

# **Schedule 37-170**

## **DEPARTMENT OF TRANSPORTATION**

### **HUMAN RESOURCE DIVISION**

**December 9, 2019**

Nebraska Records Management Division  
440 South 8<sup>th</sup> Street, Suite 210  
Lincoln, NE 68508  
(402) 471-2559

**REQUEST FOR APPROVAL  
OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

SCHEDULE

**37-170**

AGENCY, BOARD OR COMMISSION

**DEPARTMENT OF TRANSPORTATION**

DIVISION, BUREAU OR OTHER UNIT

**HUMAN RESOURCE DIVISION**

**Supersedes Edition of August 17, 2009**

**TO: STATE RECORDS ADMINISTRATOR  
STATE OF NEBRASKA**

**PART I – AGENCY STATEMENT:**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE



TITLE

Director

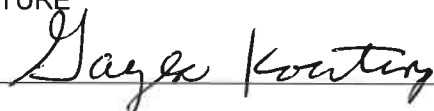
DATE

11/25/19

**PART II – APPROVAL OF STATE ARCHIVES:**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE



DATE

12/4/2019

**PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:**

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE



DATE

12/11/19

**PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE



DATE

12/11/2019

## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. <http://www.sos.ne.gov/dyindex.html>. This report establishes that the destruction was performed in your normal course of business.

### **NON-SCHEDULED RECORDS**

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division  
440 South 8th Street, Suite 210  
Lincoln, NE 68508-2294  
402-471-2559**

**SCHEDULE 37-170**  
**DEPARTMENT OF TRANSPORTATION**  
**HUMAN RESOURCE DIVISION**  
**December 9, 2019**

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.  
Records that are handled by all Divisions and Districts will be listed in Department of Transportation General Schedule 37  
If you cannot find a record or you have questions on its retention period, please  
contact the NDOT Records Officer in the Communication and Public Policy Division

Supersedes Edition of August 17, 2009

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
37-170-1	ACCIDENT REVIEW PANEL REPORTS		<b>ELECTRONIC RECORD:</b> Retain in ECM 3 years	<b>HR SECTION:</b> Safety Office
37-170-2	AERIAL/SCISSOR LIFT RECORDS	Aerial/scissor lift pre-use inspection checklist	<b>ELECTRONIC RECORD:</b> Retain in ECM 3 years	<b>HR SECTION:</b> Safety Office
37-170-3	ASBESTOS MONITORING RECORDS	All documents pertaining to asbestos in the work place.	<b>ELECTRONIC RECORD:</b> Retain in ECM Permanent <b>SECURITY MICROFILM:</b> Transfer to the State Records Center	<b>HR SECTION:</b> Safety Office
37-170-4	BODY FLUID EXPOSURE RECORDS	Incident form for blood/body fluid exposure.	<b>ELECTRONIC RECORD:</b> 30 years as required by Department Health and Human Services	<b>HR SECTION:</b> Safety Office
37-170-8	CATASTROPHIC LEAVE RECORDS	Catastrophic leave request forms, documentation of leave donations and related material	<b>ELECTRONIC RECORD:</b> 5 years after donated	<b>HR SECTION:</b> Employee Services
37-170-5	COMMERCIAL DRIVERS LICENSE THIRD-PARTY EXAMINER RECORDS	The employment of the third-party tester records to comply with federal requirements.	<b>ELECTRONIC RECORD:</b> 2 years after termination of third-party	
37-170-35	DISASTER RECOVERY BACK-UPS FOR ELECTRONIC RECORDS		Immediately dispose of obsolete records	Obsolete
37-170-11	DRUG AND/OR ALCOHOL TEST RECORDS	Documents and records relating to pre-employment, random, reasonable suspicion, post-accident, and law enforcement drug testing	<b>NEGATIVE TESTS:</b> 1 year (paper) <b>POSITIVE TESTS:</b> 5 years (ECM)	<b>HR SECTION:</b> Employee Services
37-170-6	EMPLOYEE ACCIDENT ANALYSIS AND SUMMARY	Studies and reports of employee accidents, work area, equipment, etc., causes and possible prevention. Also includes Monthly summary of all personal injury and vehicle accidents involving Department of Transportation employees.	<b>ELECTRONIC RECORD:</b> Dispose of after 3 years	
37-170-7	EMPLOYEE ACCIDENT FILE			See Schedule 124-General Records for State Agencies -- FIRST REPORTS OF ALLEGED ACCIDENT OR OCCUPATIONAL DISEASE OR FIRST REPORT OF OCCUPATIONAL INJURY OR ILLNESS, item 124-59

