

Retention and Classification Report

Agency: Labor Commission. OSHA Review Commission (827)

160 East 300 South
Salt Lake City, UT 84114
530-6859

Records Officer: Sara Danielson

81767	Contested case files, no hearing
81758	Contested case files, to hearing
83029	Hearing decisions
81898	Judges' research material

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 81767

3

TITLE: Contested case files, no hearing

DATES: 1975-

ARRANGEMENT: Numerical by docket number

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These are case files documenting contested citations of violation of Occupational Safety and Health standards which did not go to hearing. In these cases, either a decision was made for dismissal with an order to remand the case (back to Occupational Safety and Health), or a stipulation and settlement was reached and an order written stating the settlement. These files include the following original documents: formal complaints describing the violation, answers to the complaint, pleadings, orders signed by the judge, and all related correspondence. Also includes copies of the citation and the letter contesting the citation.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy.

STATE RECORDS COMMITTEE STATUS:

This retention was approved by the State Records Committee on 09/01/1988.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 2 years after case is closed and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 81767

TITLE: Contested case files, no hearing

(continued)

APPRAISAL:

Administrative

PRIMARY CLASSIFICATION:

Public

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 81758

3

TITLE: Contested case files, to hearing

DATES: 1970-

ARRANGEMENT: Numerical by docket number

ANNUAL ACCUMULATION: 2.00 cubic feet.

DESCRIPTION:

These are case files documenting formally contested citations for violations of Occupational Safety and Health standards. These cases have gone through the hearing process, as no prior settlement was reached. These files include following original documents: formal complaints describing the violation, answers to complaints, pleadings, tape recordings and possibly transcripts of hearings, judge's notes, all hearing exhibits (including slides and photographs, plus possibly non-record items), all decisions and appealed decisions, and all related correspondence. Also includes copies of the citation of violation, the letter contesting the citation, and the notice of hearing.

RETENTION:

Retain 7 years.

DISPOSITION:

Destroy.

STATE RECORDS COMMITTEE STATUS:

This retention was approved by the State Records Committee on 09/01/1988.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 2 years after case is closed and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy provided all original decisions have been removed.

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 81758

TITLE: Contested case files, to hearing

(continued)

APPRAISAL:

Administrative

As per 29 CFR 2201, all documents and records of the Review Commission are public except as listed in 5 USC 552b. All final decisions of the Review Commission including decisions of the Commissioners are public. As per 29 CFR 2202.21, statements of employment and financial interests and supplementary statements are private. As per 29 CFR 2203.7, all transcripts of hearings are public except in case of closed hearings described in 29 CFR 2203.3(b). For collection and disclosure of personal information by the Review Commission, see 29 CFR 2400. For individuals' access to personal information, see 29 CFR 2400.6.

PRIMARY CLASSIFICATION:

Public

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 83029

3

TITLE: Hearing decisions

DATES: 1970-

ARRANGEMENT: Numerical by docket number

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

These are the original decisions from hearings of the Utah Occupational Safety and Health Review Commission. Hearings regard contested citations for violations of Occupational Safety and Health standards. Any such formal appeal which cannot be settled out of hearing must go through the hearing process. Once a decision is made, it can be appealed to a higher court.

RETENTION:

Retain permanently.

DISPOSITION:

Retain in agency custody.

STATE RECORDS COMMITTEE STATUS:

This retention was approved by the State Records Committee on 09/01/1988.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

Microfilm master: Retain in Office permanently.

APPRAISAL:

Administrative

These records are of historical value as well as important research value for precedence determination by other judges. They should be microfilmed to insure a backup copy.

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 83029

TITLE: Hearing decisions

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: Labor Commission. OSHA Review Commission

SERIES: 81898

3

TITLE: Judges' research material

DATES: 1970-

ARRANGEMENT: Alphabetical by case

ANNUAL ACCUMULATION: 0.10 cubic feet.

DESCRIPTION:

These files are research material of past decisions regarding violations of Occupational Safety and Health regulations. They are used to determine precedence when a judge in the Review Commission is to make a decision on a contested citation of violation.

RETENTION:

Retain permanently.

DISPOSITION:

Retain in agency custody.

STATE RECORDS COMMITTEE STATUS:

This retention was approved by the State Records Committee on 09/01/1988.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently.

APPRAISAL:

Administrative Historical

This information has important research value for judges when making a decision regarding contested citations. It should be kept in the office permanently for the reference needs of the agency.