



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY C. Kay Davenport
AGENCY RECORDS OFFICER Reba O'Connor

STATE APPROVAL

STATE ARCHIVIST Sandra S. Trethewey
COMPTROLLER OR DEPUTY _____

EFFECTIVE SCHEDULE DATE: MAY 28 2015

POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the Code of Virginia for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A signed RM-3 Form must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 Form must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.

7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of the Virginia Administrative Code, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
9. Under the Virginia Public Records Act, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Apprenticeship Program: Apprenticeship Program Files</u> This series documents the process of apprenticeship program registration with the Virginia Apprenticeship Council, individual apprenticeship agreements between apprentices and employers, apprenticeship training content, and quality assurance measures. This series may include, but is not limited to: the registration of apprenticeship programs with the Virginia Apprenticeship Council, individual apprenticeship agreements between apprentices and employers, and documents that record both apprenticeship training content and quality assurance measures that are in place to ensure ongoing quality. COV 40.1-118	100433	5 Years after closed	Confidential Destruction
<u>Apprenticeship Program: Apprenticeship Status</u> This series documents the status of individual apprentices and the issuance of a Certificate of Completion by the Virginia Apprenticeship Council upon successful completion of the terms of apprenticeship. This series may include, but is not limited to: Certificates of Completion. COV 40.1-118	100435	50 Years after creation	Confidential Destruction
<u>Boiler Safety Compliance: Boiler and Pressure Vessel Certificates of Inspection and Inspection Reports</u> This series documents the inspection of boilers and pressure vessel equipment by contract fee inspectors and inspectors from various insurance companies to ensure compliance with the Boiler and Pressure Vessel Safety Act governing the construction, installation, operation, maintenance and repair of this type of equipment, and includes the issuance or denial of certificates of inspection. This series may include, but is not limited to: certificates of inspection and inspection reports. COV 40.1-51.10	100438	15 Years after equipment, facility, or property sold or no longer in use	Confidential Destruction



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Boiler Safety Compliance: Inspector Certification Records</u> This series documents the certification of boiler and pressure vessel safety inspectors employed by insurance companies, contract fee companies, and owner-user inspection companies. This series may include, but is not limited to: inspector and employer information, and date of issuance and expiration. COV 40.1-51.9	100441	3 Years after expiration	Confidential Destruction
<u>Boiler Safety Compliance: Owner-User Inspection Agency Reference Data</u> This series documents information about owner-user inspection agencies for boilers and pressure vessels. This series may include, but is not limited to: Virginia identification number, owner-user name and address, date of last inspection, insurer's name (if not self-insured), manufacturer, certain specifications for equipment, and notations on the condition of equipment. COV 40.1-51.11:1	100442	2 Years after last action	Confidential Destruction
<u>Census of Fatal Occupational Injuries (CFOI)</u> This series documents a compilation of all fatalities caused by work-related injuries that occur during a calendar year. This series includes, but is not limited to: coding/data sheets and other source documentation.	100445	3 Years after project completion	Confidential Destruction
<u>Labor and Employment Law: Age Certificates</u> This series documents conclusive evidence of the age of the person (16 and older) for whom a certificate has been issued. This series includes age certificates. COV 40.1-104; COV 40.1-94	100447	21 Years after birth	Confidential Destruction



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Labor and Employment Law: Child Labor Civil Money Penalties</u> This series documents the assessment of civil penalties against employers who are found to be in violation of the child Labor Laws of Virginia, as well as written warnings that such penalties may be assessed in the future if the employer violates the child Labor Laws of Virginia. This series may include, but is not limited to: documentation of penalties issued and correspondence documenting the possible issuance of penalties for future noncompliance. COV 40.1-113	100448	2 Years after creation	Confidential Destruction
<u>Labor and Employment Law: Complaint Investigation Records</u> This series documents the receipt and investigation of Labor and Employment Law complaints, including the division representative's report of the investigation and the resolution. This series may include, but is not limited to: complaints received and investigation reports. COV 40.1-27 et seq.	100449	2 Years after closed	Confidential Destruction
<u>Labor and Employment Law: Employment Certificates (Work Permits)</u> This series documents the issuance of employment certificates to persons 14 and 15 years of age. This series may include, but is not limited to: employment certificates. COV 40.1-84	100450	3 Years after issuance	Confidential Destruction
<u>Labor and Employment Law: Inspection Reports</u> This series documents routine worksite inspections by division representatives, and the resulting reports of the inspections. This series may include, but is not limited to: inspection reports and other records that document Labor Law worksite inspections. COV 40.1-27 et seq.	100451	2 Years after inspection	Confidential Destruction



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Labor and Employment Law: Magazine Solicitation Permits</u> This series documents the issuance of permits to any person, firm, or corporation engaged in the solicitation, sale, or obtaining of subscription contracts for books, magazines, or other periodicals other than newspapers. This series may include, but is not limited to: Magazine Solicitation Permits. COV 40.1-112	100452	3 Years after end of state fiscal year	Confidential Destruction
<u>Labor and Employment Law: Payment of Wages Case Records</u> This series documents the receipt of payment of wage complaints from employees, the investigation of complaints, and the results of the investigation, including any penalties or legal action, as well as any other agency involvement in the enforcement of Code of Virginia § 40.1-29. This series may include, but is not limited to: complaints received and investigation results, including issuance of any penalties or other legal action taken. COV 40.1-29	100453	2 Years after closed	Confidential Destruction
<u>Labor and Employment Law: Public Utility/Employee Collective Bargaining Notifications and Disputes-Mediated Cases</u> This series documents notification to the agency of proposed termination or modification to collective bargaining contracts which cover employees of any public utility, except where the National Railway Act applies. Also included are notifications prior to work stoppages. This series may include, but is not limited to: proposed change notifications to the agency, notification of disputes, notification of work stoppages and documentation of the efforts made by the agency in mediation and conciliation COV 40.1-70 et seq.	100454		Permanent, In Agency



