

## CHAPTER 8

### TECHNICIAN PERSONNEL RECORDS AND FILES

8-1. Official Personnel Folder. The SF-66, Official Personnel Folder (OPF) for each technician is maintained in the Human Resources Office and is the official repository of the records and reports of personnel actions effected during the technician's service, and the documents and papers required in connection with these actions. The contents of this file give legal force and effect to personnel transactions and establish technician rights and benefits under the pertinent laws and regulations governing federal employment.

### SUPERVISOR'S WORK FOLDER

8-2. Purpose and Scope. First level supervisors are required to maintain a separate work folder for each technician under their supervision. Higher level supervisors are not permitted to maintain duplicate work folders. Supervisor work folders provides a system for keeping information about those supervised and are part of the Employee Performance File (EPF) system. Within these folders are the documents that will enhance effective supervision and management of the technician workforce. The HRO will provide the basic records and information concerning technicians to supervisors and ensure that they are aware of and fulfill responsibilities for the maintenance of supervisory records. The folders are subject to the Privacy Act and Freedom of Information Act. Clerical personnel will not be delegated the responsibility for filling and maintaining the folder.

8-3. Type of Folder, Location, and Safeguards.

- a. Supervisors use standard manila folders with the technician's name written on them. A supervisor will not use SF's 66, Official Personnel Folder, as work folders.
- b. Folders are normally kept at the supervisor's work site. However, other locations may be used if the work site cannot protect folders from casual access, inappropriate disclosure, and invasion of personal privacy.

8-4. Maintenance of Supervisor Work Folder. Maintenance of Supervisor's Work Folders - Due to the importance of the Supervisor's Work Folder on each employee under his authority, frequent purging of the folder is necessary. The following is a minimum list of documents that will be maintained in each folder.

- a. NGB Form 904-1, Supervisor's Record of Technician Employment. NGB Form 904-1, (Annex A) Supervisor's Record of Technician Employment or automated version are the only authorized supervisory employment records. HRO completes items 1 through 7 from available records and advises the technician to notify his/her supervisor when data changes. The remainder of the form is self-explanatory.
- b. NGB Form 430 (T); Performance Standards and Critical Elements Form (current year).
- c. NGB Form 430-1 (T); Performance Appraisal Form (current and previous two (2) years). Include records kept to track performance; documents concerning reconsideration/appeal of performance-related matters; performance improvement plans; and memorandums or notations of performance counseling.
- d. Current position descriptions for each basic position may be filed in work folders or maintained in a central location
- e. Conduct-related records are maintained until no longer relevant to a continuing or recurring problem. Only letters of reprimand contain specific disposition dates. Since the HRO maintains the official file, a supervisor would have no need to keep copies of adverse action records once the action is completed (notations on NGB Form 904-1 is sufficient).

8-5. Documents Prohibited. The following documents are prohibited from being filed in a supervisor's work folder:

- a. Copies of SF's 50 once the NGB Form 904-1 has been posted. The employee copy of the SF 50 will be given to the technician concerned. If it is other than the employee copy, it will be destroyed.
- b. Security investigative records or reports.
- c. Pre-employment vouchers or telephone inquiry notation.
- d. Letters of indebtedness, which has no bearing on a technician's ability to perform his/her duties or the reputation of the National Guard.
- e. Medical records.
- f. SF 181, Race and National Origin Identification, or SF 256, Self-identification of Medical Disability.
- g. Photographs of personnel.
- h. Training certificates.
- i. Resumes.
- j. Personal notes maintained as memory aids are not official agency records and are not subject to the Privacy Act because they are (a) retained for the personal use of the supervisor; (b) are not circulated or shown to anyone else; and (c) are retained or discarded solely as the supervisor see fit (not under regulatory control). Such notes may not be maintained in the work folder.
- k. (Army only). Reference letter from PFO-C (37-105-1), Subject: T&Supporting Documentation (STARTEPS NSG 8821) dated 24 February 1988. Supervisors will be responsible for retaining certain leave supporting documents and ensuring such documents are made available for audit purpose for six years after the end of the leave year in which the leave was taken. The following leave documents should not be included in the Supervisors Technician Folder, but in separate folders by calendar years:
  - (1) Copy of NGB Form 46, Time and Attendance Report
  - (2) SF 71, Application for Leave
  - (3) NGB Form 46-14, Request, Authorization, and Report of Compensatory Time.
  - (4) DD 1610, TDY Orders
  - (5) Copies of approved requests for advancement of leave.

