

Department of Industrial Relations

**Functional Analysis
&
Records Disposition Authority**

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State Records Commission
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Functional and Organizational Analysis of the Department of Industrial Relations

Sources of Information

Representatives of the Department of Industrial Relations

Code of Alabama 1975

Sections 25-1-1 through 25-1-10 (Industrial Relations and Labor)

Sections 25-2-1 through 25-2-26 (Department of Industrial Relations)

Sections 25-4-1 through 25-4-152 (Unemployment Compensation)

Sections 25-5-1 through 25-5-340 (Workers' Compensation)

Sections 25-9-1 through 25-9-370 (Coal Mine Safety)

Sections 9-16-1 through 9-16-15 (Mineral Resources - Alabama Surface Mining Act)

Sections 9-16-120 through 9-16-134 (Mineral Resources - Abandoned Mine Reclamation)

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

Alabama Administrative Code, Sections 480-1-1 through 480-6-1

Alabama Government Manual (1998)

Department of Industrial Relations Annual Report (2001)

Department of Industrial Relations Audit Reports (1997-1999) (1999-2001)

Department of Industrial Relations Publications (2001)

Department of Industrial Relations Organizational Charts: Staffing Distribution, Mission and Function Statements

Holdings of the Department of Archives and History for the Department of Industrial Relations

Government Records Division, State Agency Files (1985-ongoing)

Department of Industrial Relations Records Retention Schedules

Alabama Department of Industrial Relations website

United States Department of Labor website

United States Department of the Interior website

Historical Context

In 1939, the Legislature created the Department of Industrial Relations to perform responsibilities previously delegated to the Unemployment Compensation Commission, Compensation Commission, Chief Mine Inspector, Board of Mediation and Arbitration, and the Department of Labor - all of which the Legislature abolished that same year. In 1943, the re-created Department of Labor took over the responsibility of settling labor disputes. In 1949, the Legislature also eliminated the Board of Examiners of Mine Bosses and created the Board of Examiners within the Department of Industrial Relations. In the late 1990s, the Department of Industrial Relations also transferred the enforcement of child labor laws to the Department of Labor. As of 2002, the Department of Industrial Relations administers programs related to unemployment compensation, workers' compensation, mine and industrial safety, surface mining laws, and the state employment service.

The federal government mandates most of the operations of the Department of Industrial Relations.

Agency Organization

The Department of Industrial Relations is headed by the director, who is appointed by the governor. Alabama law states no qualifications that the director must possess, but before taking such position, the individual must take a constitutional oath of office. To effectively carry out the mandates of the department, the Code of Alabama 1975, Section 25-2-3 authorizes the director to create divisions with approval by the governor. As of 2002, the Department of Industrial Relations consisted of six operating divisions: Employment Service Division; Unemployment Compensation Division; Labor Market Information Division; Hearings and Appeals Division; Workers' Compensation Division; and State Programs Division. The department also contains eight support divisions: Governmental Affairs Division; Legal Division; Finance Division; Information Systems Division; Human Resources Division; Planning and System Analysis Division; Equal Employment Opportunity Division; and Audit, Compliance, and Fraud Examination. In addition, the agency coordinates and supports activities relating to the administration of the following entities:

Advisory Council

In 1939, the legislature established the advisory council, which consists of at least nine governor-appointed members. The council, which must have an equal representation of employers and employees, provides advice to the director on developing policies, especially in relation to the unemployment compensation program. (Code of Alabama 1975, Section 25-4-114 through Section 25-4-115)

Board of Appeals

In 1939, the legislature established the Board of Appeals, with three board members appointed by the governor and confirmed by the Senate. Board members serve six-year staggered terms and may be removed from their position through the impeachment process. One member is a representative of employers; another is a representative of employees; the third member, who operates as chair, is a representative of the public. The board operates independently from the Department of Industrial Relations, with logistical support from the Governmental Affairs Division, and hears appeals cases from "lower authority appeals tribunal decisions" on unemployment compensation and other issues related to mine and industrial safety. An individual dissatisfied with a ruling by the Board of Appeals may take the case to Circuit Court. (Code of Alabama 1975, Section 25-2-12 through Section 25-2-25)

Board of Examiners of Mine Personnel

In 1949, the legislature established the Board of Examiners of Mine Personnel for the purpose of certifying individuals for the positions of mine foreman and fire boss to inspect mines as part of the coal mine safety program. The board consists of eight members, all of whom must have mine

foreman certificates. The chief mine inspector, appointed by the director of the Department of Industrial Relations, serves as the ex-officio chair of the board. Of the seven other members appointed by the governor, three are active practical miners, three are operators of coal mines, and one is a practicing mining engineer. Board members serve three-year staggered terms for not more than two consecutive terms and meet every six months. The board operates under the administration of the State Programs Division of the Department of Industrial Relations. (Code of Alabama 1975, Section 25-9-9 through Section 25-9-30)

Workers' Compensation Medical Services Board

In 1992, the legislature established the Workers' Compensation Medical Services Board to set physician fees and promulgate rules and regulations governing physicians as related to workers' compensation. The board consists of five licensed physicians recommended by the Medical Association of the State of Alabama and appointed by the director of the Department of Industrial Relations. Board members serve five-year staggered terms for a maximum of two terms. The board may meet quarterly and appoints a chair annually. It functions under the Workers' Compensation Division of the Department of Industrial Relations. The workers' compensation administrative trust fund supplies capital for the activities of the division, of which the board is a part. (Code of Alabama 1975, Section 25-5-310 through Section 25-5-318)

An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Department of Industrial Relations is the administration of programs related to employment service, unemployment compensation, workers' compensation, abandoned mine land reclamation, and mine safety and inspection. It is one of the agencies responsible for performing the Client Services and Regulatory functions of Alabama government. In performance of its mandated functions, the Department of Industrial Relations may engage in the following subfunctions.

- **Promulgating Rules and Regulations.** In accordance with the Code of Alabama 1975, Section 25-2-8, the director may prescribe rules and regulations for the Department of Industrial Relations to fulfill its mandated functions. The legislature established the advisory council for the purpose of providing advice to the director on developing policies concerning unemployment compensation; employment service; workers' compensation; abandoned mine reclamation; and mine safety and inspection (Code of Alabama 1975, Section 25-4-114 through Section 25-4-115). The agency publishes its rules and regulations in compliance with the Administrative Procedures Act (Code of Alabama 1975, Sections 41-22-1 through 41-22-27).

- **Administering Employment Service.** In response to the Great Depression, Congress passed the Wagner-Peyser Act in 1933 to assist the unemployed. The United States Employment Service (USES) implemented the mandates of this law by working with states to establish a national system for fostering employment. In 1998, the Workforce Investment Act (WIA) amended the Wagner-Peyser Act. Congress wanted to ensure that the unemployed could visit one location to obtain access to needed services. As stated by the United States Employment Service, “the WIA amendments transformed the Employment Service into the foundation of a one-stop delivery system” (www.doleta.gov).