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Labor and Employment Law: Public Utility/Employee Collective Bargaining Notifications and Disputes-Non-Mediated Cases</u> This series documents notification of proposed changes to collective bargaining contracts in effect that cover the employees of any public utility, except in instances where the National Railway Act applies. This series may include, but is not limited to: notifications to the agency. COV 40.1-70 et seq.	100455	3 Years after notification	Confidential Destruction
<u>Labor and Employment Law: Uncollectible Payment of Wages Case Records</u> This series documents the receipt of "payment of wage" complaints from employees, the investigation, the results, and a court order for payment for the cases in which the agency has not been able to collect the monies owed to employees. This series may include, but is not limited to: investigation documentation and court orders. COV 40.1-29	100456	20 Years after event	Confidential Destruction
<u>Occupational Health Compliance: Asbestos and Lead Notification Forms</u> This series documents receipt of required notification by licensed asbestos contractors and certified lead contractors concerning both asbestos and lead projects. This series also documents records of the scheduled inspection of asbestos or lead projects, and includes the agency's monitoring of licensed and certified contractors and the inspection of projects. This series may include, but is not limited to: asbestos and lead project notification forms, records of inspections of asbestos and lead projects, and records that document monitoring of licensed and certified contractors. COV 40.1-51.20 through COV 40.1-51.22; COV 40.1-51.23 through COV 40.1-51.41	100458	3 Years after creation	Confidential Destruction



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Occupational Health Compliance: Asbestos and Lead Programs Database</u> This series documents the receipt of required notifications and applicable fees submitted by licensed asbestos contractors and certified lead contractors for asbestos and lead abatement projects. This series may include, but is not limited to: notification forms for specific asbestos and lead abatement projects, permits issued, and monitoring inspection reports. COV 40.1-51.20 through COV 40.1-51.22; COV 40.1-51.23 through COV 40.1-51.41.	100457		Permanent, In Agency
<u>Occupational Injuries and Illnesses: Annual Survey</u> This series documents the employers' responses that provide specific data on injuries and illnesses, including employment information, number of hours worked, and number of days missed from work. This series may include, but is not limited to: OSHA forms.	100444	3 Years after project completion	Confidential Destruction
<u>Occupational Safety and Health Administration (OSHA) Data Initiative</u> This series documents the collection of employer responses required by the Occupational Safety and Health Administration of the U.S. Department of Labor for employment data and hours worked. This series may include, but is not limited to: the required survey form.	100446	2 Years after creation	Confidential Destruction



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Occupational Safety and Health Compliance: Case Records, Complaints and Contested Cases</u> This series documents the inspection of worksites, the issuance of citations for violations, the enforcement of Virginia Occupational Safety and Health (VOSH) regulations, the receipt and investigation of complaints, and actions taken by the agency. This series may include, but is not limited to: Notices of Alleged Safety or Health Hazard, inspection reports, Citation and Notification of Penalty records, and other occupational safety and health compliance case file documentation. COV 40.1-51.2; COV 40.1-49.4	100468	3 Years after closed	Confidential Destruction
<u>Occupational Safety and Health Compliance: Discrimination Case Files</u> This series documents the receipt, investigation, and resolution of discrimination complaints filed with the agency by workers who previously reported occupational safety and health violations. This series may include, but is not limited to: documentation related to the receipt, investigation, and resolution of complaints. COV 40.1-51.2:2; COV 40.1-51.2:1	100463	2 Years after closed	Confidential Destruction
<u>Occupational Safety and Health Consultation: 21(d) Grant Records</u> This series documents requests for training and occupational safety and health consultation services, and the on-site consultations with employers who voluntarily seek assistance in complying with the Virginia Occupational Safety and Health (VOSH) Program, including the Safety and Health Achievement and Recognition Program (SHARP). This series may include, but is not limited to: consultation requests, case records, and training records.	100469	3 Years after creation	Confidential Destruction



LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 181-001

Labor and Industry, Dept. of

EFFECTIVE SCHEDULE DATE:

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<p><u>State Plan for Occupational Safety and Health Program</u></p> <p>This series documents the state plan agreement between the federal Occupational Safety and Health Administration (OSHA) and the U.S. Department of Labor (USDOL), which gives the Commonwealth authority to regulate occupational safety and health within its jurisdiction for General Industry, Construction, Agriculture, and the Public Sector. This series may include, but is not limited to: plans and contractual agreements. 29CFR1952.370 et seq.; COV 40.1-1</p>	100466		Permanent, Archives
<p><u>Voluntary Protection Program (VPP) 23(g) Grant Records</u></p> <p>This series documents an entity's application for, participation in, and/or withdrawal from the Voluntary Protection Program (VPP). This series may include, but is not limited to: VPP applications, VPP audit reports, audit team notes, VPP recertification reports, correspondence, and employer submission documentation.</p>	200394	3 Years after closed	Confidential Destruction