

# **Department of Labor**

## **Functional Analysis & Records Disposition Authority**

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# Functional and Organizational Analysis of Department of Labor

## Sources of Information

Representative of the Department of Labor

Code of Alabama 1975, Sections 25-3-1 through 25-3-5; Sections 25-7-1 through 25-7-54; Sections 25-12-1 through 25-12-22; Sections 25-13-1 through 25-13-25

Code of Alabama 1975, Sections 41-20-1 through 41-20-16 (Sunset Law)

Code of Alabama 1975, Sections 41-22-1 through 41-22-27 (Administrative Procedures Act)

Alabama Administrative Code, Chapters 490-2-1 through 490-2-4

Alabama Government Manual (2006), page 396

The Alabama Guide (2009), page 298

Audit Report of the Department of Labor

## Historical Context

The original Department of Labor was created in 1935 (Acts 1935, No. 433, Sec.3). Its authorized duties were to administer all laws relating to hours of work, child labor, employer and employee, working conditions, and to promote the voluntary arbitration, mediation, and conciliation of disputes between employer and employee. Furthermore, the department was authorized to establish and conduct free public employment offices. In 1939, the Legislature abolished the department, along with several other state agencies, and transferred their duties to the Department of Industrial Relations (Acts 1939, No.161). The Legislature re-created the Department of Labor in 1943 (Acts 1943, No. 298). Under new legislation passed in the early 2000s, the agency was tasked with licensing personnel to ensure safe operations of boilers and elevators.

## Agency Organization

The department is under the supervision of the Commissioner of Labor, who is appointed by and serves at the discretion of the Governor. An Assistant Commissioner is appointed by the Governor and serves at his discretion to aid the Commissioner in the operations of the department. The department also hires necessary personnel through the state merit system.

## Agency Function and Subfunctions

- **Investigating and Mediating Labor Disputes.** Code of Alabama, Section 25-3-3 (b), authorizes the Commissioner of Labor to investigate labor disputes and to promote the peaceful and voluntary adjustment and settlement of disputes through mediation and conciliation. Code of Alabama, Section 25-3-4, authorizes the department to investigate and attempt to equitably adjudicate controversies in respect to wage claims or alleged wage

claims from individuals and organizations. Code of Alabama, Section 25-3-3 (d), requires the Commissioner of Labor to make available to any board of mediation, as appointed by the Governor, all data and information relevant or pertinent to any matter the board may consider. The department maintains a working relationship with the Federal Mediation and Conciliation Service (FMCS) and assists that office in settling labor disputes by providing information to the federal agency.

- **Receiving and Filing Labor Organization Reports.** Code of Alabama, Section 25-7-5, requires each labor organization in the state to file a copy of its constitution and by-laws with the department. Any labor organization with 25 or more members is also required to file an annual report to the department that describes the organization's structure, membership, and financial expenditures for the last year. The department indexes and files the reports and makes them available to the governor for review.
- **Administering Federal Occupational Safety and Health Statistical Programs.** In accordance with the Occupational Safety and Health Act (PL 91-596) and with the aid of grants from the U.S. Department of Labor, Bureau of Labor Statistics (BLS) and Occupational Safety and Health Administration (OSHA), the department compiles statistics on occupational safety and health in the state. The data is gathered by the department and sent to the federal agencies for their annual surveys. The BLS and OSHA survey forms are mailed out to the selected employers. Summary information on the number of injuries and illnesses by type of case is copied directly from employer logs. The forms are sent back to the department which then verifies the data and enters it into the database, which is connected to a database in Washington DC. The federal agencies assemble the data into their national surveys for publication. A separate survey is conducted by the BLS and OSHA. This information allows labor and management, the federal government, and the states to evaluate on the job injuries and workplace safety. The department periodically publishes a summation of the statistical data for the state based on this research. Since 1992 the department has received grant funding from the BLS to collect data and information for the Census of Fatal Occupational Injuries (CFOI). This is in addition to the BLS/OSHA annual survey information. The department collects data concerning occupational related fatalities and enters it into a database connected to Washington DC. Each case cited must be accompanied by two documents that verify the fatality was work related.
- **Promoting Labor-Management Relations.** In an effort to bring together leaders of labor, management, education, and government in promoting positive labor-management cooperation, the department is responsible for planning and conducting the annual Alabama Governor's Labor-Management Conference. The annual conference features programs and activities designed to encourage and promote a climate in which labor and management may cooperate and communicate in dealing with their problems.
- **Overseeing the Implementation of the Boiler and Pressure Vessel Safety**

**Act.** Legislative Act 2000-315 (Codified in Code of Alabama, Section 25-12-1 to 25-12-22) created a board within the department entitled the Board of Boilers and Pressure Vessels to provide for the safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels. The board is composed of the Commissioner of Labor or his/her designee and eight (8) other members appointed by the Commissioner of Labor. Staff members of the Department of Labor serve as operating staff for the board.