The Code of Alabama 1975, Section 25-2-2 mandates the Alabama Department of Industrial Relations as the state agency designated to work with the United States Employment Service under the United States Department of Labor’s Employment and Training Administration to ensure compliance with the Wagner-Peyser Act. The main goal of the employment service is to assist workers in finding jobs and employers in finding qualified workers. The agency performs this function by administering grants and programs to foster employment. The state employment service helps administer America’s Job Bank/America’s Talent Bank which allows employers to list job openings and job seekers to enter resumes. Such information is available at local employment service offices or via the internet. Local offices also assist unemployed individuals through job search workshops or testing. The Alabama Employment Service oversees the Work Opportunity Tax Credit and the Welfare to Work Tax Credit, which provide benefits to employers to hire disadvantaged workers. The agency also provides state level staff support for the Job Corp program, which targets disadvantaged young people by providing them with the training necessary to become self-supporting. Other assistance may be provided to federal programs which offer training to groups such as food stamp clients or veterans.

- **Administering Unemployment Compensation.** Upon passage of the Social Security Act in 1935, the United States Employment Service operated the newly developed Unemployment Insurance (UI) program designed to provide compensation to unemployed individuals for assistance during transition. Each state operates its own program within the confines of federal law. The Department of Industrial Relations administers the unemployment compensation program in Alabama (Code of Alabama 1975, Sections 25-4) through the Unemployment Compensation Trust Fund, which obtains its revenue from taxes on employers.

The Department of Industrial Relations provides information to the public on unemployment compensation. It receives claims, determines eligibility, and provides compensation to the unemployed. The agency also monitors and manages the contributions of employers to pay for unemployment compensation benefits. Activity relating to unemployment compensation appeals are discussed under the adjudicating subfunction.

- **Administering Workers' Compensation.** The goal of workers' compensation is to help reduce litigation and to provide aid to employees injured on the job or to dependents of employees killed because of work-related injuries or illness. Each state establishes its own laws governing which employers must buy insurance, how much insurance must be obtained, who is eligible to provide insurance, in what situations a worker will be compensated, and what percentage of salary must be paid to injured employees or to dependents of workers killed on the job. The Code of Alabama 1975, Section 25-5 outlines Alabama's laws in relation to workers compensation, and the Department of Industrial Relations is mandated to "administer and perform all functions and duties of Chapter 5 of this title" to ensure compliance with Alabama's Workers' Compensation laws.

The Department of Industrial Relations provides "information to claimants, employers, insurance companies, attorneys, judges, legislators, labor and management groups, government agencies, and other parties" on workers' compensation (Department of Industrial Relations Annual Report, 2001). The agency makes periodic inspections to ensure employers' compliance with Alabama's workers' compensation laws. The agency requires reports of injuries or fatalities be filed with the agency. It monitors claims so that medical care and compensation are provided promptly to the injured, or in the case of death, to dependents. When necessary, the Department of Industrial Relations provides a mediation service to resolve claims.

- **Administering Abandoned Mine Reclamation.** The United States Congress passed the Surface Mining Control and Reclamation Act of 1977 for the purpose of reclaiming and restoring land and water resources adversely affected by past coal mining (Public Law 95-87). The legislature established an abandoned mine reclamation program within the Department of Industrial Relations to ensure Alabama's compliance with this federal law (Code of Alabama 1975, Section 9-16-120 through Section 9-16-134). As stated by the State Programs Division, which operates the program, "reclamation is conducted on abandoned surface mines, coal processing areas, and underground mine entries. The program is making an aggressive effort to reduce the backlog of public safety hazards and environmental problems from past mining activities." (www.dir.state.al.us)

Each year, the Alabama Department of Industrial Relations submits to the United States Secretary of the Interior an annual plan outlining its projects. The United States Department of the Interior, Office of Surface Mining, provides grants to states each year, funded by coal operators, for the completion of these reclamation projects.

- **Regulating Mining and Reclamation of Land for Non-Fuel Minerals.** The Alabama Surface Mining Act (Code of Alabama 1975, Section 9-16-1 through Section 9-16-15) states the requirements to obtain and comply with a surface mining permit. An operator must submit an application with a description of the land to be affected, a statement certifying the right to surface mine in that area, indication of permits previously obtained to

surface mine, a comprehensive reclamation plan, a bond or security to ensure proper reclamation of the land, and an application fee. Upon receipt of the request, the department then decides within thirty days whether to issue, require modification of, or deny the permit. If issued, the operator must submit an aerial photograph of the surface mining area within ninety days after the expiration of the permit period. Periodic inspections are made during the surface mining operation. After surface mining, the operator must complete the reclamation within two years from the date of expiration of the permit period. After approval of the reclamation, the bond is released.

- **Regulating Mine Safety.** The Coal Mine Safety laws are outlined in the Code of Alabama 1975, Section 25-9-1 through Section 25-9-370. As stated in DIR's 2001 annual report, "the mine safety and inspection section checks all working places in mines to ensure compliance with state laws which protect the safety of persons working in the mining industry. This section also coordinates rescue efforts in the event of a mine disaster and investigates mine accidents."

Overseeing mine safety is the Board of Examiners of Mine Personnel, which issues certificates of competency to mine foreman and fire bosses to work within the State of Alabama, as part of the coal mine safety program. Individuals in both positions have the knowledge to inspect safety conditions of mines, including examination of the "equipment, works and machinery connected with said mines. . .[and] the state of coal mines as to transportation, ventilation, circulation and conditions of air, electricity, explosives, timbering, drainage, practices and general security." (Code of Alabama 1975, Section 25-9-7). A mine foreman may also hold a position of authority over other workers, whereas, a fire boss is just a worker, usually in the union. While a mine foreman may act as fire boss, the reverse is not true.

In order for a certificate for mine foreman to be approved by the Board of Examiners of Mine Personnel, the Code of Alabama, Section 25-9-11 requires that an applicant must submit an affidavit indicating that the individual is at least twenty-three years old; has at least four years of mining experience or three years experience supplemented by a degree from a university accredited by the American Association of Universities or an associate degree in mine technology from an approved state trade school or university; is "of good moral character and known temperate habits;" and is "not a member of any political party or organization that advocates the overthrow of the government of the United States by force." This affidavit must be signed by three citizens, one of whom must be a certified mine foreman. The applicant must pay a fee and pass an examination created by the board. Upon passing this examination, the individual will receive certification, which is good for a lifetime. The certification for fire boss is similar, except the requirement for only three years of mining experience. An individual who received certification to be a fire boss after only three years of experience must retake the same examination after receiving the required four years of experience, if s/he desires certification to be a mine foreman.

The board may reprimand or revoke the certificates of fire bosses and mine foremen for infractions of safety. Failure to perform duties as outlined in the coal mine safety laws will result in a misdemeanor charge.

