

FGIS Directive 4297.1, Rev. 2

9/4/81

MAINTENANCE AND SECURITY OF SUBSIDIARY PERSONNEL AND PAY
RECORDS

I PURPOSE

This Instruction:

- A Provides guidelines on what may and what may not be filed-in folders containing Subsidiary Personnel and Pay Records.
- B Outlines security measures which must be followed to prevent unauthorized disclosure of such records.
- C Prescribes the retention period for certain documents.

II DEFINITION

Subsidiary Personnel and Pay Records folder is a folder established by an office to maintain papers, documents, or information about an employee, other than what is retained in the Official Personnel Folder (OPF) maintained by the Personnel (PE) Division. These files are sometimes called "Supervisor's Personnel Files," "Unofficial Personnel Files," or "Work Folders."

III GUIDELINES FOR FOLDER CONTENTS

A Materials Which May Not Be Maintained.

The materials which may not be maintained in Subsidiary Personnel and Pay Records folders are as follows:

- 1 Information describing how an individual exercises the rights guaranteed by the First Amendment (freedom of speech, religious and political beliefs, etc.).
- 2 Items specifically excluded from the OPF, such as photographs and notations concerning race, color, religion, national origin, etc.
- 3 Items which are not work related.

B Materials Which May Be Maintained. The materials which may be maintained in Subsidiary Personnel and Pay Records folders are as follows:

- 1 Information about an employee that is relevant and necessary to accomplish the personnel administration requirements of Statute or Executive Order.
- 2 Work- or performance-related materials limited to information on experience, education, training, special qualifications and skills, position descriptions, individual development plans, performance appraisals, conduct, etc.

IV ACCESS TO AND SECURITY OF SUBSIDIARY PERSONNEL AND
PAY RECORDS

A Supervisors responsible for maintaining Subsidiary Personnel and Pay Records folders shall:

1 Ensure that only authorized persons view the contents of these folders. (Access would be limited to the supervisor's secretary, employees on whom folders are maintained, and other employees who, because of their official duties, would require access.)

2 Contact Agency Privacy and/or Freedom of Information Act representative when in doubt about disclosure or maintenance of folders.

3 Ensure that records are stored in locked metal filing cabinets, a secured room, or a location where facilities or conditions are adequate to prevent unauthorized access.

B Personal notes retained by a supervisor are not considered to be agency records within the meaning of the Privacy Act and, therefore, are not subject to disclosure when notes are confined to the "authoring" supervisor. Information in this form serves as a memory aid and is used to assist the supervisor in discussing work performance with an employee, evaluating performance, assessing training needs, etc. Notes restricted to supervisory use are under the strict control of the supervisor who shall safeguard these notes against disclosure. If, however, the supervisor does choose to disclose these notes (thereby changing personal notes to agency records and thus subject them to the Privacy Act), the disclosure provisions outlined in Paragraph A, above, would apply.

V RETENTION PERIOD

Materials concerning an employee may be filed in a Subsidiary Personnel and Pay Records folder for the length of time that the employee remains employed with the Agency.

A Limitation on Retention of Certain Documents.
Letters of caution, warning, admonishment, reprimand, and similar disciplinary action papers, other than official personnel actions, shall not be retained longer than 3 years.

B Privacy Disclosure Accounting Records.
Records maintained under the provisions of the Privacy Act, for an accurate accounting of all disclosures of a record, shall be retained for 5 years or the life of the subject employee's Subsidiary Personnel and Pay Records, whichever is longer. To the extent practicable, disclosure accounting records will be maintained and transferred with the records to which they pertain.

C Transfer or Separation of Employee. When an employee transfers from the Agency, or is separated from service, destroy all documents relating to the employee no later than 1 year after transfer or separation.

/s/ Irving W. Thomas
Deputy Administrator, Management