

under false pretenses is a criminal offense. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

RECORD ACCESS PROCEDURES:

Same as Notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

CONTESTING RECORD PROCEDURES:

Same as Notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and the corrective action sought, and the reasons for the correction, with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with SSA Regulations (20 CFR 401.65(a)).

RECORD SOURCE CATEGORIES:

Information in this system of records is (1) supplied directly by the individual; or (2) derived from information supplied by the individual; or (3) supplied by SSA officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

None.

SYSTEM NUMBER: 60-0245

SYSTEM NAME:

Negotiated Grievance Procedure Records, Social Security Administration, Deputy Commissioner for Human Resources, Office of Labor Management and Employee Relations.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Personnel, Personnel Management Specialist, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Social Security Administration (SSA) who have filed grievances under a negotiated grievance procedure.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records consists of a variety of records relating to an employee grievance filed under procedures established by labor-management negotiations. These records may include information such as: employee's name, Social Security number (SSN), grade, job title,

employment history, the names of supervisors, union representative and management officials, testimony of witnesses, a variety of employment and personnel records associated with the grievance, the arbitrator's decision or report, and a record of an appeal to the Federal Labor Relations Authority and to the courts, and pleadings, submissions and decisions on appeal. (NOTE: Copies of these records are kept under the auspices of the Assistant Regional Commissioner, Management and Operations Support and in the originating office.)

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 7121.

PURPOSE(S):

Records in this system are used to initiate, consider and resolve employee grievances filed under procedures established by labor-management negotiations. These records are maintained centrally and in each component of SSA. Information from this system may be used by SSA officials for preparing statistical summary or management reports.

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

Disclosure may be made for routine uses as indicated below:

1. To the Office of Personnel Management, the Merit Systems Protection Board, or the Office of the Special Counsel when information is requested in connection with appeals, special studies of the civil service and other merit systems, review of those agencies' rules and regulations, investigation of alleged or possible prohibited personnel practices, and for such other function of these agencies as may be authorized by law, e.g., 5 U.S.C. 1205 and 1206.

2. To the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discriminatory practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission.

3. To the appropriate Federal, State or local agency responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation or order, where SSA becomes aware of a violation or potential violation of civil or criminal law or regulation.

4. To the Department of Justice for the purpose of obtaining its advice in

determining whether particular records are required to be disclosed under the Freedom of Information Act.

5. To a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an Agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

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

7. To a Federal agency having the power to subpoena records, for example, the Internal Revenue Service or the Civil Rights Commission, in response to a subpoena for information contained in this system of records.

8. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting conditions of employment.

9. To contractors for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

10. To the Department of Labor in carrying out its functions regarding labor-management relations to the Federal service.

11. To the Federal Labor Relations Authority, its General Counsel, the Federal Mediation and Conciliation Service, the Federal Service Impasses Panel, or an arbitrator when information is requested in connection with investigations of allegations of unfair practices, matters before an arbitrator or the Federal Service Impasses Panel.

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

13. To the Department of Justice (DOJ), a court or other tribunal, or another party before such tribunal when:

- (a) Social Security Administration (SSA), or any component thereof, or
- (b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components, is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, a court or other tribunal, or another party before such tribunal, is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

14. To student volunteers, individuals working under a personal services contract, and other workers who technically do not have the status of Federal employees, when they are performing work for the Social Security Administration (SSA), as authorized by law, and they need access to personally identifiable information in SSA records in order to perform their assigned Agency functions.

15. To any source from which additional information is requested in the course of resolving a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested.

16. To an appropriate licensing organization or Bar association responsible for investigating, prosecuting, enforcing or implementing standards for maintaining a professional licensing or Bar membership, if the Social Security Administration becomes aware of a violation or potential violation of professional licensing or Bar association requirements.

17. To another Federal agency, a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, when the Government is a party to the judicial or administrative proceeding.

18. To the Office of the President for responding to an individual pursuant to an inquiry received from that individual or from a third party on his or her behalf.

19. To the General Services Administration and the National Archives Records Administration (NARA) under 44 U.S.C. 2904 and 2906, as amended by the NARA Act of 1984, information which is not restricted from disclosure by Federal law for the use of those agencies in conducting records management studies.

20. To the Secretary of Health and Human Services or to any State, the

Commissioner shall disclose any record or information requested in writing by the Secretary for the purpose of administering any program administered by the Secretary, if records or information of such type were so disclosed under applicable rules, regulations and procedures in effect before the date of enactment of the Social Security Independence and Program Improvements Act of 1994.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSAL OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in paper form (e.g., file folders).

RETRIEVABILITY:

These records are retrieved by the names of individuals who have filed a grievance.

SAFEGUARDS:

Records maintained by management are stored in secured rooms with access limited to those whose official duties require access. Access http://www.socialsecurity.gov/foia/bluebook/app_g.htm for additional information relating to SSA data security measures.

RETENTION AND DISPOSAL:

As negotiated by the local parties to a labor contract. If not covered by contract, records are retained for 3 years after the grievance case is closed and are then destroyed.

SYSTEM MANAGER(S) AND ADDRESS(S):

Office of Personnel, Personnel Management Specialist, Room L1141 West Low Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401.