- **Adjudicating.** The Department of Industrial Relations maintains two administrative levels of appeals, most of which relate to unemployment compensation benefit claims. At the first level, everyone who applies for an appeal is granted a hearing. An individual dissatisfied with the decision of a hearing officer within the Hearings and Appeals Division has the right to appeal that decision to the Board of Appeals but must make the request within fifteen days of the decision. The Board of Appeals then makes a decision whether to hear the case. Individuals not satisfied with the ruling of the Board of Appeals may take the case to Circuit Court.
- **Collecting and Compiling.** The Code of Alabama, Section 25-2-9, requires the Department of Industrial Relations “to make investigations and studies and to collect, collate, and compile statistical information and to make and publish reports concerning the conditions of labor generally, including living conditions, hours of work, wages paid, and all matters relating to the enforcement and effect of the provisions of this title coming under the jurisdiction of the Department of Industrial Relations and the rules and regulations issued pursuant thereto and other laws relating to the Department of Industrial Relations.” The United States Department of Labor, Bureau of Labor Statistics, mandates and maintains much of the research conducted and statistics gathered by the Alabama Department of Industrial Relations.
- **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; 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, and 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; investing; and issuing bonds.

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 buildings and facilities; leasing and/or renting offices or facilities; providing for security 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 Industrial Relations

Agency Record Keeping System

The Department of Industrial Relations operates a mainframe and distributed systems. The record keeping system consists of paper, microfiche/microfilm, and various electronic images to include tape, disk and optical storage media.

Computer Systems: The department uses an IBM mainframe computer as the central repository for information generated and stored by the different functional areas of the department. These major software systems are the Unemployment Compensation System, Employment Security System, Workers' Compensation System, Tax and Audit System, Finance System, Human Resources System, and the Labor Market Information System. The department also operates two optical scanning systems that scan, image, and archive numerous documents. The department is also connected to the Finance Department's mainframe computer to utilize the Local Government Financial System (LGFS) and the Government Human Resource System (GHRS). The department maintains an internal communications network attached to the DIR mainframe and is networked to the state campus ring. All mainframe data is stored on an IBM disk array and IBM tape cartridges.

In order to facilitate the department's responsibilities, the agency maintains the following databases: (1) The Unemployment Compensation System provides unemployment benefits to eligible claimants. The database is used to record all information pertaining to these claimants. (2) The Employment Security System provides job availability information to persons seeking employment. The database is used to record all information pertaining to these persons. (3) The Workers' Compensation system provides the monitoring of workers' compensation benefits paid to recipients. The database is used to record all information pertaining to these recipients. (4) The Tax and Audit system provides for the collection of unemployment taxes from employers throughout the state. The database is used to record all information pertaining to these accounts. (5) The Finance System provides for all financial accounting systems for the department. (6) The Human Resources System provides for all required personnel and leave processing for the department. (7) The Labor Market Information Systems provides statistical information for the Department of Labor and the Bureau of Labor Statistics. The database is used to record all information pertaining to these statistics.

Databases and all associated files are backed up to IBM cartridges daily, weekly, monthly, quarterly, and annually as required. Copies of critical data are kept in the DIR vault, the Department of Finance vault, and the Department of Transportation vault.

All personal computers in the central office are networked through a token ring, and ethernet core switches located in the Information Systems Data Center. The ethernet network is connected to the token ring network through the State Campus Ring router. Each wing of each floor of the Industrial

Relations building is connected to the token ring and/or ethernet switches through single or multiple fiber pairs. The token ring network will eventually be converted to ethernet. The department's sixty-three local offices have ethernet local area networks that are connected to the central office through the State Frame Relay Network at 56Kbps and 1.544Mbps which provides mainframe, internet, and e-mail access. SNA 3270 traffic is also routed over the frame relay network. The client/server operation includes file, database, application, e-mail, internet, OCR/ICR and gateway servers, and an optical jukebox. Information stored on file and database servers is backed up to the mainframe and/or local and network tape backup systems. Databases utilized in the client-server operation are Microsoft SQL and Oracle.

The department has four virtual Unemployment Compensation call centers located in Mobile, Birmingham, Montgomery, and Decatur that allow claimants to file for unemployment insurance by touch-tone telephone. Claimants call a 1-800 number that connected them with an interactive voice response (IVR) system in the central office where they must answer a series of questions. After they have answered all of these questions, the telephone call is transferred to the first available customer service representative in one of the call centers who will complete the claim taking process and enter the data in the system. The data from the answered questions and other data already on file with the department are screen popped to the customer service representative's workstation when the telephone call is transferred. The central office telephone system which includes the IVR runs on a Windows NT server and can handle 230 concurrent calls. The four call centers' ethernet local area networks are connected to the central office through the State Frame Relay Network utilizing voice-over-IP. The central office voice and data links to the BellSouth central office are provided over a DS-3 (21 Mbps) smart-ring. The Montgomery call center is connected to the frame relay network over a fractional DS-3 (9 Mbps) link. The Birmingham call center is connected to the frame relay network over a 4.5 Mbps link, and the Decatur and Mobile call centers are connected to the frame relay network over a 3 Mbps link each. All frame relay network links are configured for full committed information rates. The Mobile, Birmingham, and Decatur call centers have their own Windows NT server based telephone systems that can handle 46 local calls. The Montgomery call center utilizes the central office Windows NT server based telephone system for local calls. A Microsoft SQL database is used for the storage of information, and all servers utilize network tape backup systems.

Micrographics: The Department of Industrial Relations microfilms records mainly for access. Divisions within the Department of Industrial Relations may request any kind of records to be microfilmed. They utilize 16 millimeter microfilm and process both with source documents and with computer output. When using source documents, the image is captured from paper. Computer output produces microfilm from scanned images. Annually, a methylene blue test is conducted to determine how the processor is working and to determine the quality of the film.

Currently, the agency also produces microfilm for six other agencies including the Department of Finance, Medicaid Agency, Department of Mental Health and Mental Retardation, Secretary of State, Department of Public Health, and the Supreme Court.

Records Appraisal

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

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

- **Records documenting the assessment of operations that assist in employment and training opportunities.** The Employment Service evaluates and reviews local office operations to provide technical assistance and to make recommendations for corrective action related to the improvement of service for applicants and employers and to assist in the maximum utilization of staff resources. This series may also include the assessment of other operations under the Employment Service. Only the most recent assessment is useful for the agency, so the recommended retention is “retain until superseded.” (RDA pg. 3-2)
- **Records documenting proofs of debits; certificates of liens; executions; notices of bankruptcies; and powers of attorneys.** This series consists of information related to the delinquent payment from employers on unemployment compensation. These records need to be maintained until five years after payment, to ensure settlement of all issues. (RDA pg. 3-3)
- **Records documenting the regulation of group funds and individual self-insureds and their compliance with Alabama Workers’ Compensation Law.** Some employers may be eligible to insure themselves for workers’ compensation. The workers’ compensation division under the Department of Industrial Relations regulates this process. For group funds, the division reviews, audits, and analyzes financial statements for group funds to insure their financial solvency. It audits and reviews adequacy of security deposits and excess coverage, verifies compliance with group fund rules and the Alabama Workers’ Compensation Law, issues certificates of coverage to group fund members, and consults with contract actuaries in determining and verifying adequate claim reserves. For individual self-insureds, the division receives and evaluates applications and determines financial levels of excess insurance, security deposits, and surety bonds. It also recommends issuance or revocation of self-insurance certificates. A retention of five years would fulfill the administrative needs of the department. (RDA pg. 3-4)
- **Records documenting drug-free workplace certification program.** Employers may apply for certification under this program. Before approval, employers must meet certain criteria such as developing a written policy, listing substance abuse tests to be conducted, and describing education programs. The incentive for entering this program is that an employer’s premium for workers’ compensation is based on risk factors, which education should help

reduce. Employers obtain certification which is valid for one year and may acquire certification for up to four years. After four years of monitoring, workers' compensation has enough history on that employer on which to base future premiums. Because an employer may skip years between certification, the recommended retention is "retain three years after fourth certification is issued." (RDA pg. 3-5)

