

Oregon Bureau of Labor and Industries
Records Retention Schedule 2008-0004
Effective: December 2008
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Agency: Bureau of Labor and Industries (BOLI)

Division: Commissioner's Office

Program Description

Oregon's Bureau of Labor and Industries is responsible for promoting the development of a highly skilled, competitive and safe Oregon workforce per ORS chapter 651. The Bureau partners with government, labor, business and education to ensure a skilled workforce.

The Commissioner's Office provides policy direction and overall management of the Bureau's programs. Internal support services provide budget and fiscal control, employee services, and information systems management. The Commissioner's Office is responsible for maintaining positive relationships with representatives of labor and industry. All administrative oversight of the Bureau of Labor and Industries is conducted in this office; including fiscal, policy and procedural, legal, and legislative decisions. The Commissioner's Office includes the Commissioner and Executive Assistant, the Deputy Commissioner responsible for the daily operations of the Bureau, the Legislative Affairs and Communications Director and a Legal Policy Advisor who supervises the Hearings Unit.

The Bureau of Labor and Industries is headed by the Commissioner, who is elected for a term of four years and must be a resident of Oregon for more than five years. The Commissioner enforces laws regulating the employment of minors and adults; the protection of health, lives and limbs of individuals engaged in manufacturing; the protection of employee wages; the protection of employee civil rights and the regulation and equitable practices regarding industries employing apprentices.

Program Records

001 Division Management Reports

Retain 5 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Agency Organizational Records

Attorney General Opinions

Calendar and Scheduling Records

Correspondence

Business Plan Records

Legislative Tracking Records

Policy and Procedure Guidelines and Manuals

Policy Development and Planning Records (Strategic Planning Records)

Press Releases

Staff Meeting Records (Executive Team Meetings)

Telephone Logs

Facilities/Property Records (OAR 166-300-0020)

Financial Records (OAR 166-300-0025)

Information Management Records (OAR 166-300-0030)
Payroll Records (OAR 166-300-0035)
Personnel Records (OAR 166-300-0040)
Risk Management Records (OAR 166-300-0045)

Databases
None

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Commissioner's Office
Section: Administrative Services
Program: Legislative Affairs and Communications Director

Program Description

The Communications Office is responsible for conducting legislative affairs and providing communications services/media relations for the Bureau of Labor and Industries including drafting and monitoring legislative concepts, speech writing and creating press releases and brochures. The Legislative Affairs and Communications Director represent BOLI to the public in the print, online and broadcast media.

Program Records

002 Website Records

Retain until superseded or obsolete, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Calendar and Scheduling Records
Legislative Tracking Records
Lobbyist Records
Press Releases
Public Records Disclosure Request Records
Publication Preparation Records

Databases

None

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Commissioner's Office
Section: Administrative Services
Program: Employee Services Manager

Program Description

The Employee Services Manager provides technical advice and assistance to division and unit management and staff regarding employee personnel actions, labor relations and services. The Employee Services Manager assists with the recruitment and selection of staff and maintains and updates employee personnel records. The Employee Services Manager prepares and maintains the agency's affirmative action reports and supports/provides relevant training to agency staff upon request.

Program Records

None

State Agency General Records Retention Schedule Records

Includes but not limited to:

Administrative Records (OAR 166-300-0015)
Conference, Seminar and Training Program Records
Correspondence
Policies and Procedure Guidelines and Manuals
Personnel Records (OAR 166-300-0040)
Affirmative Action Records
Employee Medical Records
Employee Personnel Records
Recruitment and Selection Records

Databases

PPDB

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Commissioner's Office
Section: Administrative Services
Unit: Fiscal Services

Program Description

Fiscal Services is responsible for overseeing and monitoring all financial activity of the agency. Fiscal Services provides services and expertise involving accounting, purchasing, travel and payroll. Fiscal Services oversees outgoing payments to contracted vendors, claimants and other parties. All incoming monies from legislative, legal, and settlement sources are received and monitored by this section. The Unit provides expertise and services to BOLI staff and management including budget, contracts, and security.

