

component and/or individual against whom the grievance was filed. Your request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

RECORD ACCESS PROCEDURES:

If you wish to gain access to a record in this system, contact the system manager at the above address. Your request must meet the requirements of the at 34 CFR 5b.5, including proof of identity.

CONTESTING RECORD PROCEDURES:

If you wish to contest the content of records regarding you in this system, contact the system manager at the above address and reasonably identify the record and specify the information contested. Your request must meet the requirements of the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained directly from information supplied by the individual; testimony of witnesses, union officials, or by Department officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

18-05-07

SYSTEM NAME:

Unfair Labor Practice Records.

SYSTEM CLASSIFICATION:

None.

SYSTEM LOCATION:

Labor Relations Group, Office of Management, U.S. Department of Education, 400 Maryland Ave., SW., Room 2C136, Washington, DC 20202-4754.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records on present and past Department employees and union officials.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records consists of a variety of records relating to an unfair labor practice charge including the employee's name, Social Security number, grade, job title, employment history and a variety of work and personnel records associated with the charges and required under proceedings established by 5 U.S.C. 7101 and Department of Labor Regulations.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 7101.

PURPOSES:

The information in this system is used in the processing, investigation and litigation of unfair labor practice charges that may be filed by the AFGE Council 252, any of the AFGE Local offices located at Department Headquarters and each of 10 regional offices and by bargaining unit employees of the Department.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The Department of Education (Department) may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Agency Disclosure.* The Department may disclose information from this system to the Office of Personnel Management, Merit Systems Protection Board (including its Office of Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Systems Impasses Panel) to facilitate their administrative or enforcement functions.

(2) *Congressional Member Disclosure.* The Department may disclose records to a member of Congress from the record of an individual in response to an inquiry from the member made at the written request of that individual. The member's right to the information is no greater than the right of the individual who requested it.

(3) *Litigation and Alternative Dispute Resolution (ADR) Disclosures.*

(a) *Introduction.* In the event that one of the parties listed below is involved in litigation or ADR, or has an interest in litigation ADR, the Department may disclose certain records to the parties described in paragraphs (b), (c) and (d) of this routine use under the conditions specified in those paragraphs:

- (i) The Department of Education, or any component of the Department; or
- (ii) Any Department employee in his or her official capacity; or
- (iii) Any Department employee in his or her individual capacity if the Department of Justice (DOJ) has agreed to provide or arrange for representation for the employee;

(iv) Any Department employee in his or her individual capacity where the agency has agreed to represent the employee; or

(v) The United States where the Department determines that the litigation is likely to affect the Department or any of its components;

(vi) The arbitrator that the Department and AFGE Council 252 contracts to hear arbitration hearings as the result of invocation of arbitration under the collective bargaining agreement between them.

(b) *Disclosure to the DOJ.* If the Department determines that disclosure of certain records to the DOJ is relevant and necessary to litigation or ADR, the Department may disclose those records as a routine use to the DOJ.

(c) *Administrative Disclosures.* If the Department determines that disclosure of certain records to an adjudicative body before which the Department is authorized to appear, an individual or entity designated by the Department or otherwise empowered to resolve or mediate disputes is relevant and necessary to the administrative litigation, the Department may disclose those records as a routine use to the adjudicative body, individual, or entity.

(d) *Parties, counsels, representatives and witnesses.* If the Department determines that disclosure of certain records to a party, counsel, representative or witness in an administrative proceeding is relevant and necessary to the litigation, the Department may disclose those records as a routine use to the party, counsel, representative or witness.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in hard copy and a list of individual names are kept on electronic media.

RETRIEVABILITY:

Records are retrievable by file number which are cross-referenced by individual names.

SAFEGUARDS:

When not in use by authorized persons, these records are stored in metal file cabinets stored within the secured suite of the Labor Relations Group. Access to and use of these records are limited to personnel who have a need for the records in the performance of official duties.

