TECHNICIAN PERSONNEL REGULATION
No. 293-31

HEADQUARTERS
DEPARTMENTS OF THE ARMY AND THE AIR FORCE
Washington, DC 20310-2500 31 August 1988

TECHNICIAN PERSONNEL REGULATION 293-31

This regulation contains National Guard requirements for the maintenance of personnel records and files.

1. The following supplements to FPM Supplement 293-31 are enclosed.

a. S1	e. S4 - Figure 1	i. S6
b. S2	f. S4 - Figure 2	j. S8
c. S3	g. S4 - Figure 3	k. Appendix D
d. S4	h. S5	l. Appendix E

2. File this transmittal sheet in the front of the publication for reference purpose.

Users of this publication are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to NGB-TN, 5600 Columbia Pike, Falls Church, VA 22041-5125

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DISTRIBUTION: Special
(Each SPMO)

*Supersedes TPR 293-31 dated 1 February 1983

SUBCHAPTER S1. INTRODUCTION

S1-1. PURPOSE

a(ADDED). FPM Supplement 293-31 applies to all basic personnel files maintained on National Guard technicians employed under 32 USC 709.

S1-7. RECORDS DISPOSAL

Documents will be torn into pieces to preclude reconstruction and placed in regular trash containers. Magnetic tapes or disks will be erased. SPMOs may direct other methods if circumstances indicate that these methods do not protect the personal information.

SUBCHAPTER S2. THE SERVICE CONTROL FILE

S2-7. MAINTENANCE

e. The SPMO will select from the options provided.

f. The service record will not be forwarded.

SUBCHAPTER S3. THE CHRONOLOGICAL JOURNAL FILE

S3-4. ARRANGEMENT

c(ADDED). Forms will be filed chronologically; the remainder of the file arrangement is up to the SPMO.

SUBCHAPTER S4. THE OFFICIAL PERSONNEL FOLDER AND MERGED RECORDS PERSONNEL FOLDER FILE

S4-5. MAINTENANCE OF THE OFFICIAL PERSONNEL FOLDER AND MERGED RECORDS PERSONNEL FOLDER

f(4) Standard Form 66-C

a(ADDED). Use the SF 66-C only when employing an individual in the technician program who has records of service in an agency listed in FPM Chapter 293, Appendix C.

n(1) Review of folder

(d)i. For the purpose of this paragraph, agency means Army National Guard or Air National Guard.

FIGURE 1 - LONG-TERM RETENTION RECORDS AND DOCUMENTS FILED ON THE RIGHT SIDE OF THE OFFICIAL PERSONNEL FOLDER (OPF) AND MERGED RECORDS PERSONNEL FOLDER (MRPF)

	Document	OPF/MRPF Filing Instructions	Note:
4.	AN AWARD OR COMMENDATION SF 50, Notification of Personnel Action	action documenting - - quality step increase - PMRS merit increase - cash awards - performance awards - suggestion awards	Backup documentation of awards (e.g., NGB approval letters) given prior to the use of the SF 50 should be moved to the EPF. NGB Forms 50 issued prior to the use of SFs 50, remain in the OPF; any backup documentation attached to that NGB Form 50 should be moved to the EPF.
	Letter of Commendation for a specific accomplishment	- the letter and any related endorsements	If NGB Form 51 is issued in addition to an SF 50, a copy of NGB Form 51 will not be filed in the OPF. For example, based on rating of record, a technician receives a cash award (NOAC 885 Performance Award) and an NGB Form 51. Only the SF 50 is filed in the OPF. If a duplicate copy of the NGB Form 51 is maintained, it will be part of the EPF. Letters of Commendation for a specific accomplishment means an accomplishment not in the normal performance of duty (see Figure 3, rule u).

FIGURE 1 - LONG-TERM RETENTION RECORDS AND DOCUMENTS FILED ON THE RIGHT SIDE OF THE OFFICIAL PERSONNEL FOLDER (OPF) AND MERGED RECORDS PERSONNEL FOLDER (MRPF) (CONT'D)

	Document	OPF/MRPF Filing Instructions	Note:
9.	A TRAINING FORM Training in Government Facilities Training in non-Government Facilities	(See FPM for what must be documented)	Training will be documented by filing Copy 1, DD Form 1556. Technicians will update their SF 171 to document all other training.
10.	OTHER PERSONNEL OR PERSONNEL RELATED FORMS OR DOCUMENTS Any form, letter or document recording disclosure of full or partial contents of the OPF/MRPF to a third party under the Privacy Act (5 USC 552a)	- form, letter or document which has full name of person to whom the information is disclosed, address, the reason for disclosure, date of disclosure and the nature of disclosure (i.e., how disclosed-copy, personal review, etc.)	Disclosure accounting requirements are outlined in Subpart E, 5 CFR 297 and the Department of Army and Department of Air Force Privacy Act regulations.
	SF 75, Request for Preliminary Employment Data	- form completed when providing information by telephone, or copy of completed form or statement to document disclosure (see instructions on back of SF75 for activity providing information).	Comply with Privacy Act accounting requirements whenever SF 75 data is provided.