Program Records

003 Cash Receipt Control Log
Retain 6 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Contracts and agreements
Correspondence
Facilities/Property Records (OAR 166-300-0020)
Asset Inventory Reports
Financial Records (OAR 166-300-0025)
Account Reconciliation Records
Budget Allocation Records
Budget Preparation Records
Checks
Credits Card (SPOTS) Records
Travel expense Records
Payroll Records (OAR 166-300-0035)
Employee Payroll Records
Employee Time Records
Risk Management Records (OAR 166-300-0045)

Databases

FISCAL INVENTORY SYSTEM
ORPIN
ORBITS
OSPS
SFMS

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Commissioner's Office
Section: Administrative Services
Unit: Information Services (ISU)

Program Description

The Information Services Unit operates and maintains the agency's computer systems and related networks. Staff develops, implement, oversee and manage the Bureau's servers and information technology systems. Staff maintains the agency network and all hardware and software; provide assists for projects; oversee system security; disaster and contingency planning and provide desk top-level support to agency users. Staff purchase, install and support applications, systems and software.

Program Records

None

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Correspondence
Policy and Procedure Guidelines and Manuals
Information Management Records (OAR 166-300-0030)
Computer System Maintenance Records
Computer System Program Documentation
Computer System Security Records
Information System Planning and Development Records
Software Management Records
User Support Records

Databases

ISU accesses all agency databases and electronic systems in support of its mission.

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Commissioner's Office
Section: Administrative Services
Unit: Hearings

Program Description

The Hearings Unit conducts administrative law proceedings for Bureau programs when agency actions involving wage and hour and civil rights matters are contested under the Administrative Procedures Act (APA). Unit staff, including Administrative Law Judges and support personnel provide full hearings, settlements or mediations for effective resolution of disputes. In addition, staff are responsible for ensuring the equitable enforcement of the laws under Bureau jurisdiction. The Unit handles contested case hearings; including scheduling, preparing and serving documents, conducting hearings, ruling on motions, preparing orders, and compiling records for appeals. The unit conducts hearings in the areas of civil rights law, wage and hour law, and some licensed occupations. The Unit's activities assist the Agency in its mission of achieving compliance with the law through equitable regulation and enforcement.

The supervisor of the unit, who is also the Legal Policy Advisor, is currently assigned the duties of the Bureau's Administrative Rules Coordinator and Custodian of Records responsible for administrative rules filings and the management of records and information within the Bureau.

Program Records

- 004 Division Management Reports**
Retain 5 years, destroy
- 005 Final Orders on Informal Disposition (FOIDS) Records**
Retain 5 years after issuance, destroy
- 006 Hearings Case Records**
Retain 5 years after issuance of final ruling, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

- Administrative Records (OAR 166-300-0015)
- Administrative Rule Preparation Records
- Correspondence
- Policy and Procedure Guidelines and Manuals
- Publication Preparation Record (Final Order Digest)
- Public Records Disclosure Request Records

Databases

None

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Commissioner's Office
Section: Administrative Services
Unit: Technical Assistance for Employers

Program Description

The Technical Assistance for Employers unit is responsible for providing assistance to Oregon employers to comply with employment statutes. Program staff provide telephone support, web-based information, pamphlets, fact sheets, handbooks and posters. In addition, staff conducts issue seminars and workshops. The program is funded through fees charged for seminars and the sale of handbooks and posters to employers.

Program Records

007 Website Records

Retain until superseded or obsolete, destroy

008 Weekly Newspaper Column Records

Retain 2 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Calendar and Scheduling Records
Conference, Seminar and Training Program Records
Contracts and Agreements
Correspondence
Mailing Lists
Publication Preparation Records
Telecommunications Logs
Financial Records (OAR 166-300-0025)
Invoices

Databases

TA MARKETING & MAILING SYSTEM (TAMM)

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)

Division: Apprenticeship and Training

Program Description

The Apprenticeship and Training Division regulates the apprenticeship process in a variety of occupations and industries in Oregon. The Division works with businesses and labor to ensure training and employment opportunities and standards. The Division registers all apprentices and maintains a registry of occupational skill standards and agreements between employers and apprentices. In addition, the Division works with local apprenticeship committees to ensure equal and professional opportunities in training and employment for apprentices.

