



Privacy Act of 1974; System of Records

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records, entitled BGFRS-26, “FRB—Employee Relations Records.” BGFRS-26 includes written communications and related documents involved in adjusting work-related problems, including records such as interpersonal and organizational conflicts and related documentation.

DATES: Comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. This new system of records will become effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER], without further notice, unless comments dictate otherwise.

The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the *Federal Register* in which to review the system and to provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

ADDRESSES: You may submit comments, identified by *BGFRS-26 “FRB—Employee Relations Records,”* by any of the following methods:

- *Agency Website:* <https://www.federalreserve.gov>. Follow the instructions for submitting comments at <https://www.federalreserve.gov/apps/foia/proposedregs.aspx>.
- *Email:* regs.comments@federalreserve.gov. Include SORN name and number in the subject line of the message.
- *Fax:* (202) 452-3819 or (202) 452-3102.

- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

In general, all public comments will be made available on the Board's website at

<https://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm> as submitted, and will not be modified to remove confidential, contact or any identifiable information. Public comments may also be viewed electronically or in paper in Room M-4365A, 2001 C St. NW Washington, DC 20551, between 9:00 a.m. and 5:00 p.m. during federal business weekdays.

FOR FURTHER INFORMATION CONTACT: David B. Husband, Senior Counsel, (202) 530-6270, or david.b.husband@frb.gov; Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services, please call 711 from any telephone anywhere in the United States.

SUPPLEMENTARY INFORMATION: The Board is modifying this system of records to reflect internal changes in Board employment programs and processes, changes to the Board's job classifications, and to include "common law employees" as a type of employee covered by the system. To reflect these changes, the Board has updated the system manager, the categories of individuals covered by the system, the categories of records in the system, and the record source categories. The Board is incorporating a link to the Board's general routine uses and is not amending or establishing any new routine uses.

The Board is also making technical changes to BGFRS-26 consistent with the template laid out in OMB Circular No. A-108. Accordingly, the Board has made technical corrections and non-substantive language revisions to the following categories: "Policies and Practices for Storage of Records," "Policies and Practices for Retrieval of Records," "Policies and Practices for Retention and Disposal of Records," "Administrative, Technical and Physical Safeguards," "Record Access Procedures," "Contesting Record Procedures," and "Notification Procedures." The Board has also created the following new fields: "Security Classification" and "History."

SYSTEM NAME AND NUMBER: BGFRS-26 “FRB—Employee Relations Records”.

SECURITY CLASSIFICATION: Unclassified.

SYSTEM LOCATION: Board of Governors of the Federal Reserve System

20th Street and Constitution Avenue, NW, Washington, DC 20551.

SYSTEM MANAGER(S): Kevin May, Manager – Employee Relations, People, Strategy, and Operations, Division of Management, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551, (202) 973-7339, or kevin.j.may@frb.gov.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM: Sections 10 and 11 of the Federal Reserve Act (12 USC 244 and 248).

PURPOSE(S) OF THE SYSTEM: These records are collected and maintained to assist the Board in administering its personnel functions, and to assist employees in resolving work-related issues.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: Past and present Board employees with work-related issues that involve the Employee Relations function. Employee means all full-time and part-time employees, student aides, office assistants, student interns, co-op employees, common-law employees, and those serving in term-limited positions.

CATEGORIES OF RECORDS IN THE SYSTEM: This system contains written communications and related documents involved in addressing issues and complaints brought to the Employee Relations function. Such documents include, but are not limited to, employee complaints about management practices, requests for conflict resolution services or trainings and related documentation, informal performance counseling, summaries of findings in EEO, OIG, and related matters, and related resolution/outcome documentation of general employee relations cases.