FIGURE 2 - TEMPORARY RECORDS AND DOCUMENTS FILED ON THE LEFT SIDE OF THE OFFICIAL PERSONNEL FOLDER (OPF) AND MERGED RECORDS PERSONNEL FOLDER (MRPF)

Records of Temporary Value generally are		Note the following:
1.	j. Briefing statements (usually signed by employee), orientation checklists, requests for and approval of training	DD Form 1556 documents requests for and approval of training. There is no need for temporary documents; rather, wait until Copy 1 of DD Form 1556 is ready for long-term filing.
r(ADDED). NGB-TN Waivers (i.e., compatibility, temporary promotion)		
s(ADDED). SF 50 or SF 52 used to document a 900 NOAC		Because 900 codes record personnel matters of interest only to an agency and that agency's employees, they are normally filed as temporary OPF/MPRF records. However, the SPMO may decide to file all or just certain 900 code actions as long-term OPF/MPRF records.

FIGURE 3 - RECORDS AND DOCUMENTS PROHIBITED FROM BEING FILED IN THE OFFICIAL PERSONNEL FOLDER (OPF) AND MERGED RECORDS PERSONNEL FOLDER (MRPF)

	Records that may never be placed in the OFP/MRPF	Note the following
1.	u. Letters of appreciation (e.g., letters or memos expressing admiration, approval or gratitude for work done in the normal performance of duty)	Because such letters can serve as positive performance reminders, a copy should be filed in the supervisor's work folder. Technicians can submit updated SFs 171/172 if they feel such letters should be reflected in their OPF/MPRF.
	w(ADDED). Notification regarding length of service awards and pins (i.e., NGB Form 52)	
	x(ADDED). Copies of tax forms (W-2, W-4)	
	y(ADDED). Leave request forms	
	z(ADDED). Correspondence and/or application for civil service identification cards and records of issuance	
	aa(ADDED). 30-day notice letters (i.e., termination due to loss of military membership; trial period termination notice)	
	bb(ADDED). Copy of NGB Form 999	

SUBCHAPTER S5. EMPLOYEE PERFORMANCE FILE SYSTEM RECORDS

S5-3. WRITTEN IMPLEMENTATION REQUIREMENT

b(1)(ADDED). Responsibility for establishing written internal instructions on maintaining the EPFS is delegated to each SPMO. SPMOs can tailor instructions to their state's specific operating environment but must cover the areas listed in paragraph S5-3 of the FPM. TPR 293-31, Appendix D(ADDED) is an example of an EPFS instruction that meets the FPM requirements. Send one copy of the state's internal instructions to NGB-TN.

SUBCHAPTER S6. EMPLOYEE MEDICAL FILE SYSTEM

S6-3. IMPLEMENTATION INSTRUCTIONS

Responsibility for establishing written internal instructions on maintaining the EMFS is delegated to each SPMO. SPMOs, with assistance from medical, health and safety personnel, can tailor instructions to their state's specific operating environment but must cover the areas listed in paragraph S6-3 of the FPM. TPR 293-31, Appendix E(ADDED) is an example of an EMFS instruction that meets the FPM requirements. Send one copy of the state's internal instructions to NGB-TN.

SUBCHAPTER S8(ADDED). SUPERVISOR'S WORK FOLDER

S8-1. 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.

S8-2. 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 SFs 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.

S8-3. 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. SPMO 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 SPMO 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 folders 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 required by TPR 300(351) are 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.

S8-4. DOCUMENTS PROHIBITED

The following documents are prohibited from being filed in a supervisor's work folder:

a. Copies of SFs 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 have 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.

S8-5. 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.

S8-6. 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 S8-4j above).

S8-7. RETENTION AND DISPOSITION

a. Except as outlined in paragraph S8-3, 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. SPMOs can have supervisors destroy work folders or may require the folders be sent to the SPMO for review and disposition.

APPENDIX D (ADDED).

EXAMPLE OF AN
EMPLOYEE PERFORMANCE FILE SYSTEM INSTRUCTION

1. Purpose and Scope: The Employee Performance File System (EPFS) provides a method for maintaining performance-related records that:

a. Assist rating officials in monitoring and rating performance;

b. Provide technicians with information on their actual performance and how their performance may be improved; and

c. Form the basis for decisions involving pay, assignment, reassignment, promotion, reward, training, retention standing, reduction in grade, or removal actions.