Support staff are responsible for maintaining the administrative and communication responsibilities of the division. In addition, staff support and maintain the records and information for the Oregon State Apprenticeship and Training Council (OSATC). The OSATC establishes apprenticeship and training policy and registers individual programs. The OSATC is comprised of eight members, each appointed by the governor and confirmed by the Senate. Four of the Council members are from the service/industrial occupations, four from the construction occupations, and two from the public. The service/industrial and construction members are equally divided among employee representatives and management. The council has statutory authority to oversee apprenticeship committees, programs and policies, and approves apprenticeship committee members. The Commissioner of the Bureau of Labor and Industries serves as the chairperson, and the Director of the Apprenticeship and Training Division serves as its secretary. The OSATC fulfills the standards set forth by 29 CFR 30 requiring states to establish State Apprenticeship Councils.

Program Records

009 Apprenticeship and Training Council Records, 1943 – [ongoing] 1.00 c.f.

- (a) Retain minutes permanently, transfer to State Archives after 10 years
- (b) Retain council member records 5 years after termination, destroy
- (c) Retain sound recordings 1 year after summarized destroy or recycle tapes
- (d) Retain all other records 5 years, destroy

010 Apprenticeship/Apprentice Records

- (a) Retain completion/certification records 75 years, destroy
- (b) Retain all other records 5 years after completion/withdrawal, destroy

011 Apprenticeship Committee Records

- (a) Retain minutes 10 years, destroy
- (b) Retain standards 6 years after superseded or obsolete, destroy
- (b) Retain all other records 5 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Correspondence

Databases

APPRENTICE TRACKING SYSTEM (ATD MIS)

TRAINING

SNAPS

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Apprenticeship and Training
Unit: Veterans

Program Description

The Veterans Unit is responsible for assisting in the development and standardization of training and future employment opportunities for veterans of the United States Military. These responsibilities are met through the certification and oversight of training and education programs that qualify veterans for trade careers. The Unit monitors the progress and performance of businesses participating in the program to ensure quality service and career assistance opportunities for veterans. The Unit works with registered apprenticeships, on-the-job training and non-registered apprenticeships. Staff investigates and acts on complaints from veterans regarding apprenticeship programs.

Program Records

012 Veteran's Training Program Plan Files

- (a) Retain completion cards/documentation 75 years, destroy
- (b) Retain all other records 5 years after completion or withdrawal from program, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Contracts and Agreements
Correspondence

Databases

APPRENTICE TRACKING SYSTEM (ATD MIS)

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)

Division: Civil Rights

Program Description

The Civil Rights Division is responsible for the enforcement of laws granting job seekers and workers equal access to jobs, promotions, benefits, and a work environment free from discrimination and harassment. The division is also responsible for the protection of those seeking housing, access to public accommodations, equal access to career schools, and workers compensation rights. The division utilizes investigative services and monitors complaints to ensure non-discriminatory practices.

Program Records

013 Civil Rights Complaint Log

Retain 5 years, destroy

014 Civil Rights Discrimination Case Files (Questionnaires with 15 day letters and Non-Jurisdictional Letters)

Retain 5 years after case settled/closed, destroy

015 Division Monthly Reports

Retain 5 years, destroy

016 Team Reports

Retain 5 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Correspondence

Databases

SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Civil Rights
Section: Intake and Investigations

Program Description

The Intake section serves as the initial contact for individuals wishing to file a complaint of discrimination involving employment, housing, or public accommodations. The Civil Rights Intake Office is responsible for responding to initial contacts from potential complainants that are received in the form of phone calls, written correspondence, faxed information, and email inquiries. In responding to these inquiries, Intake Officers conduct the preliminary screening to determine if the complaint is covered under state civil rights laws. If there is a potential basis for filing a complaint of discrimination, the Intake Officer will mail out a questionnaire. This questionnaire is also available on the agency's web site.

The completed questionnaire is assigned to an Intake Officer, who will draft the discrimination complaint based on the information provided. In most cases, the Intake Officer will need more information, and will interview the complainant before drafting the complaint.

When the signed, notarized complaint is returned to the Civil Rights Division, a case is opened and assigned to a Civil Rights Investigator who conducts an in depth interview of the complainant. The investigator examines evidence offered by both the complainant and the respondent and determines, on the basis of the evidence presented, whether a full investigation is warranted. The initial emphasis on upon the evidence helps both parties understand what is necessary to prove or disprove the complaint. If a complainant cannot present enough evidence to support the allegations, the case is quickly dismissed. If there is sufficient evidence to proceed, a full investigation is conducted and an administrative determination is issued stating whether substantial evidence of discrimination exists.