- **Overseeing the Implementation of the Elevator Safety Act.** Legislative Act 2003-349 (Codified in Code of Alabama, Section 25-13-1 to 25-13-25) established the Elevator Safety Review Board within the department to regulate the ownership and use of elevators, escalators, platform and stairway chairlifts, dumbwaiters, moving sidewalks, automated people movers, and other conveyances; to provide for the licensing of persons who erect, construct, wire, alter, replace, maintain, remove, or dismantle any elevator and related devices; and to provide penalties for violations. The board consists of ten (10) members, nine of them appointed by the governor and the Commissioner of Labor serves as the tenth member and the board's administrator. Staff members of the Department of Labor serve as operating staff for the board.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

**Managing the Agency:** Activities include internal office management work common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information both within the agency and to the general public; managing records; and managing information systems and technology.

**Managing Finances:** Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; and investing.

**Managing Human Resources:** Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

**Managing Properties, Facilities, and Resources:** Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing and renovating buildings and facilities; leasing and/or renting offices or facilities; providing for security janitorial, landscaping and managerial services and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

# Analysis of Record Keeping System and Records Appraisal of the Department of Labor

## Agency Record Keeping System

The Department of Labor operates a hybrid record keeping system composed of paper and electronic records.

Computer Systems: The Department of Labor operates with the latest versions of Windows (XP and Windows 7) on the desktops and is connected to the state's wide area network (WAN) and a WAN operated by the U.S. Department of Labor, Bureau of Labor Statistics (BLS) and the Occupational Safety and Health Administration (OSHA). The department operates three databases, two of which are connected to the BLS, and the third to OSHA. The data is entered into the databases at the department and is shared with the federal computers in Washington D.C. Staff members access and input data through an on-line database known as Jurisdiction Online, owned by Praeses Corporation, which maintains their database that keeps records associated with the Boiler and Pressure Vessel Safety Board and the Elevator Safety Review Board.

## Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Department of Labor: Temporary Records and Permanent Records.

**I. Temporary Records.** Temporary records should be held for what is considered their active life and disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the Department of Labor are discussed below.

- **Dispute Notices.** The dispute notice (FMCS Form F-7) is a federal form that must be submitted to the Federal Mediation and Conciliation Service (FMCS) by either side of a labor dispute thirty days prior to contract expiration when a collective bargaining agreement has not been reached. Information on the form includes the employer's name, address, telephone number, and contact person; the union's name, address, telephone number and contact person; the affected establishment; location and type of negotiations; number and types of employees covered by the contract; type of industry; and the party who filed the report. This form should be retained for 2 years after settlement of the dispute.
- **Wage Claims Files.** These forms are used to initiate contact with the employer and to begin mediation efforts to collect the employee's wages. The information contained in the form is obtained from the individual who alleges that he or she has not been paid wages for hours worked. The form includes the wage claimant's name and personal information; the date the claimant stopped working for the employer and why; the wage amount being claimed; a report of final disposition and date the claim was filed. Any correspondence that is generated

is attached to the form. This information is then handed over to the appointed mediating body. The Code of Alabama, Section 6-2-39, states that, “all actions for the recovery of wages. . . must be commenced within one year.” Therefore, the recommended retention for these forms is 1 year after the date received. Information from these forms is summarized in the department's annual reports.