2. Location: Performance-related records for each technician are maintained in separate Employee Performance Folders (EPFs) located in the Support Personnel Management Office (SPMO) and in supervisor's work folders (see subchapter S8(ADDED)). Performance data is maintained as part of the National Guard Bureau and this State's technician computer data base.

3. Type of Folders: A (enter type of folder used) is used in the SPMO. Supervisor work folders are standard manila folders with the technician's name written on them.

4. Manager: The SPMO has overall responsibility for the EPFS with the (enter title of position) delegated responsibility for day-to-day operation.

5. Contents: The following list represents performance-related records most likely found in the EPF.

a. Performance elements/standards.

b. Technician ratings of records.

c. Military appraisal required by TPR 300(351).

d. Documents created during the request for reconsideration/appeal process.

e. Documents concerning the denial of a within-grade increase or reflecting that a request for reconsideration has been made and its outcome. (This does not eliminate the need to establish separate reconsideration files as outlined in 5 C.F.R. 531.410(a)(2)).

f. Records documenting the action of the State Impartial Review Board or State Performance Standards Review Board.

g. Records kept during a rating period to track performance (e.g., quality control records and production records).

h. Performance improvement plans, memorandums or notations of counseling or progress review sessions including those made on NGB Form 904-1.

i. Other records which are valuable in reaching decisions on what course of action to take with regard to a technician's performance.

j. Documents supporting an award or commendation based on performance (e.g., NGB Form 32).

k. Requests or recommendations for training along with any related records regarding selection, nonselection or performance while attending training. Copy 1, DD Form 1556 will continue to be filed in the OPF.

l. Documents required by the position (e.g., copies of licenses, professional accreditation, certificates documenting proficiency with equipment or tools used and firearms proficiency).

6. Safeguards and access: All EPFS records will be protected against casual access; inappropriate disclosure to management officials or others outside this agency; and inappropriate invasion of personal privacy. Those maintaining EPFS records must use caution and discretion in securing and disclosing such records. Retrieval of computer-based performance data is by access code with audit trail. Access by a technician or representative to EPFS records will be handled in the same manner as access to OPFs.

7. Freedom of Information Act (FOIA) and Privacy Act: All records in the EPFS are subject to the FOIA and Privacy Act; Office of Personnel Management (OPM) and NGB regulations implementing these Acts; and are part of OPM's Government-wide Privacy Act system of records identified as OPM/GOVT-2.

8. Retention and disposition of EPFS records: EPFS records (manual/automated) are generally retained for a maximum of 3 years. Obsolete documents may be torn into pieces to preclude reconstruction and placed in regular trash containers, and magnetic tapes/disks are erased. When practical and cost-effective, records may be marked obsolete and returned to the technician concerned. The following specific rules apply:

a. Unless related to an ongoing proceeding, performance ratings and any documents related to that rating (e.g., standards, summary ratings, quality control records, reconsideration/appeal records, award documentation, counseling notations and WIG documentation) will be retained for 3 years. The

3-year timeframe begins from the date of final action on the performance rating; that could be the date of the approving official's signature on the rating or, if appealed, the date of final action on appeal.

b. An EPFS record needed in connection with an administrative or judicial proceeding may be retained as long as needed, but it cannot be used as a basis for future actions.

c. The 3-year retention schedule does not apply when an administrative or judicial ruling requires earlier removal.

d. If a technician's performance continues to be acceptable for 1 year, the performance improvement plan will be removed from the EPFS. The 1 year begins from the date of the plan.

e. Automated EPFS records may be kept beyond the 3-year retention deadline for statistical analysis only. Such records cannot be used as a basis for future actions.

f. Documents required by the position (e.g., licenses and proficiency certificates) are maintained until updated.

g. When a technician leaves this State's employment, any performance ratings that are 3 years old or less, along with the performance plan upon which the latest rating is based, are sent with the OPF to either the next servicing personnel office or to the National Personnel Records Center (NPRC). Any required summary rating must also be forwarded with the OPF. (This does not include military appraisals required by TPR 300(351)). All other performance-related records of former technicians will be disposed of within 1 year after separation from employment. If the technician is employed back in the State prior to record destruction, the EPFS documents will be purged for outdated material.

h. When an OPF is received from NPRC, performance ratings and supporting documents more than 3 years old will be disposed of. This includes a review of the permanent side of the OPF to ensure that previously authorized long-term ratings of "Outstanding" and "Unsatisfactory" are no longer on file.

i. Military appraisals required by TPR 300(351) are replaced annually.

APPENDIX E (ADDED).