- **Certificate Books documenting certification of mine foreman and fire boss.** Alabama law states that individuals may not work in the coal mines until age eighteen. Certification to be a mine foreman or fire boss may be obtained only after at least three years of experience. Once certified, it is good for the lifetime of that individual. The books from which the Board of Mine Examiners issues certificates are bound, leaving behind stubs documenting the issuance of certification. The disposition "retain fifty years after date of issue of last certificate," would ensure that the certificate holders were either retired or deceased before the original certificate book was destroyed. (RDA pg. 3-7)
- **Board of Appeals Trial Dockets and Decisions.** Trial dockets and decisions contain a listing of the cases heard by the Board of Appeals and the subsequent decisions. Final decisions of these cases may be found in the Meeting Minutes of the Board of Appeals, which are recommended for permanent retention. A retention of "six years after the final settlement of the case" would allow a sufficient period for reference and resolution of all issues. (RDA pg. 3-7)
- **Reports of New Hires.** The Department of Human Resources (DHR) contracts with the Department of Industrial Relations (DIR) to gather information on new hires from employers. The data is passed from DIR to DHR and then to the National Directory of New Hires, which is part of the Department of Health and Human Service - Office of Child Support Intercept. The program is designed to help enforce the payment of child support. The information is located in a national database, and a retention period of "five years after submission of report" to the Department of Industrial Relations would allow a reference period for the raw data before destruction. (RDA pg. 3-8)
- **Records documenting annual refile survey.** Six digit codes are established for industries based on the North American Industry Classification System. Industry codes are assigned to employers based on the function of their business. The purpose of the annual refile survey is to verify the accuracy of an employer's industry code and to verify the employer's location and address. Each year, one third employers are surveyed to confirm this information. This data is reported to the national office, where it is compiled into reports. Retention for records under this series is mandated by the U. S. Bureau of Labor Statistics

The Annual Refile Survey includes the actual letters and forms sent to employers to be completed. These forms list such information as name, address, and business function. This data needs to be maintained for six years. The Annual Refile Survey Control Files are a listing of employers that were surveyed and a summary of the results. These files need only

be maintained until the new surveys are conducted, thus the retention, “retain until next cycle.” Code Change Supplement and Summary of Differences is a report generated to show the changes that have been made, as far as the industry codes, and requires a six year retention. Coding Interpretations are correspondence with the U. S. Bureau of Labor Standards when there is a question and response regarding a specific industry code that is in the manual. The U. S. Bureau of Labor Standards requires a ten year retention. The Survey Management Reports are a summary of Annual Refile Survey operations. These reports include such information as how many forms were sent and received and should be maintained five years for administrative use. (RDA pg. 3-9)

- **Records documenting multiple worksite reporting.** Employers who have more than one location are required to submit a multiple worksite report. This process is conducted on a quarterly basis. Each location is broken down by address, under which employment and wage data is submitted. The U. S. Bureau of Labor Statistics requires this data to be maintained for two years. A central location in Chicago collects information on multiple worksite employers, especially from those who are in multiple states and then disseminates the information to the appropriate states. Electronic Data Information Clarification Forms are used to communicate with this central location if there is a question about any employer. The U. S. Bureau of Labor Statistics requires these forms to be maintained for five years. (RDA pg. 3-9)
- **Records documenting reporting of employer quarterly unemployment insurance.** Each employer submits to Unemployment Insurance a quarterly report showing their total employment and wages. These records need to be maintained ten years for administrative purposes. (RDA pg. 3-9)
- **Average Weekly Wage Reports.** This series is a one-page annual submission showing calculation of the average weekly wage in Alabama, broken down into categories. This report has long-term administrative value to the Department of Industrial Relations, because it is used frequently for reference, so the recommended retention is twenty years. Wage information may be found in the Statistical Bulletins on Employment and Wage Data, which is a permanent record. (RDA pg. 3-9)
- **Records documenting research activities related to the unemployment insurance program.** This series documents the research conducted for the unemployment insurance program. The purpose of the research is to help determine cost based on changes or possible changes in legislation. If the unemployment insurance program had a change in the weekly benefit amount, then program costs would be needed. Most of these records are mere projections to aid the unemployment insurance program in fulfilling its mandates. The retention recommendation is based on the administrative use of the records. Long-Term Occupational and Industry Projection Records need to be maintained ten years, while five years is adequate for General Projections and Estimate Records. (RDA pg. 3-10)

- **Records noting areas of substantial unemployment.** Records noting areas of substantial unemployment are a by-product of the Department of Labor. If a state has an unemployment rate higher than the national average, the state as a whole may get preference in bid contracts. Or, if a particular area has higher unemployment, that section may qualify for preference. These reports are completed annually and need a short term retention of five years for reference. (RDA pg. 3-10)
- **Records documenting court rulings and pleadings of parties including, but not limited to, legal decisions, legal briefs, and circuit court case dispositions.** These files are referenced frequently by the department in research for future cases. The recommended retention is twenty years for administrative use. (RDA pg. 3-13)

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

Promulgating Rules and Regulations

- **Policies and Procedures.** This series consists of manuals and directives documenting administrative policies and procedures for the department. The manuals provide evidence of the agency's compliance with legal requirements, as well as insight into its operations. (RDA pg. 3-2) **(Bibliographic Title: Policies and Procedures)**
- **Meeting Minutes of the Advisory Council.** The advisory council, equally representing employers and employees, meets to provide advice to the director on the formulation of policies concerning unemployment compensation, employment service, workers' compensation, abandoned mine reclamation, and mine safety and inspection. The council's meeting minutes need to be maintained permanently as evidence of its role in promulgating rules and regulations. (RDA pg. 3-2) **(Bibliographic Title: Meeting Minutes of the Advisory Council)**

Administering Employment Service

- **State Plans for Employment Service.** The Department of Industrial Relations is responsible for the administration of programs to foster employment. The state plan is created every five years and revised as needed during that period. It warrants permanent retention because it outlines the strategies and services to be provided to Alabama's citizens in finding suitable employment and to employers in finding workers to meet their staffing needs. (RDA pg. 3-2) **(Bibliographic Title: State Plans for Employment Service)**

Administering Unemployment Compensation

Permanent records providing summary documentation of this subfunction are found in the Annual Report, Website, and the Meeting Minutes of the Board of Appeals.