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
37-170-9	EMPLOYEE COMPLAINT INVESTIGATION FILES			See Schedule 124-General Records for State Agencies -- EMPLOYMENT INVESTIGATION RECORD, item 124-36 <b>HR SECTION:</b> Employee Performance
37-170-17	EMPLOYEE DISABILITY ACCOMMODATION RECORDS	Accommodation Request Form (NDOT55) or other documented request; correspondence including email to and from the employee, supervisors, physicians and others related to the accommodation request and interactive process; medical statements & documents; related medical and disability information/documents of the employee; Written response to accommodation request accepting, modifying, or denying request	10 years after termination; or 1 year after all litigation is completed, whichever is longer	<b>HR SECTION:</b> Employee Performance
37-170-10	EMPLOYEE HISTORY FILE			See Schedule 124-General Records for State Agencies -- EMPLOYMENT HISTORY FILE, item 124-51
37-170-18	EMPLOYEE MEDICAL RECORDS	Doctors notes/correspondence and related employee medical records	<b>AGENCY COPY:</b> Retain in ECM. 5 years after case is closed. No other copies should be retained.	<b>HR SECTION:</b> Employee Services
37-170-19	EMPLOYEE RECOGNITION RECORDS			See Schedule 124-General Records for State Agencies -- EMPLOYEE RECOGNITION RECORDS, item 124-50 <b>HR SECTION:</b> Employee Services
37-170-20	EMPLOYMENT SEPARATION CHECKLIST	Record of state materials and equipment turned in by employees upon termination of employment (ID badge, keys, etc.)	1 year	Maintained by Division/District
37-170-12	EXIT INTERVIEW RECORDS AND REPORTS	Questionnaire is filled out by employees who terminate with the department and includes their reasons for leaving.	<b>ELECTRONIC RECORD:</b> 3 years	
37-170-22	FACILITY SAFETY CHECKLIST	Facility safety checklist.	<b>ELECTRONIC RECORD:</b> Retain in ECM 3 years	<b>HR SECTION:</b> Safety Office
37-170-23	FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS			See Schedule 124-General Records for State Agencies -- FMLA LEAVE FORMS, item 124-60
37-170-13	FINAL DOCUMENTATION ON POSITIONS FILLED		Immediately dispose of obsolete records	Obsolete
37-170-24	FIRST REPORT OF ALLEGED ACCIDENT OR OCCUPATIONAL DISEASE OR FIRST REPORT OF OCCUPATIONAL INJURY OR ILLNESS			See Schedule 124-General Records for State Agencies -- FIRST REPORT OF ALLEGED ACCIDENT OR OCCUPATIONAL DISEASE, item 124-59 <b>HR SECTION:</b> Employee Services

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
37-170-34	<b>FORKLIFT EVALUATION AND TEST SCORES</b>	Employee forklift evaluation and test scores	<b>PAPER RECORD:</b> Scan and destroy paper copy after image verification <b>ELECTRONIC RECORD:</b> Retain in ECM 3 years	<b>HR SECTION:</b> Training
37-170-14	<b>FUND RAISING CAMPAIGN RECORDS</b>			See Schedule 124-General Records for State Agencies -- EMPLOYEE PAYROLL DEDUCTION INFORMATION, item 124-48
37-170-36	<b>GRIEVANCE RECORDS</b>			See Schedule 124-General Records for State Agencies -- GRIEVANCE RECORDS, item 124-64 <b>HR SECTION:</b> Employee Performance
37-170-15	<b>MATERIALS SAFETY DATA SHEETS</b>	Material safety data sheets originate with the chemical companies that provide various chemicals or products that facilities use in various departments. MSDSs reports the harmful substance contained in the products used and what steps are necessary if a person comes into contact with the substance.	After chemical is no longer used at the facility	
37-170-16	<b>MEDICAL RECORDS</b>	Medical examination reports on drivers, respirator wearers, asbestos removers, etc., and records on employees who received hepatitis shots.	<b>ELECTRONIC RECORD:</b> Retain in ECM. 30 years after termination of employment	
37-170-37	<b>ORGANIZATION CHARTS</b>			See Schedule 124-General Records for State Agencies -- ORGANIZATION CHARTS, item 124-83 <b>HR SECTION:</b> Employee Services
37-170-21	<b>POSITION ASSIGNMENTS, CLASSIFICATIONS BY PAY GRADE</b>		Immediately dispose of obsolete records	Obsolete
37-170-38	<b>POSITION VACANCY RECRUITMENT AND SELECTION RECORDS</b>			See Schedule 124-General Records for State Agencies -- APPLICATIONS AND OTHER SUPPLEMENTAL MATERIAL USED TO HIRE AND NOT HIRE PERSONS, item 124-11 <b>HR SECTION:</b> Recruitment
37-170-26	<b>RADIATION (NUCLEAR GAUGES) RECORDS</b>	Records required per Title 180 for compliance with rules, the department performed physical inventory to account for all sources and/or devices under the conditions of the license. Includes inventory, leak tests, and badge records.	Dispose of after 10 years	<b>HR SECTION:</b> Safety Office