EXAMPLE OF AN
EMPLOYEE MEDICAL FILE SYSTEM INSTRUCTION

1. Purpose and Scope: The Employee Medical File System (EMFS) provides a method for maintaining and disposing of medical records for Federal civil service technicians. The system provides for more effective management of medical records and protection of sensitive medical records, and ensures compliance with OSHA medical record keeping requirements.

2. Location: Technician medical records located in the SPMO are maintained in separate Employee Medical Folders (EMF). Additionally, technician medical records are located in (list specific locations). With the exception of test scheduling data, technician medical records are not automated. Supervisor work folders do not contain technician medical information.

3. Type of file: a. The SF 66-D is used by the SPMO. It is the official file which accompanies technicians throughout their Federal civil service career. Other locations listed in paragraph 2, above, use standard manila folders with the technician's name written on them.

b. SFs 66-D received from other agencies or the NPRC for newly hired technicians will be used by the SPMO. Records in these files may be placed in another location (e.g., medical surveillance file) as long as the integrity of the record is maintained.

4. Manager: The SPMO has overall responsibility for the EMFS with the (enter position title) delegated responsibility for day-to-day operation of the system.

5. Contents: a. This State follows FPM Supplement 293-31 guidance on the types of documents that can and cannot be filed in the EMFS. This written instruction will be updated if this State adds a short- or long-term document to the EMFS that is not addressed in FPM Supplement 293-31.

b. At this time, EO 12564 has not been implemented for technicians employed under 32 USC 709. Drug-testing records created as a result of Guard membership are maintained in accordance with military directives and are not part of the EMFS.

6. Technician versus Military Medical Records: Because of the dual status requirement, most technicians will also have military medical jackets. Records created as a result of Guard membership (hearing test given as part of military physical) will continue to be filed in the military medical jacket. Likewise, records created because of a technician's Federal civil service employment (e.g., hearing test required under OSHA medical surveillance regulations) must be filed in the EMFS. One system does not negate the need for the other.

7. Safeguards and Access: a. All EMFS records are protected against casual access, inappropriate disclosure to management officials and others outside this agency, and inappropriate invasion of personal privacy. Those maintaining EMFS records must use caution and discretion in securing such records.

b. To avoid misfiling and casual access, SFs 66-D maintained in the SPMO are kept apart from OPFs and EPFs. EMFS records maintained at locations outlined in paragraph 2 are stored in lockable metal file cabinets in secured areas.

c. Technicians have the right to personally review their EMFS records and, upon request, be provided a copy at no cost. However, when EMFS records contain information which a physician would hesitate to inform the technician about, the SPMO, based on medical advice, can apply special access procedures and release those records only to a physician or other person (e.g., clergy) named in writing by the technician.

d. Technicians wishing to provide access to another person may do so by providing the SPMO with a written notification which specifically identifies the person to be given access and the records to be provided.

e. The SPMO must ensure that medically related employment decisions are appropriate and consistent with OPM and NGB regulations.

8. Privacy Act: a. All records in the EMFS are subject to the Privacy Act and Office of Personnel Management (OPM) and NGB regulations implementing the Privacy Act, and are part of OPM's Government-wide Privacy Act system of records identified as OPM/GOVT-10

b. The routine uses of EMFS records are limited to those outlined in OPM/GOVT-10. These routine uses are permissive in nature; no disclosure (routine or otherwise) will be made without SPMO clearance. This control will protect the confidentiality of EMFS records and the confidentiality of the doctor/patient relationship.

c. All disclosures of EMFS records must be accounted for. If the disclosure accounting documentation pertains to a long-term EMFS record, it is filed as a long-term EMFS record; short-term disclosure accounting becomes a short-term EMFS record.

d. Under the Privacy Act, technicians are permitted to request amendment of EMFS records, including removal of a document or substitution of one medical opinion in lieu of another.

9. Freedom of Information Act (FOIA). The SPMO will handle any FOIA request pertaining to EMFS records.

10. Retention and Disposition of EMFS records: a. Long- and short-term EMFS records are retained for the duration of a technician's employment with this State. When a technician separates, the SPMO retrieves EMFS records being maintained in any of the locations identified in paragraph 2, above, and determines whether such records are long- or short-term documents. Long-term records are placed in the SF 66-D and forwarded to the next employing agency for continued use or to the NPRC where they are retained for 30 years. Short-term records are retained in the SPMO for 5 years from date of separation. They are then disposed of by shredding, burning or erasure of disks or tapes.

b. If a technician returns to employment in this State prior to record destruction, those short-term files will be made part of EMFS active files.

c. When a technician who has Guard membership separates for any reason from employment with this State, a notation will be filed as a long-term record to alert others that military medical records do exist and how those records may be obtained for review.