Administering Workers' Compensation

Permanent records providing summary documentation of this subfunction are found in Statistical Reports on Workers' Compensation Claims.

Administering Abandoned Mine Reclamation

- **Inventory of Abandoned Mine Lands in Alabama.** The Department of Industrial Relations maintains an inventory of abandoned mine lands arranged by planning unit number. These planning units were drawn into regions and assigned a number at the beginning of the abandoned mine land program. Within these files are maps for each planning unit showing abandoned hazards and whether it has been reclaimed or not. Sometimes, a history of mining for that planning unit is included, if known. This series is important in providing a record of all sites that have been abandoned and reclaimed in Alabama. (RDA pg. 3-5) **(Bibliographic Title: Inventory of Abandoned Mine Lands in Alabama)**
- **State Reclamation Program Plans.** Each year, the state submits to the United States Secretary of the Interior an annual plan for proposed projects of reclamation to receive grant funding. The Code of Alabama 1975, Section 9-16-125 states that "the state reclamation program plan shall generally identify the areas to be reclaimed, the purposes for which the reclamation is proposed, the relationship of the lands to be reclaimed and the proposed reclamation to surrounding areas, the specific criteria for ranking and identifying projects to be funded, and the legal authority and programmatic capability to perform such work in conformance with the provisions of the federal act." This plan provides documentation of Alabama's compliance with the Surface Mining Control and Reclamation Act of 1977 and should be maintained permanently as evidence of Alabama's reclamation of abandoned mine land. (RDA pg. 3-5) **(Bibliographic Title: Land Reclamation Plans)**
- **Project files documenting the reclamation and restoration of land and water resources adversely affected by past mining.** This series includes information relating to the completion of projects for abandoned mine reclamation. The agency drafts a reclamation project plan for an area, highlighting several priorities. As of 2002, the agency had completed 468 projects and treated 1494 sites. These records provide the only documentation of the reclamation of abandoned mines. (RDA pg. 3-5) **(Bibliographic Title: Abandoned Mine Reclamation Project Files)**

Regulating Mining and Reclamation of Land for Non-Fuel Minerals

- **Final summarized reports documenting the regulation of the mining and reclamation of land for non-fuel minerals (last issued permit, map(s), final inspection report with photographs, release report, instructions to release bond).** An operator must obtain an annual permit to surface mine. Upon completion of operations, reclamation must be completed by the operator within two years. Upon approval of reclamation, the bond is released. The final summarized reports document the reclamation of a surface mining area and need to be maintained permanently to document the process and to ensure adequate evidence if future problems were to occur on that site. (RDA pg. 3-6) **(Bibliographic Title: Final Reports on Surface Mining and Land Reclamation)**
- **Aerial Photographs.** Within ninety days after expiration of a surface mining permit period, operators must submit an aerial photograph of the land affected by mining. These photographs provide evidence of areas affected by surface mining and may be referenced to compare the effectiveness of reclamation, which is required for the release of bond. This series should be maintained permanently to document this regulatory function. (RDA pg. 3-6) **(Aerial Photographs)**

Regulating Mine Safety

- **Final Coal Mine Maps.** The Code of Alabama 1975, Section 25-9-300 requires that “the owner, operator, or lessee of any underground coal mine in this state shall make or cause to be made by a competent engineer an accurate and exact detail map of said mine.” The maps are filed with the Department of Industrial Relations in January of each year. Superseded maps have no value because each updated coal mine map indicates the date of additions. The final maps should be maintained permanently to ensure knowledge of excavations in case of mining accidents or to ensure future safety.

Alabama code also states that the Department of Industrial Relations “shall not permit such maps, plans, records and papers to be removed from its office, and shall not furnish copies thereof to any person except by request of the owner, operator, lessee or agency of the mine to which such maps, plans and records pertain.” (RDA pg. 3-6)

- **Meeting Minutes of the Board of Examiners of Mine Personnel.** The Board of Examiners of Mine Personnel oversees the administration of mine safety. Minutes from the board’s meetings provide key documentation of the activities of the board. (RDA pg 3-6) **(Bibliographic Title: Meeting Minutes of Board of Mine Examiners)**

- **Examinations.** The Board of Examiners of Mine Personnel develops and administers examinations to measure competency before issuing certificates for an individual to become a mine foreman or fire boss. These examinations provide documentation of the changes in skills needed for these positions. The agency should “retain a record copy each time changes are made to the examination.” (RDA pg 3-7) **(Bibliographic Title: Examination Questions)**
- **Roster of Certified Mine Foremen and Fire Bosses.** The Board of Examiners of Mine Personnel maintains a database of certified mine foremen and fire bosses, who are certified for life. The board should create a roster annually from the database to preserve a record of individuals within these professions. (RDA pg 3-7) **(Bibliographic Title: State Publications)**
- **Fatal Accident Investigation Reports.** These reports include such information as the cause of accident, violation of any mining laws, and probability of another accident. Sometimes, supplementary information such as photographs, partial mine maps, coroner’s report, and a rough sketch of the scene may be included. This series provides significant documentation on the work hazards of mining and should be maintained permanently. (RDA pg. 3-7) **(Bibliographic Title: Fatal Accident Investigation Reports)**

Adjudicating

- **Meeting Minutes of the Board of Appeals.** The Board of Appeals adjudicates unemployment compensation and labor disputes. The board’s meeting minutes need to be maintained permanently to document the decisions and activities of the Board of Appeals. (RDA pg. 3-7) **(Bibliographic Title: Meeting Minutes of the Board of Appeals)**

Collecting and Compiling

- **Statistical Reports on Workers’ Compensation Claims.** Each year, the Department of Industrial Relations uses claimant records to compile statistics on the number and type of workers’ compensation claims into a report. These records provide a historical perspective on workers’ compensation in Alabama. (RDA pg. 3-8) **(Bibliographic Title: State Publications)**
- **Reports on the production of coal and other minerals.** The Department of Industrial Relations reports on the production of coal and other minerals mined in Alabama. This series usually takes the form of a quarterly coal tonnage report and an annual non-coal tonnage report. This series should be maintained permanently for its documentation of mining production. (RDA pg. 3-8) **(Bibliographic Title: State Publications)**

- **Statistical Bulletins on Employment and Wage Data.** The agency collects occupational data and wage data which are published in a statistical report and is now maintained on the agency's website. The report includes tables with a listing of employment and wage totals by industry and county. This series provides an indication of wages by industry over time in Alabama. (RDA pg. 3-9) **(Bibliographic Title: State Publications)**
- **Records documenting estimated employment levels and unemployment rates.** This series consists of several publications which estimate local area unemployment rates and current employment statistics. Although these records only provide estimations which may be revised four or five times before becoming final, it is the only series which provides documentation of employment and unemployment levels. (RDA pg. 3-10) **(Bibliographic Title: State Publications)**

