

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
CIVIL DIVISION
LABOR SECTION

Records Retention and Disposition Schedule

The Records Retention and Disposition Schedule and retention periods governing the record series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. Public records including machine readable records not listed in this schedule are not authorized to be destroyed. The

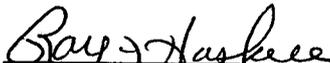
LABOR SECTION

agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

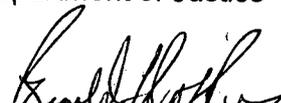
APPROVAL RECOMMENDED



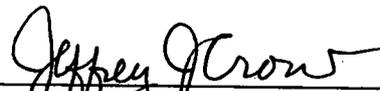
Janice Turner, Chief Records Officer
Department of Justice



Ralf Haskell, Special Deputy
Labor Section



Reginald L. Watkins, Senior Deputy
Civil Division



Jeffrey J. Crow, Director
Division of Archives and History

APPROVED



Michael Easley, Attorney General
Department of Justice



Betty Ray McCain, Secretary
Department of Cultural Resources

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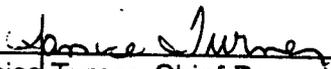
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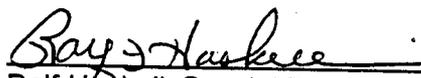
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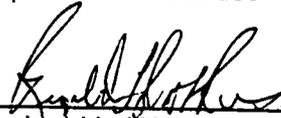
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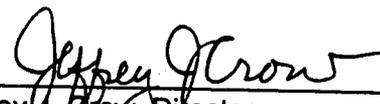
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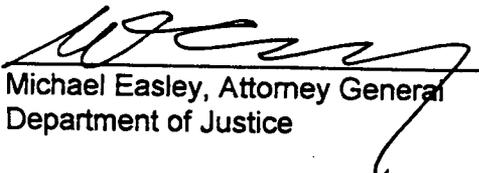

Janice Turner, Chief Records Officer
Department of Justice

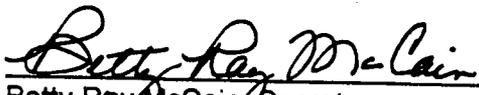

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This schedule was modified to
comply with the provisions of the
General Schedule for State Agency Records,
effective October 1, 2000
Remaining items retain the
original date shown below.

April 12, 1999

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ITEM 2384. CLOSED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) CONTESTED CASE FILE.

Records concerning closed reviews of OSHA violations contested by employers. File includes correspondence, notice of contest, docketing notice, inspections worksheets, and review board orders, which closes file.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 10 additional years and then transferred to the custody of the Archives.

ITEM 2385. CLOSED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) DISCRIMINATION CASE FILE.

Records concerning closed investigations by division attorneys of alleged discriminatory personnel actions taken against employees making OSHA complaints. File includes investigation reports, inspection reports, and recommendation by division.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 10 additional years and then destroyed.

ITEM 14316. OPEN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) CONTESTED CASE FILE.

Records concerning divisional hearing examiners' reviews of OSHA violations that are contested by employer. File includes correspondence, notice of contest, docketing notice, inspector's worksheet, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Occupational Safety and Health Administration (OSHA) Contested Case File (Item 2384) when closed.

ITEM 14319. OPEN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) DISCRIMINATION CASE FILE.

Records concerning division attorneys' investigations of alleged discriminatory personnel actions taken against employees making OSHA complaints. File includes investigative reports, inspection reports, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Occupational Safety and Health Administration (OSHA) Discrimination Case File (Item 2385) when case is closed.

ITEM 14321. OPEN WAGE AND HOUR LITIGATION FILE.

Records concerning wage and hour complaints litigated by division attorneys. File includes complaint, all paperwork associated with litigation process (motions, orders, etc.), working papers, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Wage and Hour Litigation File (Item 14322) when closed.

ITEM 14322. CLOSED WAGE AND HOUR LITIGATION FILE.

Records concerning closed wage and hour complaints that have been litigated by division attorneys. File includes complaint, all paperwork associated with litigation process (motions, orders, etc.), working papers, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 10 additional years and then transferred to the custody of the Archives.

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ITEM 14325. CRIMINAL BRIEFS FILE.

Briefs and other related records presented to the Supreme Court and Court of Appeals by counsel for the State in criminal action cases.

DISPOSITION INSTRUCTIONS: Destroy in office when legal and reference values end.

ITEM 23542. ADVISORY LETTERS FILE.

Advisory letters written by the section attorneys to state and local government officials or their attorneys regarding routine legal matters. File also includes copies of the requests.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 10 additional years and then destroyed.

ITEM 26583. ATTORNEY GENERAL'S FORMAL OPINIONS FILE.

Opinions provided to state or local government officials or their attorneys having statewide significance.

DISPOSITION INSTRUCTIONS: Transfer original inquiry and response to the Central Files Section, Attorney General's Combined Opinions and Correspondence for State Agencies File (Item 2353) when response has been completed.

ITEM 36688. ATTORNEY GENERAL'S ADVISORY OPINIONS FILE.

Opinions provided to state or local government officials or their attorneys regarding legal issues significant to the operation or administration of state agencies or local governments.

DISPOSITION INSTRUCTIONS: Transfer original inquiry and response to the Central Files Section, Attorney General's Advisory Opinions File (Item 2356) when response has been completed.

ITEM 36689. INFORMATIONAL LETTERS FILE.

Letters to private citizens and organizations requesting legal assistance.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 42014. CLOSED RETALIATORY EMPLOYMENT DISCRIMINATION ACT (REDA) CASE FILE.

Records concerning closed employment discrimination conciliation and litigation cases. File includes correspondence, pleadings, depositions, hearing transcripts, and other related records. (Comply with applicable provisions of G.S. 132-1.2 regarding disclosure of information.)

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

ITEM 42016. OPEN RETALIATORY EMPLOYMENT DISCRIMINATION ACT (REDA) CASE FILE.

Records concerning closed employment discrimination conciliation and litigation cases. File includes correspondence, pleadings, depositions, hearing transcripts, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Retaliatory Employment Discrimination Act (REDA) Case File (Item 42014) when case is closed.

ITEM 42309. OPEN PERSONNEL CASE LITIGATION FILE.

Records concerning personnel conciliation and litigation cases. File includes correspondence, pleadings, hearing transcripts, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to Closed Personnel Case Litigation File (Item 42310) when case closed.

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ITEM 42310. CLOSED PERSONNEL CASE LITIGATION FILE.

Records concerning closed personnel conciliation and litigation cases. File includes correspondence, pleadings, depositions, hearing transcripts, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.