RETENTION AND DISPOSAL:

According to the Records Retention Schedule of the NARA, records are maintained for 5 years.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Labor Relations Group, U.S. Department of Education, 400 Maryland Ave., SW., Room 2C136, Washington, DC 20202-4754.

NOTIFICATION PROCEDURE:

If you wish to determine whether a record exists regarding you in the system of records, provide the system manager with your name, approximate date of record, the unfair labor practice charges as specified by the complainant, and management component against which the charge was filed. Your request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

RECORD ACCESS PROCEDURES:

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CONTESTING RECORD PROCEDURES:

If you wish to contest the content of records regarding you in this system, contact the system manager at the above address and reasonably identify the record and specify the information contested. Your request must meet the requirements of the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Information in this system of records is:

- (1) Supplied directly by the individual; or
- (2) Derived from information supplied by the individual; or
- (3) Supplied by testimony of witnesses; or
- (4) Supplied by Department officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

18-05-08

SYSTEM NAME:

Official Time Records of Union Officials and Bargaining Unit Employees at the Department of Education.

SYSTEM CLASSIFICATION:

None.

SYSTEM LOCATION:

Labor Relations Group, Office of Management, U.S. Department of

Education, 400 Maryland Avenue, SW., Washington, DC 20202-4754. See the Appendix at the end of this system notice for additional system locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records on current and former Department professional and nonprofessional employees who are non-temporary, non-schedule C, non-supervisory and non-managerial employees and union officials who report use of official time as defined under the Federal Service Labor-Management Relations Statute, 5 U.S.C. 7101.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records consists of the individual employees' Department Flexible Schedule Certification Form and the electronic transcript of the number of hours attributable for each pay period into an active accounting of total hours used by each individual employee to be reported to authorized Executive Branch agencies and to the Congress as requested.

AUTHORITY FOR THE MAINTENANCE OF THE SYSTEM:

Federal Service Labor Management Relations Statute (FSLMRS), 5 U.S.C. 7101.

PURPOSES:

The information contained in this system is used to determine compliance with the collective bargaining agreement between the U.S. Department of Education and the American Federation of Government Employees' Council of Education Locals, No. 252 under the FSLMRS and to produce reports as may be required by the Congress.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The Department of Education (Department) may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Agency Disclosure.* The Department may disclose information from this system to the Office of Personnel Management, Merit Systems Protection Board (including its Office of Special Counsel), Equal Employment

Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Systems Impasses Panel) to facilitate their administrative or enforcement functions.

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(3) *Litigation and Alternative Dispute Resolution (ADR) Disclosures.*

(a) *Introduction.* In the event that one of the parties listed below is involved in litigation or ADR, or has an interest in litigation ADR, the Department may disclose certain records to the parties described in paragraphs (b), (c) and (d) of this routine use under the conditions specified in those paragraphs:

- (i) The Department of Education, or any component of the Department; or
- (ii) Any Department employee in his or her official capacity; or
- (iii) Any Department employee in his or her individual capacity if the Department of Justice (DOJ) has agreed to provide or arrange for representation for the employee;
- (iv) Any Department employee in his or her individual capacity where the agency has agreed to represent the employee; or
- (v) The United States where the Department determines that the litigation is likely to affect the Department or any of its components;
- (vi) The arbitrator that the Department and AFGE Council 252 contracts to hear arbitration hearings as the result of invocation of arbitration under the collective bargaining agreement between them.

(b) *Disclosure to the DOJ.* If the Department determines that disclosure of certain records to the DOJ is relevant and necessary to litigation or ADR, the Department may disclose those records as a routine use to the DOJ.

(c) *Administrative Disclosures.* If the Department determines that disclosure of certain records to an adjudicative body before which the Department is authorized to appear, an individual or entity designated by the Department or otherwise empowered to resolve or mediate disputes is relevant and necessary to the administrative litigation, the Department may disclose those records as a routine use to the adjudicative body, individual, or entity.

(d) *Parties, counsels, representatives and witnesses.* If the Department