Program Records

017 Civil Rights Discrimination Claim/Charges Records

- (a) Retain records resulting in charges 5 years after case settled, destroy
- (b) Retain unfounded or non-jurisdictional claim records 3 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Correspondence

Policy and Procedure Guidelines and Manuals

Public Records Disclosure Request Records

Information Management Records (OAR 166-300-0030)

Forums Development Records

Databases

SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Wage and Hour
Section: Administration

Program Description

The Wage and Hour Division accepts claims and complaints from workers relating to their wages and working conditions including minimum wage and overtime, child labor, farm and forest labor contractors, private employment agencies and prevailing wage rate issues. The Administration Section is responsible for the overall administrative and communication duties of the division including public awareness and relations and business communications.

The Division assists employees whose employers have gone out of business without sufficient funds to pay employees. The Division provides payment of employee final wages through the Wage Security Fund.

Wage and Hour Division staff support the Wage and Hour Commission. The Commission is comprised of three individuals appointed by the Governor requiring Senate confirmation. The Commission sets standards on working conditions for minors and may grant exceptions to child labor laws. In addition, the Wage and Hour Division staffs the Prevailing Wage Advisory Committee. The Committee is appointed by the Labor Commissioner and provides advice and assistance to the Bureau in the administration of prevailing wage rate law.

Intake staff provide the initial contact and liaison between the Wage and Hour Division and the general public and are responsible for recording initial complaints and forwarding the complaints to the proper channels. Intake staff do not handle the investigation of wage claims and complaints themselves, but the section is responsible for maintaining the files that have been closed. Staff in the Portland, Salem, Eugene and Medford Offices provide intake services.

Program Records

- 018 Bankruptcy Files**
Retain 10 years after discharged, dismissed, or other wise closed, destroy
- 019 Compliance Agreements**
Retain 99 years, destroy
- 020 Injunctive Action Records**
10 years from date of injunction, destroy
- 021 Prevailing Wage Advisory Committee Records**
Retain 4 years, destroy
- 022 Manufacturing Industry Overtime Waivers**
 - (a) Retain active waivers 5 years, destroy
 - (b) Retain withdrawn, revoked, inactive waivers 3 years, destroy

- 023 Wage and Hour Commission Records, 1941 – [ongoing] 2.00 c.f.**
(a) Retain minutes permanently, transfer to State Archives after 5 years
(b) Retain all other records 5 years, destroy
- 024 Wage Claims and Complaints Case File Records**
(a) Retain completed/closed case files 2 years after closure, destroy
(b) Retain copy of wage claims returned to claimants during initial intake/screening process for more information for 1 year if the claim is not returned by the claimant, destroy
- 025 Wage Security Fund Claim Records**
Retain 6 years after closure, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Administrative Rules Preparation Records

Correspondence

Policy and Procedure Guidelines and Manuals

Databases

SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Wage and Hour
Section: Child Labor

Program Description

The Child Labor Section is responsible for the issuance of permits to Oregon businesses in relation to established child labor laws per ORS 653.305 – 653.545. The Section authorizes employers to utilize youth labor in pre-approved circumstances and for limited duration including but not limited to work in the agricultural and entertainment industries; door-to-door sales, and exceptions for employment hours and number of hours worked.

Program Records

026 Employment Permit Applications and Permits

- (a) Retain applications and permits for minors under 14 years old until employee is 14 years old, destroy.
- (b) Retain short duration applications and permits, door-to-door sales applications and certificates, emergency overtime permit records, employment certificate applications, entertainment industry applications and certificates, special overtime permits, special work hour permits 2 years, destroy.

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Correspondence

Databases

CHILD LABOR SYSTEM (CLU)
SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Wage and Hour
Section: Farm and Forest Labor

Program Description

The Farm and Forest Labor Section is responsible for the licensing of farm and forest labor contractors and farm worker camp operators per the statutory requirements of ORS 658.405 - .503 charging the Labor Commissioner with enforcing farm and forest labor contractor oversight. All farmworker camps operated by third parties are licensed and regulated by the section. Oregon OSHA inspects and enforces applicable health and safety regulations for the farmworker camps requiring licensing in addition to non-licensed farmworker camps operated by camp/property owners. The Farm and Forest Labor section licenses all contractors who supply labor to the agriculture and reforestation industries including but not limited to wild land firefighting crews, reforestation crews, the production and harvesting of agriculture commodities and the gathering of certain wild forest products. The section is also responsible for monitoring farm and forest labor contractors for compliance with requirements specific to ORS chapter 658 as well as for compliance with general wage laws and working conditions in relation to farm and forest labor and is also responsible for taking enforcement action when necessary. The Section investigates complaints concerning farm and forest labor contractor practices and complaints about unlicensed camp operators.