8-6. Access. Upon request, a technician must be allowed to review the work folder pertaining to him/her. Technicians wishing to provide access to another person must provide the supervisor written notification, which specifically identifies the person to be given access and the records to be provided. The record can be disclosed to other officials/employees who have a need for the record in the performance of their duties.

8-7. Retention and Disposition.

- a. Except as outlined in paragraph 8-3, work folder records can be retained indefinitely, provided they are relevant and necessary in carrying out supervisory responsibilities.

- b. Work folders will be destroyed within 90 calendar days after an action occurs which separates the technician from employment in a particular State.

SUPERVISORS RECORD OF TECHNICIAN EMPLOYMENT (NGB Form 904-1)

8-8. Purpose and Scope. Changes in technician employment data are to be recorded on the NGB Form 904-1 as soon as possible. The maintenance of NGB Form 904-1 will be as follows:

- a. Item 1 thru 7b. Initially completed by HRO. Technicians should be advised to notify their supervisors when changes occur.
- b. Item 8. To be posted at the time of official rating.
- c. Item 9. Enter OPM, military and civilian training received during technician employment.
- d. Item 10. Record incentive award; i.e., commendation certificates length-of-service, suggestion awards.
- e. Item 11. Enter information normally obtained from the SF 50 or other notice furnished by the HRO.
- f. Item 12. Comments and discussions that will be considered in making determinations relative to a technician's employment should be entered in this item.
- g. Notations of oral admonishments (date and subject) will be made in pencil, and will be deleted from the form when it is determined that it is no longer necessary or relative to a continuing/recurring problem.
- h. When additional space is required, a new NGB Form 904-1 may be prepared by completing blocks 1 thru 4 or by using supplemental sheets of paper. The continuation form of papers will be attached to the basic NGB Form 904-1. The basic NGB Form 904-1 should reflect the number of pages in existence at all times.

8-9. Disposition. Each supervisor will dispose of NGB Form 904-1 and supplement sheet(s) as follows:

- a. When the technician moves to a new position serviced by the same HRO the NGB Form 904-1 will be forwarded to the gaining supervisor.
- b. When the technician moves to a new position serviced by a different HRO, the NGB Form 904-1 will be destroyed 90-days after the separation date.
- c. When the technician is ordered to extended active duty and is entitled to restoration rights, the NGB Form 904-1 will be forwarded to the HRO until he/she returns.
- d. When the technician is separated, the NGB Form 904-1 will be destroyed 90 days after the separation date. There may be instances where the NGB Form 904-1 should be retained after the 90-day limit (i.e., active grievance case). In such cases, supervisors will retain the form until it is certain it is no longer needed.

8-10. Technician Records. Technicians should be advised of the importance of retaining copies of pertinent data filed in their official personnel folder (OPF) and in the supervisor's record of technician employment. Reconstruction of official records, if lost or destroyed, can be accomplished with minimum difficulty if the technician has retained complete personal records.

### FREEDOM OF INFORMATION AND PRIVACY ACTS

8-11. Freedom of Information Act. The Freedom of Information Act, 1974 Amendments (5 U. S. C. 552), was enacted 21 November 1974 to provide that records maintained by Federal agencies which can be specifically identified will be made available to the public, unless exempt by statute.

8-12. Privacy Act. The Privacy Act of 1974 (5 U. S. C. 552a) was enacted 31 December 1974 to provide certain safeguards for an individual against an invasion of personal privacy by requiring Federal agencies, except as otherwise provided by law, to:

- a. Permit an individual to determine what records pertaining to him are collected, maintained, used, or disseminated by such agencies.
- b. Permit an individual to prevent records pertaining to him obtained by such agencies for a particular purpose from being used or made available for another purpose without his consent.
- c. Permit an individual to gain access to information pertaining to him in Federal agency records, to have a copy made of all or any portion thereof, and to correct or amend such records.
- d. Collect, maintain, use, or disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that the information is current and accurate, for its intended use, and that adequate safeguards are provided to prevent misuse of such information.
- e. Permit exemptions from the requirements with respect to records provided in this Act only in those cases where there is an important public policy need for such exemption as has been determined by specific statutory authority.
- f. Be subject to civil suit for any damages that occur as a result of willful or intentional action, which violates any individual's right under this Act.

8-13. Disclosure of Information. All disclosures of employment information pertaining to technicians in the Mississippi National Guard will be released by the Human Resources Office. Inquiries received by units or activities will be referred to this office, ATTN: MS-HRO.

8-14. Purpose of Standard Form 50. The SF 50 (Notification of Personnel Action) constitutes the technician's official record of federal employment. Standard Forms are prepared to document an individual's federal employment, to notify the technician of the action effected and to provide required basic records. It is essential that personnel actions taken be corrected and properly documented and recorded to protect the interests of the technician and the federal government.