RECORD SOURCE CATEGORIES: Information is provided by the individual to whom the record pertains; individuals pertinent to the investigation/resolution/outcome of the matter (including witnesses); the individual's managers and officers; the Office of Diversity & Inclusion and the Office of Inspector General (report of findings); and employees and officers in the People, Strategy, and Operations function of the Board.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING

CATEGORIES OF USERS AND PURPOSES OF SUCH USES: General routine uses A, B, C, D, E, F, G, H, I, and J apply to this system. These general routine uses are located at <https://www.federalreserve.gov/files/SORN-page-general-routine-uses-of-board-systems-of-records.pdf> and are published in the Federal Register at 83 FR 43872 at 43873-74 (August 28, 2018). Records may also be used to disclose information to any source from which additional information is requested (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), when necessary to obtain information relevant to a Board decision to hire or retain an employee, issue a security clearance, conduct a security or suitability investigation of an individual, classify jobs, let a contract, or issue a license, grant, or other benefits.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS: Paper records in this system are stored in a secure room accessible only with a Board ID badge and access is limited to staff with a need to know. Electronic records are stored on a secure server with access limited to staff with a need to know.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS: Records can be retrieved by the names of the individuals on whom they are maintained or by employee identification number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Employee relations case files are retained for seven years after the case is closed or final settlement on appeal, as appropriate.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS: Paper records are stored in a secure room accessible only with a Board ID badge and access is limited to staff with a need to know. Electronic files are stored on secure servers that have the ability to track individual user actions within the systems. The audit and accountability controls are based on NIST and Board standards which, in turn, are based on applicable laws and regulations. The controls assist in detecting security violations and performance or other issues in the system. Access to the system is restricted to authorized users within the Board who require access for official business purposes. Users are classified into different roles and common access and usage rights are established for each role. User roles are used to delineate between the different types of access requirements such that users are restricted to data that is required in the performance of their duties. Periodic assessments and reviews are conducted to determine whether users still require access, have the appropriate role, and whether there have been any unauthorized changes.

RECORD ACCESS PROCEDURES: The Privacy Act allows individuals the right to access records maintained about them in a Board system of records. Your request for access must: (1) contain a statement that the request is made pursuant to the Privacy Act of 1974; (2) provide either the name of the Board system of records expected to contain the record requested or a concise description of the system of records; (3) provide the information necessary to verify your identity; and (4) provide any other information that may assist in the rapid identification of the record you seek.

Current or former Board employees may make a request for access by contacting the Board office that maintains the record. The Board handles all Privacy Act requests as both a Privacy Act request and as a Freedom of Information Act request. The Board does not charge fees to a requestor seeking to access or amend his/her Privacy Act records.

You may submit your Privacy Act request to the—

Secretary of the Board
Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue NW

Washington, DC 20551

You may also submit your Privacy Act request electronically by filling out the required information at: <https://foia.federalreserve.gov/>.

CONTESTING RECORD PROCEDURES: The Privacy Act allows individuals to seek amendment of information that is erroneous, irrelevant, untimely, or incomplete and is maintained in a system of records that pertains to them. To request an amendment to your record, you should clearly mark the request as a “Privacy Act Amendment Request.” You have the burden of proof for demonstrating the appropriateness of the requested amendment and you must provide relevant and convincing evidence in support of your request.

Your request for amendment must: (1) provide the name of the specific Board system of records containing the record you seek to amend; (2) identify the specific portion of the record you seek to amend; (3) describe the nature of and reasons for each requested amendment; (4) explain why you believe the record is not accurate, relevant, timely, or complete; and (5) unless you have already done so in a related Privacy Act request for access or amendment, provide the necessary information to verify your identity.

NOTIFICATION PROCEDURES: Same as “Access procedures” above. You may also follow this procedure in order to request an accounting of previous disclosures of records pertaining to you as provided for by 5 U.S.C. 552a(c).

EXEMPTIONS PROMULGATED FOR THE SYSTEM: None.

HISTORY: This SORN was previously published in the Federal Register at 73 FR 24984 at (May 6, 2008). The SORN was also amended to incorporate two new routine uses required by OMB at 83 FR 43872 (August 28, 2018).

Board of Governors of the Federal Reserve System.

Ann Misback,
Secretary of the Board.

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