

# **Records Retention and Disposition Schedule**



## **Division of Human Resources Employee Relations Office**

**Division of Professional and Court Services  
Office of Records Management**

**Revised September 2021**

## Procedures for Requesting Disposition Authorization

You must submit a Records Disposition Request Form and receive approval from our office before disposing of **any** records.

You can access a copy of the Records Disposition Request Forms at the following link:

<http://ww2.nycourts.gov/sites/default/files/document/files/2020-12/RDR-fillable20201208.pdf>

Return all completed forms, by mail, fax, or email to one of the following:

NYS Office of Court Administration  
Division of Professional and Court Services  
Office of Records Management  
25 Beaver Street, 7th Floor  
New York, NY 10004

Fax: 212-428-2880

E-mail: [DISPOREQ@nycourts.gov](mailto:DISPOREQ@nycourts.gov)

You can reach us by phone at 212-428-2875.

This retention schedule is printed with color to help you identify whether a series or sub-series of records is or will be eligible for destruction. The guide below explains the color-coding.

**Red: Permanent Records**

A records series title and number in red indicate records must be retained permanently.

**Green: Non-Permanent Records**

A records series title and number in green indicate records are eligible for destruction.

**Orange: Both Permanent and Non-Permanent Records**

A records series title and number in orange indicate the records series includes permanent and non-permanent records. Be especially careful when reviewing records in this category.

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# Division of Human Resources

## Employee Relations Office

### **ER-010**    **Alternative Work Schedule File**

Record used to track requests for alternative work schedules. Contains names, titles, and work schedules.

**Retain data for five years, then destroy.**

### **ER-020**    **Alternative Work Schedule Notebook**

Binder containing general information and correspondence sent to unions regarding decisions on alternative work schedule requests.

**Retain for five years, then destroy.**

### **ER-030**    **Bi-Weekly Grievance Report**

Report summarizing the status of grievance, arbitration, and improper practice cases for the Deputy Chief Administrator. New cases are described in narrative form.

**Retain for one year, then destroy.**

### **ER-040**    **Certification/Decertification Petitions**

Record created pursuant to the filing of a petition by an employee or a union challenging a bargaining unit designation. Includes petition, letters, memos, notes, and decision.

**Retain for six years, then destroy.**

### **ER-050**    **Collective Bargaining Session Records**

File containing materials related to issues common to participating unions. Contains union proposals, Office of Court Administration proposals, correspondence, general rules governing the conduct for collective bargaining negotiations, scheduling, attendance at meetings, and session notes.

**Retain permanently for research purposes.**

### **ER-060**    **Employee Assistance Program File**

Record created to document Employee Assistance Programs. Includes statistical information, coordinator and committee lists, annual seminar information, correspondence, information on confidentiality, supervisor training, and publicity materials.

**Retain for six years, then destroy.**

**ER-070 Employee Grievance/Arbitration Case Files**

Contract, non-contract and out of title grievances brought by unions or individuals against the Office of Court Administration. Materials include official grievance forms, letters, memos, decisions and settlements, unofficial notes, and tracking and summary information.

**Retain for thirty-five years after case is resolved, then destroy.**

**ER-080 Employee Grievance Tracker Record**

Record created to track employee grievances. Includes information on employee's negotiating unit, employee's name, date grievance filed, name of attorney assigned to case, and date of each transitional stage.

**Retain for thirty-five years after case is resolved, then destroy.**

**ER-090 Employee Lists (also known as "Herrick Series")**

Three separate computer lists generated from Payroll Department data; used for employment verification and cost analysis.

**a) Alpha (List by Employee)**

Used to determine employment verification, worker's compensation eligibility, and collective bargaining analysis. Includes name of employee, social security number, agency line number, title, salary rate, address, and negotiating code.

**Retain until updated, then destroy.**

**b) Alpha (List by Union)**

Used for cost analysis when developing negotiation proposals. Uses the same employee list as in "a" above but is sorted by union. Within each union it is further broken down by title in ascending salary order. Also includes the number of employees per union, which then determines the number of Employee Organization Leave hours allotted to each union.

**Retain until updated, then destroy.**

**c) Alpha (List by Employee Title)**

Used for public relations and cost analysis. It lists all employees by title.