Program Records

- 027 Compliance Agreements**
Retain 99 years, destroy
- 028 Farm and Forest Contractor Complaint Case Files**
 - (a) Retain cases resulting in action 5 years after resolved or last action, destroy
 - (b) Retain other investigated cases 3 years, destroy
- 029 Farm and Forest Labor Contractor License Files**
Retain 3 years after license expires, is revoked or superseded/updated, destroy
- 030 Farm and Forest Labor Contractor License Lists**
Retain 3 years, destroy
- 031 Farm and Forest Labor Contractor Certified Payrolls**
Retain 3 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Conference, Seminar and Training Program Records
Correspondence

Databases

FARM AND FOREST LABOR LICENSING SYSTEM (FFL)
SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Wage and Hour
Unit: Judgment

Program Description

The Judgment Unit is responsible for maintaining and providing access to civil judgments and penalties obtained by BOLI in relation to worker complaints against specific employers.

Program Records

032 Wage and Hour Claim Collection Reports

Retain 1 year, destroy

033 Judgment Case Files

(a) Retain active, unsatisfied judgment records 10 years from the date of original judgment or judgment renewal, destroy

(b) Retain satisfied judgments records 4 years, destroy

(d) Retain dismissed or settled administrative actions (pre-judgment), including payment plans that have been paid in full, for 2 years from date of dismissal/settlement/full payment; destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Correspondence

Databases

SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Wage and Hour
Section: Prevailing Wage Rate

Program Description

The Prevailing Wage Rate Section is responsible for publishing the prevailing wage rates to be paid on public works contracts per ORS 279C.800 - .870. The rates are determined by the Labor Commissioner and are based on data collected in the annual Construction Industry Occupational Wage Survey. ORS 279C.830 requires applicable wage rates be incorporated into bid specifications for all public works contracts subject to Oregon's prevailing wage law. The Section is authorized to penalize contractors for violations of accepted wage and hour regulations and debar contractors for a period of one to three years from public projects. The Prevailing Wage Rate Section utilizes investigative methods and logs complaints in order to monitor and regulate fair wage and hour rights for Oregon workers.

Government agencies files documentation on all capital construction projects they will not be contracting out to provide cost comparisons and summaries for planned public improvement projects.

Program Records

- 034 Capital Improvement Project Cost Comparison Estimates**
Retain 2 years, destroy
- 035 Complaint Case Files**
 - (a) Retain compliance agreements 99 years, destroy
 - (b) Retain cases 3 years after resolved or last action, destroy
- 036 Notices of Public Works and First Tier Subcontractor Lists Records**
Retain 3 years, destroy
- 037 Planned Public Improvement Summaries**
Retain 3 years from date of contract, destroy
- 038 Prevailing Wage Rate (Wage Rate Determination) Booklets**
 - (a) Retain booklets and amendments 6 years, destroy
 - (b) Retain surveys, notes, drafts, etc until superseded or obsolete, destroy
- 039 Public Works Contract Debarment Records**
Retain 3 years after debarment lifted, destroy
- 040 Prevailing Wage Determination Files**
Retain 3 years after issued or last action, destroy
- 041 Public Works Fee Records**
Retain 3 years, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)

Conference, Seminar and Training Program Records

Correspondence

Databases

SUNTRACK

Organizational Placement

Schedule Number: 2008-0004

Agency: Bureau of Labor and Industries (BOLI)
Division: Wage and Hour
Program: Private Employment Agency

Program Description

The Private Employment Agency program is responsible for investigations and civil penalty assessments in relation to violations of private employment agency regulations. The program is responsible for accepting and monitoring claims and complaints made against private employment agencies in relation to discriminatory or unfair labor practices. The program investigates and accumulates testimony in relation to violation claims.

Program Records

042 Private Employment Agency Complaint Case Files
Retain records 3 years after last action, destroy

State Agency General Records Retention Schedule Records

Records include but are not limited to:

Administrative Records (OAR 166-300-0015)
Correspondence

Databases

SUNTRACK