their behalf.

Individuals requesting access must also comply with PBGC's Privacy Act regulations regarding verification of identity and access to records (29 CFR 4902.3).

Contesting Record Procedure:

Individuals wishing to request amendment to their records should submit a written request to the Disclosure Officer, PBGC, 1200 K Street, NW, Washington, DC 20005, and provide the following information:

- a) Full name.
- b) Any available information regarding the type of record involved.
- c) A statement specifying the changes to be made in the records and the justification therefore.
- d) The address to which the response should be sent.
- e) You must sign your request.

Attorneys or other persons acting on behalf of an individual must provide written authorization from that individual for the representative to act on their behalf.

Record Source Categories:

Correspondents; agency employees preparing responses to incoming correspondence or who generate original correspondence in their official capacities.

Exemptions Claimed for the System:

Pursuant to 5 U.S.C. 552a(k)(2), records in this system are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), (I), and of 5 U.S.C. 552a, provided, however, that if any individual is denied any right, privilege, or benefit that he or she would otherwise be entitled to by Federal law, or for which he or she would otherwise be eligible, as a result of the maintenance of these records, such material shall be provided to the individual, except to the extent that the

disclosure of the material would reveal the identity of a source who furnished information to the Government with an express promise that the identity of the source would be held in confidence..