

U.S. Nuclear Regulatory Commission

Privacy Impact Assessment

(Designed to collect the information necessary to make relevant determinations regarding the applicability of the Privacy Act, the Paperwork Reduction Act information collections requirements, and record management requirements.)

for the

Labor Relations Module Of the Labor Relations, Ethics, and EEO Complaints Software (LEES) Implementation

Date prepared: May 9, 2008

A. GENERAL SYSTEM INFORMATION

1. **Provide brief description of the system:**

Labor Relations, Ethics, and EEO Complaint Software Implementation (LEES) is a combined implementation to automate manual paper-based business processes of the Office of Human Resources (OHR) Labor Relations, the Office of the General Counsel (OGC) Ethics program, and the Office of Small Business and Civil Rights (SBCR) EEO complaints process. Each of these offices was in need of purchasing a web-based Commercial-Off-The-Shelf (COTS) product that will streamline and improve overall efficiency in processing, managing and reporting on labor relations information; collecting and reporting on financial disclosure information; and tracking, processing, and reporting on EEO complaints.

2. **What agency function does it support?**

LEES supports OHR's Labor Relations function; OGC's Financial Disclosure, Ethics training and counseling functions; and SBCR's EEO complaints function.

This PIA addresses the Labor Relations module.

3. **Describe any modules or subsystems, where relevant, and their functions.**

The Labor Relations module manages the relationship between the agency and its unions and bargaining units. This includes negotiation and administering labor

contracts and collective bargaining agreements; managing negotiated grievances; and participating in negotiated third party proceedings.

4. Points of Contact:

Project Manager	Office/Division/Branch	Telephone
Kay v. Moses	OIS/BPIAD/BPPMB	301-415-5856
Business Project Managers	Office/Division/Branch	Telephone
Cecilia Rajnic	OHR/ELRWB	301-492-2283
Technical Project Manager	Office/Division/Branch	Telephone
Cecilia Rajnic	OHR/ELRWB	301-492-2283
Executive Sponsor	Office/Division/Branch	Telephone
James McDermott	OHR	301-492-2076

5. Does this Privacy Impact Assessment (PIA) support a proposed new system or a proposed modification to an existing system?

a. New System Modify Existing System Other (Explain)

This Privacy Impact Assessment supports implementation of automating OHR’s Labor Relations paper-based applications to an online web-based application.

b. **If modifying an existing system, has a PIA been prepared before?**

Not Applicable.

(1) **If yes, provide the date approved and ADAMS accession number.**

B. INFORMATION COLLECTED AND MAINTAINED

(These questions are intended to define the scope of the information requested as well as the reasons for its collection. Section 1 should be completed only if information is being collected about individuals. Section 2 should be completed for information being collected that is not about individuals.)

1. INFORMATION ABOUT INDIVIDUALS

a. **Does this system maintain information about individuals?**

Yes

- (1) **If yes, what group(s) of individuals (e.g., Federal employees, Federal contractors, licensees, general public) is the information about?**

Federal employees and Federal contractors who are witnesses.

- b. **What information is being maintained in the system about individuals (describe in detail)?**

For Federal Contractors contact information only.

Federal Employees
Employee Name
Supervisor/Manager Name
Phone Number
Business location
Organization
Complaint/Issue description
Disciplinary/Adverse action taken
Grievance data
System-generated case number.

- c. **Is the information being collected from the subject individuals?**

Yes.

- (1) **If yes, what information is being collected from the individuals?**

All information listed under 1.b.

- d. **Will the information be collected from 10 or more individuals who are not Federal employees?**

No.

- (1) **If yes, does the information collection have OMB approval?**

(a) **If yes, indicate the OMB approval number:**

- e. **Is the information being collected from internal files, databases, or systems?**

Yes

- (1) **If yes, identify the files/databases/systems and the information being collected.**

Depending on the issue, collect only what is needed to take the pertinent action from the following:

Federal Personnel Payroll System (FPPS): title, series, grade, SCD, leave balances, WGI due dates, performance ratings, bargaining unit status, retirement eligibility, forwarding address, separation dates.

HR Merit Staffing Files: selections, qualification determinations Employee/Labor Relations and Work Life Branch (ELRWB), formerly OLR, paper files: everything - we're going to scan our paper files into the database so we can go paperless.

f. Is the information being collected from an external source(s)?

No

(1) If yes, what is the source(s) and what type of information is being collected?

g. How will this information be verified as current, accurate, and complete?

ELRWB staff will verify the currency, accuracy and completeness of data.

h. How will the information be collected (e.g. form, data transfer)?