- **BLS (Bureau of Labor Statistics) Annual Survey Forms.** This form provides the statistical data kept by the department for the US Department of Labor, Bureau of Labor Statistics (BLS), for its annual Occupational Safety and Health Survey. Summary information on the number of injuries and illnesses by type of case is copied directly from employer logs and entered in part 1 of the form. Part 1 also contains questions about the number of employee hours worked (needed in the calculation of incidence rates), the reporting unit's principal products or activity, and average employment to insure that the establishment is classified in the correct industry and employment-size class. Part 2 of the form requests detailed information on the worker and the injury or illness incident that resulted in the employee being away from work. The information contained in this form is of a highly sensitive nature and is restricted to only personnel of the department and the BLS. The information in the form is then sent to the BLS and housed in its database. According to federal regulation, these forms are to be kept by the department for 5 years.
- **OSHA (Occupational Safety and Health Administration) Annual Survey Forms.** This is a similar survey kept by the Occupational Safety and Health Administration (OSHA). Because the information kept by the BLS is restricted to BLS personnel, OSHA keeps its own version of the data in a scaled down format. The procedures for collecting and managing the data are similar to the BLS survey. Federal regulation dictates that these forms are to be retained for 1 year.
- **CFOI (Census of Fatal Occupational Injuries) Source Documents.** These documents are part of the BLS Census of Fatal Occupational Injuries (CFOI) program. When an occupational fatality is reported, the BLS requires 2 separate documents that verify the fatality was job related. These can include death certificates, coroners report, state workers compensation records, news media accounts, etc. The BLS requires that these records be retained for 5 years.
- **Permit Request to Install Boiler/Pressure Vessel Files.** This series consists of permit applications completed by installers and approved by the agency staff for the installation of boiler/pressure vessels. Since the permit expires one year from the date of approval or when installation is complete, the agency only maintains the files for 2 years for reference.
- **Boiler/Elevator Incident and Investigation Files.** These are reports concerning incidents involving boilers/pressure vessels and subsequent investigation by the agency staff. The agency keeps the records for 5 years for reference. Summarized and statistical information is available in the agency’s annual reports.

- **Periodic Boiler Inspection Reports.** The Boiler and Pressure Vessel Safety Act requires all boilers and/or pressure vessels to be inspected on a regular basis (1 or 2 year intervals for boilers [depending on the type] and 2-3 year intervals for pressure vessels [depending on content]) unless otherwise exempted (i.e. residential boilers, etc.). If the boiler or pressure vessel is covered by boiler/machinery insurance, then the insurance company arranges for the inspection by an inspector associated with that company. Otherwise, all boilers or pressure vessels are inspected by the agency staff. After inspection, an inspection certificate is assigned to the boiler/pressure vessel as an evidence that the boiler/pressure vessel has been inspected and is safe to operate at the pressure shown on the certificate. Information on the inspection, if needed, is available online at Jurisdiction Online, which is an internet-based software application available to insurance companies and jurisdictional authorities involved with the jurisdictional object (such as boilers) inspection and certification. Hard copies are maintained by the agency onsite for 5 years for reference.
- **Boiler Inspector Certificates of Competency Files.** Only qualified agency staff (chief inspector and deputy inspectors), special inspectors associated with insurance companies, or boiler owner/user inspectors are allowed to inspect boilers/pressure vessels. To become an inspector, the applicant must pass competency examinations prescribed the National Board of Boiler and Pressure Vessel Inspectors. A certificate of competency is issued to qualified inspectors and it is good for one year. The continuance of the certificate of competency is conditioned upon the employment and maintenance of professional standards. The agency preserves the files for 5 years for reference.
- **Violation Notification Letters.** This series contains letters sent by the agency staff to owners/operators of boilers/pressure vessels or elevators concerning violations cited during an inspection of a boiler/pressure vessels or elevators. Upon receipt, the owner/operator must sign and date the letter to indicate the corrective action is taken and complete. The signed letter is then returned to the agency as evidence of the work. The agency maintains this series for 5 years for reference.
- **Application for Permit to Install or Alter Elevator/Conveyance Files.** This series consists of permit applications completed by installer and approved by the agency staff for the installation/alteration of elevators/conveyances. Since the permit expires six (6) months from the date of approval, the agency only maintains the files for 2 years for reference.
- **Application for a Variance Files.** These are standard forms completed by owners of elevators/conveyances (petitioners) to apply to the Elevator Safety Review Board for one-time permission (of variance) from a provision of the adopted Elevator Code. Also included are plans and specifications, test results, and other related materials. The agency keeps these files for 5 years for reference.
- **Annual Elevator Inspection Reports.** Each elevator/conveyance is required to be inspected annually and a certificate of operation is issued by the inspector for posting in the

elevator/conveyance. Hard copies of the inspection reports are maintained by the Department of Labor onsite for 5 years for reference. Information on the inspection, if needed, is available online at Jurisdiction Online, which is an internet-based software application available to insurance companies and jurisdictional authorities involved with jurisdictional object inspection and certification.