NOTIFICATION PROCEDURES:

Generally, an individual who has filed a grievance under a negotiated procedure is aware of that fact and has been provided access to the file. However, an individual can determine if this system contains a record about him/her by writing to the system manager(s) at the above address and providing his/her name, SSN or other information that may be in the system of records that will identify him/her. An individual requesting notification of records in person should provide the same information, as well as provide an identity document, preferably with a photograph, such as a driver's license or some other means of identification. If an individual does not have any identification documents sufficient to establish his/her identity, the individual must certify in writing that he/she is the person claimed to be and that he/she

understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

If notification is requested by telephone, an individual must verify his/her identity by providing identifying information that parallels information in the record to which notification is being requested. If it is determined that the identifying information provided by telephone is insufficient, the individual will be required to submit a request in writing or in person. If an individual is requesting information by telephone on behalf of another individual, the subject individual must be connected with SSA and the requesting individual in the same phone call. SSA will establish the subject individual's identity (his/her name, SSN, address, date of birth and place of birth, along with one other piece of information, such as mother's maiden name) and ask for his/her consent in providing information to the requesting individual.

If a request for notification is submitted by mail, an individual must include a notarized statement to SSA to verify his/her identity or must certify in the request that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

RECORD ACCESS PROCEDURES:

Same as Notification procedures. Requesters should also reasonably specify the record contents being sought. This procedure is in accordance with SSA Regulations (20 CFR 401.40(c)).

CONTESTING RECORD PROCEDURES:

Same as Notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and the corrective action sought, and the reasons for the correction, with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

RECORD SOURCE CATEGORIES:

Information in this system of records is (1) supplied by the individual on whom the record is maintained; or (2) derived from information supplied by the individual; or (3) supplied by the testimony of witnesses; or (4) supplied

by management representative or union officials; or (5) supplied by SSA officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

None.

SYSTEM NUMBER: 60-0250

SYSTEM NAME:

Equal Employment Opportunity (EEO) Counselor and Investigator Personnel Records, Social Security Administration, Deputy Commissioner for Human Resources, Office of Civil Rights and Equal Opportunity.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, 6401 Security Boulevard, Room 2200 West High Rise Building, Baltimore, Maryland 21235-6401.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees who have volunteered or have been proposed for duty as Equal Employment Opportunity (EEO) Counselors on a part-time basis.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records contains information concerning the personal characteristics of EEO counselors. The records consist of the name and other identifying data, title, location, training received, information concerning qualifying background, case assignments, and evaluation of EEO counselors serving on a part-time basis and related information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 633a; 42 U.S.C. 2000e; and Executive Order (E.O.) 11478.

PURPOSE(S):

These records are used to identify, locate and determine the availability of employees who volunteer as counselors for assignments and to determine training needs of counselors. These records are maintained in Social Security Administration (SSA) field and regional offices. They may be used to provide information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies, and to locate specific individuals for personnel research or other personnel management functions.

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

Disclosure may be made for routine uses as indicated below:

1. To provide resources to another Federal agency, in response to its requests for loan of counselors.
2. To another Federal agency, in response to its requests, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation or an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.
3. To a Federal agency having the power to subpoena records, for example, the Internal Revenue Service or the Civil Rights Commission, in response to a subpoena for information contained in this system of records.
4. To official of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices and matters affecting conditions of employment.
5. To contractors for the purpose of collecting, analyzing, aggregating or otherwise refining records in this system. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.
6. To the Office of Personnel Management, the Merit Systems Protection Board, or the Office of the Special Counsel when information is requested in connection with appeals, special studies of the civil service and other merit systems, review of those agencies' rules and regulations, investigation of alleged or possible prohibited personnel practices, and for such other function of these agencies as may be authorized by law, e.g., 5 U.S.C. 1205 and 1206.
7. To the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discriminatory practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission.
8. To the Federal Labor Relations Authority, its General Counsel, the Federal Mediation and Conciliation Service, the Federal Service Impasses Panel, or an arbitrator when information is requested in connection with

investigations of allegations of unfair practices, matters before an arbitrator or the Federal Service Impasses Panel.

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

10. To the Department of Justice (DOJ), a court or other tribunal, or another party before such tribunal, when:

- (a) The Social Security Administration (SSA), or any component thereof; or
- (b) Any SSA employee in his/her official capacity; or
- (c) Any SSA employee in his/her individual capacity where DOJ (or SSA, where it is authorized to do so) has agreed to represent the employee; or
- (d) The United States or any agency thereof where SSA determines that the litigation is likely to affect SSA or any of its components, is a party to the litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, a court or other tribunal, or another party before the tribunal, is relevant and necessary to the litigation, provided, however, that each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

11. To student volunteers, individuals working under a personal services contract, and other workers who technically do not have the status of Federal employees, when they are performing work for the Social Security Administration (SSA), as authorized by law, and they need access to personally identifiable information in SSA records in order to perform their assigned Agency functions.

12. To the General Services Administration and the National Archives Records Administration (NARA) under 44 U.S.C. 2904 and 2906, as amended by the NARA Act of 1984, information which is not restricted from disclosure by Federal law for the use of those agencies in conducting records management studies.

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

STORAGE:

These records are maintained in paper form (e.g., file folders, binders and index cards).

RETRIEVABILITY:

These records are retrieved by the names of EEO counselors and investigators.