Administering Internal Operations

- **Administrative Files of the Director.** The director manages and controls all functions and operations of the department. Correspondence between the director and other federal/state/local entities or private organizations is central to the documentation of administration within the agency. (RDA pg. 3-10) **(Bibliographic Title: Correspondence)**
- **Publicity and Informational Materials (news releases; newsletters; brochures; periodicals; speeches of the director; public service announcements; staffing distribution, mission and function statements).** The Department of Industrial Relations produces a substantial amount of publicity or information materials, which may be directed to its staff, constituents, or the general public. These materials provide a concentrated source of information on the department. At least one copy of such items needs to be maintained permanently (RDA pg. 3-11) **(Bibliographic Title: Informational and Promotional Publications)**
- **Annual Reports.** Operating divisions create annual reports, which are then compiled into a departmental report that is submitted to the governor annually. The agency annual report highlights the agency's activities and accomplishments and should be maintained permanently for its historical value. (RDA pg. 3-12) **(Bibliographic Title: State Publications)**

- **Website.** The department maintains a website at www.dir.state.al.us. The website contains publications and links to its major operational divisions. The website is a tool used by the agency to communicate with its constituents. One example would be the Alabama State Employment Service which allows users to “search for jobs in Alabama and nationwide, get addresses and phone numbers of all the State Employment Service offices in Alabama, and browse information on training opportunities offered by the Employment Service.” This website documents primary functions of the agency and its interaction with clients. The agency should “preserve a complete copy of website annually or as often as significant changes are made.” (RDA pg. 3-12)

- **Grant Project Final Narrative Reports.** The Department of Industrial Relations’ primary operations are mandated by the federal government. As such, the agency applies for, receives, and manages many grants in order to secure the funds to support department programs. The final narrative reports provide key documentation of the department’s fulfillment of its obligations under these grants. (RDA pg. 3-13) (**Bibliographic Title: Grant Project Final Narrative Reports**)

- **Original Bid Records Maintained in the Purchasing Office of the Department of Industrial Relations for Contracts over \$7500.** The Code of Alabama 1975, Section 41-16-24 requires that “all original bids together with all documents pertaining to the award of the contract shall be retained and made a part of the permanent file or records and shall be open to public inspection.” (RDA pg. 3-14)

Permanent Records List Department of Industrial Relations

Promulgating Rules and Regulations:

1. Policies and Procedures
2. Meeting Minutes of the Advisory Council

Administering Employment Service:

1. State Plans for Employment Service

Administering Abandoned Mine Reclamation:

1. Inventory of Abandoned Mine Lands in Alabama
2. State Reclamation Program Plans
3. Project files documenting the reclamation and restoration of land and water resources adversely affected by past mining

Regulating Mining and Reclamation of Land for Non-Fuel Minerals:

1. Final summarized reports documenting the regulation of the mining and reclamation of land for non-fuel minerals (last issued permit, map(s), final inspection report with photographs, release report, instructions to release bond)
2. Aerial Photographs

Regulating Mine Safety:

1. Final Coal Mine Maps*
2. Meeting Minutes of the Board of Examiners of Mine Personnel
3. Examinations
4. Roster of Certified Mine Foremen and Fire Bosses
5. Fatal Accident Investigation Reports

Adjudicating:

1. Meeting Minutes of the Board of Appeals

Collecting and Compiling:

1. Statistical Reports on Workers' Compensation Claims
2. Reports on the Production of Coal and Other Minerals

3. Statistical Bulletins on Employment and Wage Data
4. Records documenting estimated employment levels and unemployment rates

Administering Internal Operations:

1. Administrative Files of the Director
2. Publicity and Informational Materials (news releases; newsletters; brochures; periodicals; speeches of the director; public service announcements; staffing distribution, mission and function statements)
3. Annual Reports
4. Website
5. Grant Project Final Narrative Reports
6. Original Bid Records Maintained in the Purchasing Office of the Department of Industrial Relations for Contracts over \$7500.*

*indicates records that the Code of Alabama require to be maintained permanently in the care and custody of the creating agency. ADAH staff members are 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 Industrial Relations 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 Industrial Relations. The RDA lists records created and maintained by the Department of Industrial Relations in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency 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 also 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 Industrial Relations. Copies of superseded schedules/RDAs are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records listed below, 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.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and record-related materials need not be retained as records under the disposition requirements in this RDA. 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 stationery, 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 social activities. 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 Industrial Relations and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ Promulgating Rules and Regulations

POLICIES AND PROCEDURES

Disposition: PERMANENT RECORD.

MEETING MINUTES OF THE ADVISORY COUNCIL

Disposition: PERMANENT RECORD.

■ Administering Employment Service

STATE PLANS FOR EMPLOYMENT SERVICE

Disposition: PERMANENT RECORD.

Records documenting the assessment of operations that assist in employment and training opportunities

Disposition: Temporary Record. Retain until superseded.

Records documenting assistance in employment and training through services including, but not limited to, Agricultural Seasonal Work Program, Job Corps, and Food Stamp Programs

Disposition: Temporary Record. Retain 6 years.

Records documenting data entered into America's Job Bank

Disposition: Temporary Record. Retain 5 years.

Records documenting applications for credits provided to employers as incentives to hire targeted job seekers, such as the Work Opportunity Tax Credit and the Welfare to Work Tax Credit

- a. Successful Applications
Disposition: Temporary Record. Retain 4 years from date of certification.
- b. Unsuccessful Applications
Disposition: Temporary Record. Retain 1 year from date of decision.

Records documenting Foreign Labor Certification
Disposition: Temporary Record. Retain 3 years after final determination.

■ **Administering Unemployment Compensation**

Records documenting individual claims for unemployment compensation
Disposition: Temporary Record. Retain 5 years after the benefit year ends, or 3 months after final action, whichever is longer.

Records documenting payment of unemployment compensation benefits
Disposition: Temporary Record. Retain 5 years from the date of issuance.

Employer Wage Reports
Disposition: Temporary Record. Retain 5 years after the quarter for which the report was filed.

Employer Contribution Reports
Disposition: Temporary Record. Retain 10 years from date contributions, interest, and penalties were due to be paid.

Records documenting notices of tax rates
Disposition: Temporary Record. Retain 8 years after the end of the tax year to which the rate applies.

Records documenting the status of employers not subject to the unemployment compensation law
Disposition: Temporary Record. Retain 5 years after the status determination has been made.

Records documenting proofs of debits; certificates of liens; executions; notices of bankruptcies; and powers of attorneys
Disposition: Temporary Record. Retain 5 years after payment.

Records documenting the management of the Unemployment Compensation Trust Fund
Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Records documenting overpayments, administrative penalties, and criminal prosecution which have been incorporated into the individual claim files
Disposition: Temporary Record. Retain 1 year after final action has been taken, including satisfaction of the overpayment.

