

**SYSTEM NAME AND NUMBER:**

Unofficial Personnel Records–FTC (FTC–II–2).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Chief Human Capital Officer, Human Capital Management Office (HCMO), Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, email: [SORNs@ftc.gov](mailto:SORNs@ftc.gov).

See OPM/GOVT-2 for information about the system manager and address for that system.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301, 1104, 3321, 4301-4305; 4311-4315; 5405, 6101-6106; 6301-6326; 6331-6340; 6361-6373; 6381-6387; 6391; 7301-7353; 5 U.S.C. Chapter 75; Executive Order 12107; and 5 CFR 293.

**PURPOSE(S) OF THE SYSTEM:**

To assist Commission managers and supervisors in making work assignment, evaluation, and other types of decisions related to the employees of the Federal Trade Commission; to assist

in evaluating performance, preparing promotion and award recommendations, preparing informal or formal disciplinary actions, approving leave, coordinating schedules, and preparing news releases; to assist supervisors in the interviewing, evaluation, and selection process when filling position vacancies; and to maintain records of those considerations and actions.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Current and former Commission employees, consultants, and contractors.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system of records contains information or documents about the educational background, employment, and work history of individuals. The types of records maintained vary with each supervisor and Commission unit. Each supervisor may maintain some or all of the following records: written notes or memoranda on employee conduct and performance (i.e., employee evaluation, employee forms, leave records, work assignments, or disciplinary problems), including performance-related records described in the Government-wide system of records notice published by the Office of Personnel Management (OPM) for this system of records, OPM/GOVT-2, or any successor OPM system notice that may be published for this system. There may be records relating to employee work schedules, consideration given to applicants for positions with the FTC, and “emergency contact” information collected by various offices informally.

**RECORD SOURCE CATEGORIES:**

Individual to whom the record pertains; individual’s supervisors; managers; Performance Review Boards; Executive Resource Boards; and other interested parties.

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

(1) Records identifying the individual's work schedule may be disclosed to that extent and for that purpose to others within or outside the agency;

(2) Records may be referred to the Office of Personnel Management concerning pay benefits, retirement deductions, and other information necessary for OPM to carry out its government-wide personnel management functions; and

(3) Records may also be used or disclosed for any of the purposes or routine uses set forth in the Government-wide systems of records notice published by OPM for this system of records, OPM/GOVT-2, or any successor OPM system notice that may be published for this system. (Visit [www.opm.gov](http://www.opm.gov) for more information.)

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 83 FR 55541, 55542-55543 (Nov. 6, 2018).

#### **POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Maintained in file folders, envelopes and in electronic formats.

#### **POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by individual's name.

#### **POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are generally retained in accordance with National Archives and Records Administration (NARA) General Records Schedule (GRS) 2.2, items 80 (supervisory personnel files) and 70-73 (employee performance records). A detailed retention schedule for employee performance-related records, which include ratings of record, supporting documentation for

those ratings, and any other performance-related material required by agency performance appraisal system, is also set forth in OPM/GOVT-2. In general, supervisory personnel files are destroyed within 1 year after the employee separates or transfers from the agency, and employee performance records that have not been destroyed as obsolete or superseded, or have not been placed in the employee's Official Personnel Folder (OPF), see FTC II-1, are destroyed when they are 4 years old for non-SES appointees, or 5 years old for SES appointments. Where any of these records are needed in connection with an administrative, quasi-judicial or judicial proceeding, they may be retained as authorized by GRS 2.2-2.3.

#### **ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets. Access to electronic records is controlled by "user ID" and password combination and/or other appropriate electronic access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

#### **RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008). Current FTC employees may also request access to their records directly from the manager maintaining the documents. If these documents have become part of a case file, due to an official review or investigation, the employee may request access through the appropriate office conducting the review or investigation (e.g., the Office of Inspector General, General Counsel, Equal Employment Opportunity and Workplace Inclusion, etc.).

## **CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008). Current FTC employees may also request access to their records directly from the manager maintaining the documents. If these documents have become part of a case file, due to an official review or investigation, the employee may request access through the appropriate office conducting the review or investigation (OIG, OGC, EEO, ER/LR, etc.).

## **NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008). Current FTC employees may also request access to their records directly from the manager maintaining the documents. If these documents have become part of a case file, due to an official review or investigation, the employee may request access through the appropriate office conducting the review or investigation (OIG, OGC, EEO, ER/LR, etc.).

## **EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

## **HISTORY:**

80 FR 9460-9465 (February 23, 2015)

74 FR 17863-17866 (April 17, 2009)

73 FR 33591-33634 (June 12, 2008).