- **Licensee Files.** Included in this series are licensee files created for Elevator Contractors, Elevator Inspectors, Elevator Mechanics, Emergency Elevator Mechanics, Limited Elevator Contractors, Limited Elevator Mechanics, and Temporary Elevator Mechanics. A license issued by the board is valid for two years. The board may renew a license, provided the applicant submits a written application for renewal accompanied by the required continuing education hours and fee prior to expiration of the license. The agency preserves the files for 5 years for reference.

**II. Permanent Records.** The Government Records Division recommends the following records as permanent.

- **Labor Organization Annual Reports.** The reports are composed of two forms. Form “A” lists basic information about the organization, such as name; location of principal office and its office in Alabama; the names, addresses, salaries and other fees of its officers and business agents; the election date of the officers; the officers' names and the names of paid members. Form “B” contains a financial statement of all fees levied and received by the organization, an itemized list of all disbursements of the organization, and a complete statement of all property owned. Code of Alabama, Section 25-7-5 © requires these reports to be “made available by the Commissioner of Labor in his office to the Governor for examination.” These reports constitute a significant record of labor organization activity in the state since 1945, when the reports were first required, and should be retained permanently by the department. In the May 25, 1944, Supreme Court of Alabama ruling, *Alabama State Federation of Labor v. McAdory*, the Labor Organization Annual reports were restricted from public access. (AL. State Federation of Labor v. McAdory, 18 So.2d 810) (RDA page 3-2)

#### **Administering Federal Occupational Safety and Health Statistical Programs**

- **CFOI (Census of Fatal Occupational Injuries) Press Releases.** This series consists of statements or announcements concerning the release of data from the Census of Fatal Occupational Injuries (CFOI) issued for distribution to the news media and the public. Included may be copies of news releases, published articles, photographs, typescripts of broadcast announcements, and other reference materials used to create the news release. This information describes an important feature of the department's activities and should be retained permanently. (RDA page 3-3)(**Bibliographic Title: Press Releases From the Census of Fatal Occupational Injuries**)
- **Informational Publications.** The department periodically publishes the state's statistics

from the Census of Fatal Occupational Injuries (CFOI), annual occupational safety and health surveys, and other related materials (for example, a Short History of the Alabama Department of Labor). These publications should be retained permanently as part of the agency's documentation. (RDA page 3-3)(**Bibliographic Title: State Publications**)

### **Promoting Labor-Management Relations**

- **Conference Highlight Booklet.** This book is the record of the annual labor-management conference. It contains the schedule of events and activities of the conference as well as photographic highlights and a list of organizers, sponsors, and attendees and should be retained permanently. (RDA page 3-3)(**Bibliographic Title: Conference Highlight Book**)

### **Overseeing the Implementation of the Boiler and Pressure Vessel Safety Act**

- **Meeting Agendas, Minutes, and Packets of the Boiler and Pressure Vessel Safety Board.** This series consists of meeting agendas, minutes, and other supporting documents created by the board and should be preserved to document the function of the board. (RDA pg. 3-3) (**Bibliographic Title: Meeting Agendas, Minutes, and Packets of the Boil and Pressure Vessel Safety Board**)

### **Overseeing the Implementation of the Elevator Safety Act**

- **Meeting Agendas, Minutes, and Packets of the Elevator Safety Review Board.** This series consists of meeting agendas, minutes, and other supporting documents created by the board and should be preserved to document the function of the board. (RDA pg. 3-4) (**Bibliographic Title: Meeting Agendas, Minutes, and Packets of the Elevator Safety Review Board**)

### **Administering Internal Operations**

- **Commissioner's Administrative Files.** Code of Alabama, Section 25-3-3 © requires the commissioner of labor to keep a permanent record of his or her official acts and proceedings. These records include correspondence with state officials, legal/advisory opinion correspondence, correspondence between the department and other state and federal agencies. These records document the department's policies and procedures and the department's interaction with other agencies. (RDA page 3-5)(**Bibliographic Title: Commissioner's Administrative Files**)
- **Annual Reports.** Code of Alabama, Section 25-3-3 © requires the department to make an annual report to the governor detailing the accomplishments and activities of the department during the preceding fiscal year. Annual reports provide the best summary information about the department and its function. (RDA page 3-5)(**Bibliographic Title: Annual Reports**)