Records documenting monitoring of the unemployment compensation program
Disposition: Temporary Record. Retain 1 year after the end of the fiscal year in which the records were created.

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

■ **Administering Workers' Compensation**

Records documenting assistance to employees, employers, and others in understanding Workers' Compensation Law
Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

Records documenting the regulation of group funds and individual self-insureds and their compliance with Alabama Workers' Compensation Law
Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

Records documenting claims for workers' compensation
Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred. (Code of Alabama 1975, Section 25-5-4).

Records documenting mediation of workers' compensation disputes
Disposition: Temporary Record. Retain 6 years after settlement of dispute.

Records documenting the certification of third-party administrators to investigate and pay claims under the Alabama Workers' Compensation Law
Disposition: Temporary Record. Retain 3 years after certification is no longer valid.

Records documenting the Utilization Management and Bill Screening certification program
Disposition: Temporary Record. Retain 4 years after the end of the fiscal year in which the records were created.

Records documenting prevailing rate of reimbursement for medical fees
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the records were created.

Records documenting drug-free workplace certification program
Disposition: Temporary Record. Retain 3 years after fourth certification is issued.

■ **Administering Abandoned Mine Reclamation**

INVENTORY OF ABANDONED MINE LANDS IN ALABAMA
Disposition: PERMANENT RECORD.

STATE RECLAMATION PROGRAM PLANS
Disposition: PERMANENT RECORD.

PROJECT FILES DOCUMENTING THE RECLAMATION AND RESTORATION OF LAND
AND WATER RESOURCES ADVERSELY AFFECTED BY PAST MINING
Disposition: PERMANENT RECORD.

Cooperative Agreement Files
Disposition: Temporary Record. Retain 3 years after expiration of agreement.

Reference Maps
Disposition: Temporary Record. Retain for useful life.

■ **Regulating Mining and Reclamation of Land for Non-Fuel Minerals**

Records documenting the regulation of the mining and reclamation of land for non-fuel minerals

- a. Monitoring Files
Disposition: Temporary Record. Retain 3 years after release of bond. (Code of Alabama 1975, Section 9-16-1 through 9-16-15).
- b. FINAL SUMMARIZED REPORTS (LAST ISSUED PERMIT, MAP(S), FINAL INSPECTION REPORT WITH PHOTOGRAPHS, RELEASE REPORT, INSTRUCTIONS TO RELEASE BOND)
Disposition: PERMANENT RECORD.

AERIAL PHOTOGRAPHS
Disposition: PERMANENT RECORD.

■ **Regulating Mine Safety**

Coal Mine Maps

- a. FINAL COAL MINE MAPS
Disposition: PERMANENT RECORD. Retain in Office. (Code of Alabama 1975, Section 25-9-300)
- b. Superseded Coal Mine Maps
Disposition: Temporary Record. Retain for useful life.

MEETING MINUTES OF THE BOARD OF EXAMINERS OF MINE PERSONNEL
Disposition: PERMANENT RECORD.

Records documenting certification of mine foreman and fire boss

- a. Application Materials (Affidavits)
Disposition: Temporary Record. Retain 5 years after submission of material.
- b. EXAMINATIONS
Disposition: PERMANENT RECORD. RETAIN A RECORD COPY EACH TIME CHANGES ARE MADE TO THE EXAMINATION.
- c. Graded Examinations
Disposition: Temporary Record. Retain 3 months after date of testing.
- d. Certificate Books
Disposition: Temporary Record. Retain 50 years after date of issue of last certificate.

Database of certified mine foremen and fire bosses

Disposition: Temporary Record. Retain until superseded or obsolete.

ROSTER OF CERTIFIED MINE FOREMEN AND FIRE BOSSES

Disposition: PERMANENT RECORD.

Records documenting mine safety inspection and accident investigations

- a. Inspection Reports
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.
- b. FATAL ACCIDENT INVESTIGATION REPORTS
Disposition: PERMANENT RECORD.

■ **Adjudicating**

MEETING MINUTES OF THE BOARD OF APPEALS

Disposition: PERMANENT RECORD.

Board of Appeals Trial Dockets and Decisions

Disposition: Temporary Record. Retain 6 years after the final settlement of the case.

Records documenting routine administrative functions of hearing appeals
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting decisions of the administrative hearing officer
Disposition: Temporary Record. Retain 5 years after final decision on case.

■ **Collecting and Compiling**

Reports of New Hires
Disposition: Temporary Record. Retain 5 years after submission of report.

Records documenting the number and type of workers' compensation claims

- a. STATISTICAL REPORTS ON WORKERS' COMPENSATION CLAIMS
Disposition: PERMANENT RECORD.
- b. Records used in the compilation of statistics on the number and type of workers' compensation claims
Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the statistical report is created.

Records documenting the production of coal and other minerals

- a. REPORTS
Disposition: PERMANENT RECORD.
- b. Subsidiary documentation
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting annual refile survey

- a. Annual Refile Surveys
Disposition: Temporary Record. Retain 6 years.
- b. Annual Refile Survey Control Files
Disposition: Temporary Record. Retain until next cycle.
- c. Code Change Supplement and Summary of Differences
Disposition: Temporary Record. Retain 6 years.
- d. Coding Interpretations
Disposition: Temporary Record. Retain 10 years.
- e. Survey Management Reports
Disposition: Temporary Record. Retain 5 years.

Records documenting multiple worksite reporting

- a. Multiple Worksite Reports
Disposition: Temporary Record. Retain 2 years.
- b. Electronic Data Information Clarification Forms
Disposition: Temporary Record. Retain 5 years.

Records documenting reporting of employer quarterly unemployment insurance
Disposition: Temporary Record. Retain 10 years.

STATISTICAL BULLETINS ON EMPLOYMENT AND WAGE DATA
Disposition: PERMANENT RECORD.

Average Weekly Wage Reports
Disposition: Temporary Record. Retain 20 years.

Records documenting state unemployment insurance, federal unemployment compensation for civilian employees and ex-servicemen, and employment service activities
Disposition: Retain 3 years.

Record documenting research activities related to the Unemployment Insurance Program

- a. Long-Term Occupational and Industry Projection Records
Disposition: Temporary Record. Retain 10 years.
- b. General Projections and Estimate Records
Disposition: Temporary Record. Retain 5 years.

Records noting areas of substantial unemployment
Disposition: Temporary Record. Retain 5 years.

Records documenting the collection of occupational data and wage data by industry and the preparation of occupational and wage estimates
Disposition: Temporary Record. Retain 4 years.

Records documenting statistics relating to current employment, including, but not limited to, estimates of wage and salary employment by industry, hours, and earnings data for production workers in mining and manufacturing
Disposition: Temporary Record. Retain 3 years from prior benchmark.

Records documenting tracking of massive layoffs and plant closings in Alabama
Disposition: Temporary Record. Retain 4 years.

Records documenting local area unemployment
Disposition: Temporary Record. Retain 3 years from previous benchmark.

