

OPM/Central-2, Complaints and Inquiries Records

58 FR 19154 (04/12/1993), 60 FR 63075 (12/08/1995), Prefatory Statement of Routine Uses, 87 FR 5874 (2/2/2022)

This unofficial consolidation of OPM/Central-2 is from the U.S. Office of Personnel Management Privacy Website at <https://www.opm.gov/privacy>.

SYSTEM LOCATION:

Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415, and OPM regional offices.

SYSTEM MANAGER(S):

Associate Director, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-0001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

- a. Current and former Federal employees who have filed complaints or submitted an inquiry about conditions in the agency or agency personnel actions affecting the individual, e.g., allegations or improper promotion actions, reduction-in-force procedures, or Fair Labor Standards Act (FLSA) procedures.
- b. Persons who are not current or former Federal employees who have complained or inquired about an agency decision or action related to the general area of personnel management.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records contains information or documents relating to the processing and adjudication of a complaint made to OPM under its regulations. The records may include information and documents regarding the actual personnel action of the agency in question and the decision or determination rendered by an agency regarding the issue raised.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Includes the following with any revisions or amendments: 5 U.S.C. 1302 and 3502; Executive Orders 9830, 10577, and 11491; and Pub. L. 93-259.

PURPOSE(S) OF THE SYSTEM:

The principal purpose for which these records are established is to retain a record of correspondence with an individual, over a complaint or inquiry, as a reference should that individual again contact OPM.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

Routine uses 1, 3 through 5, and 7 of the Prefatory Statement at the beginning of OPM's system notices apply to the records maintained within this system. The routine uses listed below are specific to this system of records only:

- a. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.
- b. To disclose information to any source from which additional information is requested in the course of adjudicating an appeal or complaint, to the extent necessary to identify the

individual, inform the source of the purpose(s) of the request, and to identify the type of information requested.

- To appropriate agencies, entities and persons when (1) OPM suspects or has confirmed that there has been a breach of the system of records, (2) OPM has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, OPM (including its information systems, programs and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with OPM's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
- To another Federal agency or Federal entity, when OPM determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

These records are maintained in an automated system and in file folders.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

These records are retrieved by the names of the individuals on whom they are maintained.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The records are located in lockable metal filing cabinets or in a secured room, with access limited to those persons whose official duties require such access.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

- a. Records related to most complaints or inquiries about conditions at an agency, or an agency's personnel actions affecting an individual, are maintained until the second calendar year following closing action on the complaint.
- b. Records related to Fair Labor Standard Act complaints are maintained indefinitely.
- c. All records are destroyed by shredding or burning.

NOTIFICATION PROCEDURES:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager, with the following exception:

Individuals who have filed or answered complaints or inquiries with an OPM field service office should contact the field service office.

Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. If appropriate, the agency in which employed when the complaint or inquiry was filed and the approximate date.
- c. Kind of response received.

RECORD ACCESS PROCEDURES:

Individuals who have filed a complaint or inquiry about an agency personnel action or about conditions existing in an agency will receive a response and, if necessary, be provided access to any other pertinent record. After a response to a complaint or inquiry has been received, an individual may request access to the official copy of the correspondence record by writing the system manager or OPM field service office indicated in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. If appropriate, the agency in which employed when complaint or inquiry was filed and the approximate date.
- c. Kind of response received.
- d. Individuals requesting access must also follow OPM's Privacy Act regulations regarding verification of identity and access to records (5 CFR part 297).

CONTESTING RECORD PROCEDURES:

Review of requests from individuals seeking amendment of their correspondence file records will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the nature of the complaint or inquiry, the identity of the individual, and the response furnished. Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. If appropriate, the agency in which employed when the complaint or inquiry was filed and the approximate date.
- c. Kind of response received.

Individuals requesting amendment of their records must also follow OPM's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR part 297).

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from:

- a. Individuals to whom the record pertains.
- b. Agency and/or OPM offices.
- c. Official documents relating to the complaint or inquiry.
- d. Related correspondence from organizations or individuals.