### REQUEST FOR PERSONNEL ACTION (SF 52) SUPERVISOR'S WORK FOLDER

8-15. Purpose and Scope.

- a. Supervisor work folders provide a system for keeping information about those supervised. First level supervisors keep separate work folders for each technician; higher level supervisors are not permitted to maintain duplicate work folders.
- b. Work folders are part of the Employee Performance File System addressed in subchapter S5 of FPM Supplement 293-31 and are subject to the Privacy Act and Freedom of Information Act.

8-16. Type of Folder, Location and Safeguards.

- a. Supervisors use standard manila folders with the technician's name written on them. A supervisor will not use SF's 66, Official Personnel Folder, as work folders.
- b. Folders are normally kept at the supervisor's work site. However, other locations may be used if the work site cannot protect folders from casual access, inappropriate disclosure, and invasion of personal privacy.

8-17. Content. The following documents are normally maintained in a supervisor work folder:

- a. NGB Form 904-1, Supervisor's Record of Technician Employment, is the only authorized supervisory employment record; the SF 7-B or AF Form 971 will not be used to record technician data. HRO completes items 1 through 7 from available records and advises the technician to notify his/her supervisor when data changes. The remainder of the form is self-explanatory.
- b. Performance-related records may be maintained for no more than 3 years. They include but are not limited to performance elements/standards and ratings of record; records kept to track performance; documents concerning reconsideration/appeal of performance-related matters; performance improvement plans; and memorandums or notations of performance counseling.
- c. Conduct-related records are maintained until no longer relevant to a continuing or recurring problem. Only letters of reprimand contain specific disposition dates. Since the HRO maintains the official file, a supervisor would have no need to keep copies of adverse action records once the action is completed (notations on NGB Form 904-1 is sufficient).
- d. Leave schedules prepared annually to assure timely use of annual leave may be filed in work folder's or in a central location.
- e. Copies of SF 52, Request for Personnel Action, may be kept until action is completed.
- f. Copies of correspondence or forms related to training may be kept until training is completed. Training plans may be kept until no longer relevant.
- g. Current position descriptions for each basic position may be filed in work folders or maintained in a central location.
- h. Documents required for the position (e.g., copies of licenses, professional accreditation, certificate documenting proficiency with equipment or tools used, and firearms proficiency) may be retained until updated.
- i. Other records which are valuable in reaching decisions on what course of action to take with regard to technician's employment.
- j. Copies of documents supporting an award or commendation may be kept until action is completed.
- k. AF Form 55, Employee Safety and Health Record.
- l. Military appraisal replaced annually.

NOTE: Letting a technician know that information has or will be added to the work folder can help to reinforce both positive and negative events.

8-18. Documents Prohibited. The following documents are prohibited from being filed in a supervisor's work folder:

- a. Copies of SF's 50 once the NGB Form 904-1 has been posted. The employee copy of the SF 50 will be given to the technician concerned. If it is other than the employee copy, it will be destroyed.
- b. Security investigative records or reports.
- c. Pre-employment vouchers or telephone inquiry notation.
- d. Letters of indebtedness that has no bearing on a technician's ability to perform his/her duties or the reputation of the National Guard.
- e. Medical records.
- f. SF 181, Race and National Origin Identification, or SF 256, Self-identification of Medical Disability.
- g. Photographs of personnel.
- h. Training certificates.
- i. Resumes.
- j. Personal notes as outlined in S8-6.

8-19. Access. Upon request, a technician must be allowed to review the work folder pertaining to him/her. Technicians wishing to provide access to another person must provide the supervisor written notification, which specifically identifies the person to be given access and the records to be provided. The record can be disclosed to other officials/employees who have a need for the record in the performance of their duties.

8-20. Personal Notes. Personal notes maintained as memory aids are not official agency records and are not subject to the Privacy Act because they are (a) retained for the personal use of the supervisor; (b) are not circulated or shown to anyone else; and (c) are retained or discarded solely as the supervisor sees fit (not under regulatory control). Such notes may not be maintained in the work folder (see paragraph 8-14-4j above).

8-21. Retention and Disposition.

- a. Except as outlined in paragraph 8-17, work folder records can be retained indefinitely, provided they are relevant and necessary in carrying out supervisory responsibilities.
- c. Work folders will be destroyed within 90 calendar days after an action occurs which separates the technician from employment in a particular State. HRO can have supervisors destroy work folders or may require the folders be sent to the HRO for review and disposition.