RECORDS DOCUMENTING ESTIMATED EMPLOYMENT LEVELS AND UNEMPLOYMENT RATES
Disposition: PERMANENT RECORD.

Records documenting statistical analysis as specified in the Workforce Investment Act
Disposition: Temporary Record. Retain 5 years.

■ **Administering Internal Operations**

Managing the Agency:

ADMINISTRATIVE FILES OF THE DIRECTOR
Disposition: PERMANENT RECORD.

Routine Correspondence

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

Administrative Reference Files (materials not created by the agency, collected and used only as reference sources of information)

Disposition: Temporary Record. Retain for useful life.

Board Appointment Letters

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

Logs

Disposition: Temporary Record. Retain 1 year after the end of the fiscal year in which the records were created.

Calendars

Disposition: Temporary Record. Retain 1 year after the end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

PUBLICITY AND INFORMATIONAL MATERIALS (NEWS RELEASES; NEWSLETTERS; BROCHURES; PERIODICALS; SPEECHES OF DIRECTOR; PUBLIC SERVICE ANNOUNCEMENTS; STAFFING DISTRIBUTION, MISSION AND FUNCTION STATEMENTS)

Disposition: PERMANENT RECORD.

Agenda and Minutes

- a. Records documenting meetings of subsidiary committees within the agency
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.
- b. Recordings of Meetings
Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Planning Files

- a. Management and feasibility studies
Disposition: Temporary Record. Retain 7 years.
- b. Internal operation plans and organizational structure files
Disposition: Temporary Record. Retain 1 year after superseded.
- c. Records documenting special projects, such as impact assessments, research, surveys, and workflow analysis
Disposition: Temporary Record. Retain for useful life.

Reports

- a. ANNUAL REPORTS
Disposition: PERMANENT RECORD.
- b. Records documenting reporting of activities by division or locale on a periodic basis
Disposition: Temporary Record. Retain a record copy 5 years after the end of the fiscal year in which the records were created.
- c. Other summarized statistical and/or narrative reports
Disposition: Temporary Record. Retain a record copy 3 years after creation of the report.

Records documenting the participation of Alabama in national organizations (Interstate Mining Compact Commission, National Association of Abandoned Mine Land Programs, etc.)
Disposition: Temporary Record. Retain 4 years after the fiscal year in which the records were created.

Legislative Files (drafts of proposed department-sponsored legislation, tracking files)
Disposition: Temporary Record. Retain for useful life.

Attorney General Informal Legal Opinions
Disposition: Temporary Record. Retain for useful life.

Records documenting conduct of internal audit
Disposition: Temporary Record. Retain 1 year after the end of the fiscal year in which the records were created.

Records documenting cases

- a. Records documenting investigations on reported cases of alleged fraud or abuse
Disposition: Temporary Record. Retain 6 years after the case is closed.
- b. Legal Case Files
Disposition: Temporary Record. Retain 6 years after the case is closed.
- c. Records documenting court rulings and pleadings of parties including, but not limited to, legal decisions, legal briefs, and circuit court case dispositions
Disposition: Temporary Record. Retain 20 years.

Records documenting requests for information

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

Records documenting responsiveness to requests for information

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

Records documenting forms management

Disposition: Temporary Record. Retain 1 year after form is rescinded.

System Documentation (hardware/software manuals and diskettes, warranties, Y2K records)

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 to a new system.

Records documenting the development and maintenance of systems to support agency operations

Disposition: Temporary Record. Retain 6 years.

Records documenting the maintenance of a password and USER-ID system

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

Records documenting back-up of information for disaster management

Disposition: Temporary Record. Retain until superseded.

WEBSITE

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

Records documenting the implementation of the agency's RDA (copies of transmittal forms to Archives or State Records Center, destruction notices or other evidence of obsolete records destroyed, annual reports to ADAH)

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

Copy of RDA

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

Managing Finances:

Records documenting Grants

- a. GRANT PROJECT FINAL NARRATIVE REPORTS
Disposition: PERMANENT RECORD.
- b. Records documenting routine grant activities and compliance with grant program requirements
Disposition: Temporary Record. Retain 3 years after submission of final expenditure report; if renewed quarterly or annually, retain 3 years from the date of submission of the quarterly or annual financial report.

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

- a. ORIGINAL BID RECORDS MAINTAINED IN THE PURCHASING OFFICE OF THE DEPARTMENT OF INDUSTRIAL RELATIONS FOR CONTRACTS OVER \$7500
Disposition: PERMANENT RECORD. Retain in Office. (Code of Alabama 1975, Section 41-16-24).
- b. Duplicate copies of bid (originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.
- c. Other bid records
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers; and records of funds deposited outside the state treasury, including bank statements, deposit slips, and canceled checks

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 end of 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 contract. (Code of Alabama, Section 6-2-34).

Agency Audit Reports

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

Managing Human Resources:

Records documenting job recruitment

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

Position Classification Files

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

Records documenting job description

Disposition: Temporary Record. Retain until superseded.

Certification/Personnel Transaction Files

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

Records documenting application for employment

Disposition: Temporary Record. Retain 1 year.

Records documenting verification of employment

Disposition: Temporary Record. Retain 1 year after request.

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

- a. Records documenting work history of employees
Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.
- b. Records, located within divisions or bureaus, which document an employee's work history
Disposition: Temporary Record. Retain 1 year after separation of employee from the agency.

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 the end of the fiscal year in which the records were created.

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

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

Records documenting verification of accuracy of State Personnel Department records

Disposition: Temporary Record. Retain 1 year.

Records documenting continuing education of agency employees

Disposition: Temporary Record. Retain 1 year after separation of the employee from the agency.

Records documenting Equal Employment Opportunity (Code of Federal Regulations, Title 29)

a. Compliance Records

Disposition: Temporary Record. Retain 3 years after the close of the program year.

b. Complaint Records

Disposition: Temporary Record. Retain 3 years from the date of resolution of the complaint.

State Employees Injury Compensation Trust Fund Files

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

Worker Compensation Injury and Settlement Reports

Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred. (Code of Alabama 1975, Section 25-5-4).

Records documenting compliance with the Immigration and Nationality Act

Disposition: Temporary Record. Retain 1 year after separation of the employee from the agency.

Managing Properties, Facilities, and Resources:

Real Property Ownership Records

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

Real Property Leasing/Rental Records

Disposition: Temporary Record. Retain 6 years after termination of lease or rental agreement.

Records documenting reporting on real property

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

Inventory Lists

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

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

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 records were created.

Receipts of Responsibility for Property

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

Records documenting security of facilities

- a. Records documenting routine administrative functions of security
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.
- b. Records documenting incidents occurring on facilities
Disposition: Temporary Record. Retain 3 years after resolution of incident.

Records documenting maintenance of vehicle and equipment

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

Records documenting use of the Motor Pool

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

Records documenting use of parking (applications, parking permits, cards)

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

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 Industrial Relations (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 January 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.

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 23, 2003.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt Acknowledged:

Phyllis Kennedy, Director
Department of Industrial Relations

Date