- **Website.** The agency maintains a website at: [www.alalabor.alabama.gov](http://www.alalabor.alabama.gov). Subjects may include agency's mission, forms, press releases, newsletters, contact information, and useful links to other websites. The website is a medium of communication with the public and a tool in the operation of the agency. The permanent retention ensures that documentation of the changes in the agency website over time are preserved. (RDA pg. 3-5) (**Bibliographic Title: Website**)

## **Permanent Records List Department of Labor**

### **Receiving and Filing Labor Organization Reports**

- \*1. Labor Organizations Annual Reports

### **Administering Federal Occupational Safety and Health Statistical Program**

- 1. CFOI (Census of Fatal Occupational Injuries) Press Releases
- 3. Informational Publications

### **Promoting Labor-Management Relations**

- 1. Conference Highlight Booklet

### **Overseeing the Implementation of the Boiler and Pressure Vessel Safety Act**

- 1. Meeting Agendas, Minutes, and Packets of the Boil and Pressure Vessel Safety Board

### **Overseeing the Implementation of the Elevator Safety Act**

- 1. Meeting Agendas, Minutes, and Packets of the Elevator Safety Review Board

### **Administering Internal Operations**

- 1. Commissioner's Administrative Files
- 2. Annual Reports
- 3. Website
- \*4. Inventory Lists

\* indicates records that ADAH anticipates will remain in the care and custody of the creating agency. ADAH staff is available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

## Department of Labor Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Department of Labor. The RDA lists records created and maintained by the Department of Labor in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for Department of Labor to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

### Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Department of Labor's records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Certain other records-related materials need not be retained as records under the disposition requirements in this RDA. They may be disposed of, without notice of destruction, in whatever way the agency determines best. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationary, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term internal purposes that may include, but are not limited to, telephone call-back messages; drafts of ordinary documents not

needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about department social activities; (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

## **Records Disposition Requirements**

This section of the RDA is arranged by subfunctions of the Department of Labor and lists the groups of records created and/or maintained by the department as a result of activities and transactions performed in carrying out these subfunctions. The department may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

### **■ Investigating and Mediating Labor Disputes**

Dispute Notices

Disposition: Temporary Record. Retain for 2 years after settlement of the dispute.

Wage Claims Files

Disposition: Temporary Record. Retain for 2 years.

### **■ Receiving and Filing Labor Organization Reports**

LABOR ORGANIZATIONS ANNUAL REPORTS

Disposition: PERMANENT RECORD.

### **■ Administering Federal Occupational Safety and Health Statistical Programs**

BLS (Bureau of Labor Statistics) Annual Survey Form

Disposition: Temporary Record. Retain for 5 years.

BLS (Bureau of Labor Statistics) Corrected Error Printouts

Disposition: Temporary Record. Retain for 5 years.

BLS (Bureau of Labor Statistics) Manual

Disposition: Temporary Record. Retain until superceded.

BLS (Bureau of Labor Statistics) Database

Disposition: Temporary Record. Retain for useful life.

OSHA (Occupational Safety and Health Administration) Annual Survey Forms

Disposition: Temporary Record. Retain for 1 year.

OSHA (Occupational Safety and Health Administration) Corrected Error Printouts  
Disposition: Temporary Record. Retain for 1 year.

OSHA (Occupational Safety and Health Administration) Manual  
Disposition: Temporary Record. Retain until superceded.

BLS (Bureau of Labor Statistics) Annual Survey Statistical Tables  
Disposition: Temporary Record. Retain for 5 years.

CFOI (Census of Fatal Occupational Injuries) Source Documents  
Disposition: Temporary Record. Retain for 5 years.

CFOI (CENSUS OF FATAL OCCUPATIONAL INJURIES) PRESS RELEASES  
Disposition: PERMANENT RECORD.

INFORMATIONAL PUBLICATIONS  
Disposition: PERMANENT RECORD.

Address Files  
Disposition: Temporary Record. Retain for useful life.

■ **Promoting Labor-Management Relations**

CONFERENCE HIGHLIGHT BOOK  
Disposition: PERMANENT RECORD.

■ **Overseeing the Implementation of the Boiler and Pressure Vessel Safety Act**

MEETING AGENDAS, MINUTES, AND PACKETS OF THE BOIL AND PRESSURE VESSEL SAFETY BOARD.  
Disposition: PERMANENT RECORD.

Permit Request to Install Boiler or Pressure Vessel Files  
Disposition: Temporary Record. Retain 2 years.