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
37-170-25	<b>RADIATION EXPOSURE AND EMPLOYEE RECORDS</b>	Records showing the radiation exposures of all employees who operate nuclear density gauges. Per Title 180.	<b>ELECTRONIC RECORD:</b> Retain in ECM. 30 years after termination <b>SECURITY MICROFILM PRIOR TO 1988:</b> Immediate disposal	<b>HR SECTION:</b> Safety Office
37-170-33	<b>RADIATION SAFETY REVIEWS (NDOT FORM 183)</b>	Reports required per Title 180 for compliance with rules; the department approved operating, safety, security, transportation, storage facilities of gauges and emergency procedures and conditions of the license.	<b>ELECTRONIC RECORD:</b> Retain in ECM. 3 years	<b>HR SECTION:</b> Training
37-170-27	<b>RADIATION SAFETY TRAINING RECORDS</b>	Copies of nuclear gauge training certificates. Per Title 180.	<b>TRAINING ROSTERS:</b> Dispose of after 3 years <b>CERTIFICATES:</b> Scan and retain in ECM. 10 years after termination of employment.	<b>HR SECTION:</b> Training
37-170-39	<b>REQUESTS FOR EXTENSION OF TEMPORARY</b>	Correspondence	1 year	<b>HR SECTION:</b> Recruitment
37-170-40	<b>SAFETY CONCERN/ SUGGESTION RECORDS</b>	Safety concern or safety suggestion form	<b>ELECTRONIC RECORD:</b> Retain in ECM. 3 years after issue is addressed	<b>HR SECTION:</b> Safety Office
37-170-28	<b>SAFETY INSPECTIONS (NDOT FORM 87)</b>	Reports of unsafe and unhealthy conditions found in the division and district facilities and during annual inspections.	<b>ELECTRONIC RECORD:</b> Retain in ECM. 3 years	
37-170-29	<b>SAFETY MEETING REPORTS AND</b>	Safety meeting reports about reducing workplace injuries and accidents.	<b>ELECTRONIC RECORD:</b> Retain in ECM. 3 years	
37-170-41	<b>SAFETY REVIEW AUDIT AND/OR INSPECTION</b>	Safety review audit and/or inspection	<b>ELECTRONIC RECORD:</b> Retain in ECM. 3 years	<b>HR SECTION:</b> Safety Office
37-170-42	<b>SALARY SURVEY RECORDS</b>	Records relating to salary surveys conducted by NDOT or other entities such as AASHTO, WASHTO, other states, etc.	<b>PAPER RECORD:</b> Superseded until obsolete	<b>HR SECTION:</b> Class & Comp
37-170-43	<b>STAFFING REPORTS</b>	Records and documents relating to agency and division staffing	<b>ELECTRONIC RECORD:</b> Superseded until obsolete	<b>HR SECTION:</b> Employee Services
37-170-30	<b>STATE PERSONNEL JOB AUDIT DOCUMENTATION</b>	Documentation on job reclassification. Includes request for job audit, correspondence between NDOT and State Personnel, authorization from State Personnel, etc. PDQ job description form.	<b>ELECTRONIC RECORD:</b> Dispose of after 5 years	<b>HR SECTION:</b> Class & Comp
37-170-44	<b>TOWER CLIMBING VERIFICATION LOG</b>	Tower climbing verification log	<b>ELECTRONIC RECORD:</b> Retain in ECM 10 years	<b>HR SECTION:</b> Training

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37-170-31	TRAINING RECORDS	Class Rosters of NDOT employees attending training. May include first aide, CPR, defensive driving, flagging, right-to-know and fire protection computerized records ret.	<b>CLASS ROSTERS:</b> Dispose of after 3 years <b>ALL OTHER RECORD:</b> Dispose of after termination of employment <b>ELECTRONIC RECORD:</b> Dispose of after termination of employment	
37-170-32	TRAINING THROUGH INSTALLATION FACILITIES OR OTHER FACILITIES	Individual case files containing application, training schedules, examination records (performance and technical information tests), certificates of eligibility and related materials, Specialized Training requests, and Course Contracts/Agreements for courses	<b>PAPER RECORD:</b> Dispose of 1 year after completion of course, or 1 year after individual discontinues training, whichever is sooner	
37-170-45	TUITION ASSISTANCE RECORDS			See Schedule 124-General Records for State Agencies -- REQUEST FOR TUITION ASSISTANCE, item 124-110 <b>HR SECTION:</b> Training Section
37-170-46	WAGE & HOURS/FAIR LABOR STANDARDS ACT (FLSA) RECORDS	Manuals, guidelines, forms, correspondence	Superseded until obsolete	<b>HR SECTION:</b> Class & Comp
37-170-47	WORK PERFORMANCE RECORDS	Documentation and correspondence related to employee performance and administrative actions taken	5 years after the date of issuance or final resolution of discipline/grievance, whichever is longer	<b>HR SECTION:</b> Employee Performance