

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:

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 regulations 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:

- (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.

(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.

(4) *Freedom of Information Act (FOIA) Advice Disclosure.* The Department may disclose records to the Department of Justice and the Office of Management and Budget if the Department concludes that disclosure is desirable or necessary in determining whether particular records are required to be disclosed under the FOIA.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable to this system of records.

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

STORAGE:

Records are maintained in hard copy and electronic media after transcription from hard copy.

RETRIEVABILITY:

Records are retrievable by name.

SAFEGUARDS:

Records are stored in electronic databases stored in secured rooms with access limited to those whose official duties require access.

RETENTION AND DISPOSAL:

According to the National Archives and Records Administration's General Records Schedules, records are maintained for 5 years.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Labor Relations Group, Office of Management, U.S. Department of Education, 400 Maryland Avenue, 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 grievance, and management component or individual or both 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 regulations 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:

- (1) Supplied directly by the individual, or
- (2) Supplied by union officials, or
- (3) Supplied by Department officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Appendix to 18-05-08

Additional system Locations

Employee Relations Team, Office of Management, U.S. Department of Education, 400 Maryland Avenue, SW., Room 2E233, Washington, DC 20202-4737.

Informal Dispute Resolution Center, Office of Hearings and Appeals, U.S. Department of Education, L'Enfant Plaza, Room 2100A, Washington, DC 20202.

Regional Personnel Office, U.S. Department of Education, O'Neill Federal Building, 10 Causeway Street, Room 1095, Boston, MA 02222.

Regional Personnel Office, U.S. Department of Education, 75 Park Place, 12th Floor, New York, NY 10007.

Regional Personnel Office, U.S. Department of Education, Wanamaker Building, 100 Penn Square East, Suite 503, Philadelphia, PA 10107.

Regional Personnel Office, U.S. Department of Education, 61 Forsyth Street, SW, Suite 8T55, Atlanta, GA 30303.

Regional Personnel Office, U.S. Department of Education, 111 N. Canal Street, Room 1084, Chicago, IL 60606.

Regional Personnel Office, U.S. Department of Education, 1999 Bryan Street, Suite 2710, Dallas, TX 75201-6817.

Regional Personnel Office, U.S. Department of Education, 10220 North Executive Hills Boulevard, 9th Floor, Kansas City, MO 64153.

Regional Personnel Office, U.S. Department of Education, 1244 Speer Boulevard, Room 353, Denver, CO 80204-3582.

Regional Personnel Office, U.S. Department of Education, 50 United Nations Plaza, Room 207, San Francisco, CA 94102-4987.

Regional Personnel Office, U.S. Department of Education, 915 Second Avenue, Room 3388, Seattle, WA 98174-1099.

18-05-09

SYSTEM NAME:

Voluntary Leave Transfer (VLT) Program.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Director, Office of Management, U.S. Department of Education, 400 Maryland Avenue, SW., Room 2W300, Washington, DC 20202.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records on Department of Education employees seeking voluntary donations of annual leave from other federal employees in order to cover leave shortfalls brought about by documented medical emergencies.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system consists of written applications of employees seeking assistance from the program, medical statements certifying need, agency approvals or denials, leave donation records, leave transfer records, supervisor/timekeeper approvals, payroll notification records, leave program termination records, and other related documents. Most of these records contain individual Social Security numbers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 100-566; 5 CFR 630.913.1.

PURPOSE(S):

The information contained in this system is used for the purposes of determining program eligibility and for documenting voluntary transfers of leave to program recipients.

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) *Program Disclosures.* The Department may disclose records to (1) the Office for Personnel Management in order to respond to requests for information or other official inquiries;