

File, and a separate FLRA System of Records would be duplicative.

The public, the Office of Management and Budget (OMB), and the Congress are invited to submit written comments on the new system of records, the proposed amendments to the six existing systems of records, and the proposed rescindment of the eleven systems of records. A report on the proposed amendments, additions, and rescindments to the FLRA's systems of records has been provided to OMB and Congress as required by OMB Circular A-108, and 5 U.S.C. 552a(r).

Dated: October 24, 2017.

Michael Jeffries,

Acting Executive Director.

Notice of Changes to Systems of Records

Appeal and Administrative Review Records, FLRA/Internal-2.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Human Resources Division, Federal Labor Relations Authority (FLRA), 1400 K Street NW., Washington, DC 20424.

SYSTEM MANAGER:

Director, Human Resources Division, Federal Labor Relations Authority, 1400 K Street NW., Washington, DC 20424.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 1302, 3301, 3302, 4305, 5115, 5335, 7501, 7512; and Executive Order 10577.

PURPOSE OF THE SYSTEM:

These records are used to process miscellaneous appeals and administrative reviews submitted by FLRA employees.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former FLRA employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records relating to various internal appeal or administrative reviews submitted by FLRA employees as well as decisions made in individual employee cases pursuant to those procedures. The system also contains records and documentation of the action upon which the appeal or review decision was based.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided by:

- a. The individual to whom the records pertain.
- b. FLRA officials involved in the appeal or administrative procedure.

c. Other official personnel records of the FLRA.

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

In addition to the disclosure generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information in these records may be used pursuant to 5 U.S.C. 552a(b)(3):

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the FLRA becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from whom additional information is requested in the course of processing an appeal or administrative review procedure, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

c. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the FLRA determines that the records are arguably relevant to the proceeding, or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

f. To disclose information to the National Archives and Records Administration in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

g. To disclose information to the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work-force studies. While published statistics and studies do not

contain individual identifiers, in some instances, the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

i. To disclose information to officials of: The Merit Systems Protection Board, the Office of Special Counsel, or the Equal Employment Opportunity Commission, when requested in performance of their authorized duties.

j. To appropriate agencies, entities, and persons when (1) the FLRA suspects or has confirmed that there has been a breach of the system of records; (2) the FLRA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the FLRA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the FLRA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

k. To another Federal agency or Federal entity, when the FLRA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

l. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the federal government, when necessary to accomplish an agency function related to this system of records.

m. To such recipients and under such circumstances and procedures as are mandated by federal statute or treaty.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

These records are maintained on paper and electronic media.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

These records are retrieved by the names of the individuals on whom they are maintained.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Adverse action appeals processed under the FLRA's internal appeals systems are retained for seven years after the closing of the case and other records in the system are maintained for a maximum of four years after the closing of the case, in accordance with items 10–12, of General Records Schedule 1, as approved by the Archivist of the United States. Disposal is by shredding.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

These records are maintained in a lockable filing system and/or in a password-protected automated system, with access limited to personnel whose duties require access.

RECORD ACCESS PROCEDURES:

Individuals involved in appeals and administrative review procedures are aware of that fact and have been provided access to the record. However, after the action has been closed, an individual may request access to the official copy of an appeal or administrative review procedure record by contacting the System Manager. Individuals must provide the following information for their records to be located and identified:

- a. Full Name.
- b. Date of birth.
- c. Approximate date of closing of case and kind of action taken.

Individuals requesting access must also follow the FLRA's Privacy Act regulations regarding access to records (5 CFR 2412.5).

CONTESTING RECORD PROCEDURES:

Review of requests from individuals seeking amendment of their records that have previously been or could have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these cases will be restricted to determining whether the record accurately documents the action of the agency or administrative body ruling on the case, and it will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment of their records to correct factual errors should contact the System Manager. Individuals must furnish the following information for their records to be located and identified;

- a. Full Name.
- b. Date of birth.
- c. Approximate date of closing of the case and kind of action taken.

Individuals requesting amendment must also follow the FLRA's Privacy Act regulations regarding amendment of records (5 CFR 2412.10).

NOTIFICATION PROCEDURES:

Individuals involved in appeals and administrative review procedures are aware of that fact and have been provided access to the record. They may, however, contact the System Manager indicated above. They must furnish the following information for their records to be located and identified:

- a. Full Name.
- b. Date of birth.
- c. Approximate date of closing of the case and kind of action taken.

Individuals making inquiries must comply with the FLRA's Privacy Act regulations regarding the existence of records (5 CFR 2412.4).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

This system of records was last published at 45 FR 85316 (Dec. 24, 1980).

Complaints and Inquiries Records, FLRA/Internal-3.**SECURITY CLASSIFICATION:**

Unclassified.

SYSTEM LOCATION:

Office of the Executive Director, Federal Labor Relations Authority (FLRA), 1400 K Street NW., Washington, DC 20424.

SYSTEM MANAGER:

Executive Director, Federal Labor Relations Authority, 1400 K Street NW., Washington, DC 20424.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11222.

PURPOSE OF THE SYSTEM:

These records are used to take an action on or respond to a complaint or inquiry concerning an FLRA employee or to counsel the employee.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current FLRA employees about whom complaints or inquiries have been received.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains information or correspondence concerning an

individual's employment status or conduct while employed by the FLRA. Examples of these records include: Correspondence from Federal employees, Members of Congress, or members of the public alleging misconduct by an FLRA employee; miscellaneous debt correspondence received from creditors; and miscellaneous complaints not covered by the FLRA's formal or informal grievance procedures.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided by:

- a. The individual to whom the information pertains.
- b. Federal employees, Members of Congress, creditors, or members of the public who submitted the complaint or inquiry.
- c. FLRA officials.
- d. Other sources from whom information was requested regarding the complaint or inquiry.

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

In addition to the disclosure generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information in these records may be used pursuant to 5 U.S.C. 552a(b)(3):

- a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the FLRA becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from whom additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and identify the type of information requested), where necessary to obtain information relevant to an FLRA decision concerning the hiring or retention of an employee, the issuance of a security clearance, conduct of a security or suitability investigation of an individual or classification of jobs.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the FLRA determines that the records are arguably relevant to the proceeding, or in an appropriate proceeding before an administrative or adjudicative body