**Retain until updated, then destroy.**

- ER-100 Employee Organization Leave—Monthly Reporting Form**  
Document provided by union employees to the Office of Employee Relations indicating the amount of time to be charged to the banked hours provided to the unions (pursuant to Collective Bargaining Agreements Section 4.7). Document contains employee’s signature, supervisor’s signature, union president’s signature, pay period, dates when time was charged to Employee Organization Leave, section number of Collective Bargaining Agreement for which leave is claimed, and name of employee organization.  
**Retain for six years, then destroy.**
- ER-110 Employee Relations Memo Book**  
Binder containing all policy, statements, modifications of policy, etc., from the Director of Employee Relations to all offices and agencies.  
**Retain permanently for research purposes.**
- ER-120 Improper Practice Proceedings File**  
Record reflecting grievance procedures for non-contractual issues. Contains charge, answer, notes, evidence, briefs, transcripts, and decisions.  
**Retain for ten years after case is resolved, then destroy.**
- ER-130 M/C (Management/Confidential) Applications**  
Record created when union or employee challenges M/C designation. Contains application, response from union, PERB documents, and transcripts.  
**Retain for thirty-five years after case is resolved, then destroy.**
- ER-140 M/C Designation Notebooks**  
Record of correspondence to payroll and designee regarding evaluations of individual requests for M/C designation status.  
**Retain for six years, then destroy.**
- ER-150 M/C Tracking Files**  
Record detailing history of M/C positions. Includes title, names of people who held each position, and date of classification.  
**Retain permanently for research purposes.**

- ER-160**     **Manuals (may include but are not limited to Managers' Handbook, Supervisors' Handbook, EEO Staff Liaison Handbook, Court Reporters' Manual, Workers' Compensation Manual, and Employee Assistance Manual)**  
Operational and training manuals related to employee relations matters, prepared by the Employee Relations Office, and distributed to court personnel.
- a) Master Copy**  
Retain original and all subsequent updates permanently for research purposes.
- b) All Others**  
Retain until updated.
- ER-170**     **Negotiating Unit Code Book**  
Record of memoranda sent to payroll offices regarding standards for determining negotiating unit status for all Office of Court Administration positions.  
**Retain permanently for research purposes.**
- ER-180**     **Overtime Designation File**  
Payroll form for defining title eligibility for overtime and back-up materials documenting determination.  
**Retain for five years, then destroy.**
- ER-190**     **Union Contract Files**  
Record of union contract negotiations. Includes negotiating materials, pre-negotiation materials, preliminary discussions, state proposals, collective bargaining negotiations, joint council negotiations, all union negotiations, and impasses. Documents include agreements, amendments, notes, special circumstances, and contract copies.  
**Retain permanently for research purposes.**
- ER-200**     **Union Contract Negotiation Notes Book**  
Contains notes on the status of contract negotiations. Filed by negotiating session by union.  
**Retain permanently for research purposes.**
- ER-210**     **Union Contracts—Original**  
Official contract signed by the union president and the Director of Employee Relations.  
**Retain permanently for research purposes.**
- ER-220**     **Union Files**  
Includes all documents generated during the life of union contracts.  
**Retain permanently for research purposes.**

**ER-230 Workers' Compensation Case File**

Record of reports and/or claims related to Workers' Compensation. Includes leave applications, medical records, correspondence, and Workers' Compensation Board decision.

**a) Cases Involving Injury or Death**

**Retain for eighteen years from date of injury or death.**

**b) Cases Where Compensation was Paid**

**Retain for eight years from date of last payment of compensation.**

**c) Cases Closed Without an Award or Trial**

**Retain for seven years after case closed without an award or trial.**

**ER-240 Workers' Compensation Day Book**

Contains copies of all correspondence sent by Office of Employee Relations regarding workers compensation. Includes leave determinations and requests to District Offices regarding claims.

**Retain for three years or until no longer needed, whichever is sooner, then destroy.**

**ER-250 Workers' Compensation Tracker**

Record that tracks activity of Workers' Compensation claims. Includes name, log number, negotiating unit, date claim received, date of first absence, and date of return to work.

**a) Cases Involving Injury or Death**

**Retain for eighteen years from date of injury or death.**

**b) Cases Where Compensation was Paid**

**Retain for eight years from date of last payment of compensation.**

**c) Cases Closed Without an Award or Trial**

**Retain for seven years after case closed without an award or trial.**