Boiler Incident and Investigation Files  
Disposition: Temporary Record. Retain 5 years.

Periodic Boiler Inspection Reports  
Disposition: Temporary Record. Retain 5 years.

Boiler Inspector Certificate of Competency Files  
Disposition: Temporary Record. Retain 5 years after the end of the year in which the certificate is

renewed or expired.

Cancellation Notifications of Insurance Companies

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Violation Notification Letters

Disposition: Temporary Record. Retain 5 years.

Records document the receipt/deposit of payments received and/or unpaid invoices

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

## ■ **Overseeing the Implementation of the Elevator Safety Act**

MEETING AGENDAS, MINUTES, AND PACKETS OF THE ELEVATOR SAFETY REVIEW BOARD.

Disposition: PERMANENT RECORD.

Application for Permit to Install or Alter Elevator/Conveyance Files

Disposition: Temporary Record. Retain 2 years.

Application for a Variance Files

Disposition: Temporary Record. Retain 5 years.

Elevator Incident and Investigation Files

Disposition: Temporary Record. Retain 5 years.

Annual Elevator Inspection Reports

Disposition: Temporary Record. Retain 5 years.

Elevator Mechanic's Examination Files

Disposition: Temporary Record. Retain 5 years.

Licensee Files

Disposition: Temporary Record. Retain 5 years after the end of the year in which the licensee is renewed or expired.

Violation Notification Letters

Disposition: Temporary Record. Retain 5 years.

Records document the receipt/deposit of payments received and/or unpaid invoices

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records

were created.

## ■ **Administering Internal Operations**

### **Managing the Agency:**

COMMISSIONER'S ADMINISTRATIVE FILES

Disposition: PERMANENT RECORD.

DEPARTMENT'S ANNUAL REPORTS

Disposition: PERMANENT RECORD.

WEBSITE

Disposition: PERMANENT RECORD. PRESERVE A COMPLETE COPY OF WEBSITE ANNUALLY OR AS OFTEN AS SIGNIFICANT CHANGES ARE MADE.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by the Agency

Disposition: Temporary Record. Retain 3 years.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Department Appointment Letters

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term expires.

Official Bonds and Oaths

Disposition: Temporary Record. Retain for duration of office-holder's tenure.

Telephone Logs

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Calendars

Disposition: Temporary Record. Retain 1 year.

Legislative Files (drafts of proposed department-sponsored legislation)

Disposition: Temporary Record. Retain for useful life.

#### Legislative Tracking Files

Disposition: Temporary Record. Retain for useful life.

#### Legal Case Files

Disposition: Temporary Record. Retain 6 years after the case is closed.

#### Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the department's approved RDA (copies of transmittal forms to the Archives and the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission.)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

#### Copy of Approved RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA was superseded.

#### Computer System Documentation (hardware/software manuals and diskettes, warranties)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists in the agency and all permanent records have been migrated into a new system.

#### **Managing Finances:**

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury, including bank statements, deposit slips, cancelled checks, etc.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries.

Disposition: Temporary Record. Retain 3 years after the fiscal year in which the records were created.

Records documenting contracts for services or personal property.

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original bid records maintained in the purchasing office of the agency for contracts over \$7500

Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.

- b. Duplicate copies of bid (originals are maintained by the Department of Finance)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Audit Reports

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created

**Managing Human Resources:**

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after end of year in which the records were created.

Records documenting an employee's work history, generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting final leave status (cumulative leave)

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Employee Flexible Benefits Plan Files

Disposition: Temporary Record. General information - Retain until superseded.

Other (applications, correspondence) - 6 years after termination of participation in program.

State Employees Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency

Records documenting agency provision of training and professional development

Disposition: Temporary Record. Retain 3 years.

**Managing Properties, Facilities, and Resources:**

**INVENTORY LISTS**

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975, Section 36-16-8[1]).

Letters of Transmittal

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

#### Motor Pool Vehicle Use Records

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

#### Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership. Most agencies will not have these records.

## **Requirement and Recommendations for Implementing the Records Disposition Authority**

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Department of Labor (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in October of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records

solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.

- Electronic mail contain permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA's requirements, the agency should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on January 26, 2011.

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Edwin C. Bridges, Chairman, by Tracey Berezansky  
State Records Commission

\_\_\_\_\_  
Date

Receipt acknowledged:

\_\_\_\_\_  
Jim Bennett, Commissioner  
Department of Labor

\_\_\_\_\_  
Date