Information will be collected directly from individual employees by personal interview and/or through declaration, Official Personnel Folders, Merit Staffing Files. Information will be manually entered into the system from verbal input.

i. What legal authority authorizes the collection of this information?

The Civil Service Reform Act of 1978 requires all Federal agencies to establish an employee and labor management relations program. NRC Management Directive 10.102, Labor-Management Relations Program for Federal Employees, defines the NRC Labor-Management Relations Program.

j. What is the purpose for collecting this information?

The purpose for collecting this info is to accurately capture, store, manage, track, and report the issues, status, and outcomes of employee management issues and grievances.

2. INFORMATION NOT ABOUT INDIVIDUALS

a. What type of information will be maintained in this system (describe in detail)?

Disciplinary/Adverse actions, grievance, statistical data such as number of cases per year, types of cases.

b. What is the source of this information? Will it come from internal agency sources and/or external sources? Explain in detail.

Internal sources. This information will result directly from the manually entered data by the OHR/ELRWB Specialists and from information verified by employees and supervisors. Upon entry, the system will generate a case number for each case entered.

c. What is the purpose for collecting this information?

Such information is relevant for reporting to the Commission, OMB, EEOC, MSPB, FLRA, et.al.

C. USES OF SYSTEM AND INFORMATION

(These questions will identify the use of the information and the accuracy of the data being used.)

1. Describe all uses made of the information.

The electronic data will replace a large portion of the old paper-file-cabinet storage operation currently used in OHR/ELRWB for its labor-management relations program. Some paper case evidence such as signed, sworn affidavits may not be replaced electronically until such time as the agency has electronic signature capability. Additionally, ad-hoc reports can be generated with updated information with the touch of a key-stroke for reporting to senior management, union representatives, the Commission, and OMB.

2. Is the use of the information both relevant and necessary for the purpose for which the system is designed?

Yes.

3. Who will ensure the proper use of the information?

The end users (Labor/Employee Relations Specialists) are responsible for ensuring the proper use of the information.

4. Are the data elements described in detail and documented?

No.

a. If yes, what is the name of the document that contains this information and where is it located?

5. **Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected?**

No.

- a. **If yes, how will aggregated data be maintained, filed, and utilized?**
- b. **How will aggregated data be validated for relevance and accuracy?**
- d. **If data are consolidated, what *controls* protect it from unauthorized access, use, or modification?**

6. **How will the information be *retrieved* from the system (be specific)?**

Information will be retrieved by last name, case number, or case type.

7. **Will this system provide the capability to identify, locate, and monitor (e.g., track, observe) individuals?**

No.

- a. **If yes, explain.**

- (1) **What controls will be used to prevent unauthorized monitoring?**

8. **Describe the report(s) that will be produced from this system.**

NRC required periodic reporting and requested data to Office of the Inspector General, OGC, and Equal Employment Opportunity Commission reports required under the NO FEAR Act, ad hoc reports to track trends of types of misconduct, and workload.

- a. **What are the reports used for?**

Reports will be generated and submitted to satisfy agency senior management, Commission, collective bargaining agreement, and OMB requirements.

- b. **Who has access to these reports?**

The 5 system users and those who are authorized access or have a need to know, NO FEAR Act reports are published for oversight agencies: Congress, Department of Justice, Office of Personnel Management, and the Attorney General.

D. RECORDS RETENTION AND DISPOSAL

(These questions are intended to establish whether the information contained in this system has been scheduled, or if a determination has been made that a general record schedule can be applied to the information contained in this system. Reference NUREG-0910, "NRC Comprehensive Records Disposition Schedule.")

- 1. Has a retention schedule for this system been approved by the National Archives and Records Administration (NARA)?**

No

- a. If yes, list the disposition schedule.**

- 2. Is there a General Records Schedule (GRS) that applies to information in this system?**

Yes

- a. If yes, list the disposition schedule.**

GRS 1 Item 28 and Item 30 in conjunction with GRS 20-3

- 3. If you answered no to questions 1 and 2, complete NRC Form 637, NRC Electronic Information System Records Scheduling Survey, and submit it with this PIA.**

E. ACCESS TO DATA

- 1. INTERNAL ACCESS**

- a. What organizations (offices) will have access to the information in the system?**

OHR/ELRWB

- (1) For what purpose?**

To track grievance data relating to labor relations and employee relations, including bargaining units and agreements, from beginning to end.

- (2) Will access be limited?**

Yes. Limited to the 5 ELRWB Staff users. The Program Manager and the Application Administrator will define the user access roles of the Labor/Employee Relations Specialists, and will monitor all accessibility to the tracking system. Each user will be restricted/limited access by the Application Administrator. The system is designed for access by user ID and password. In addition, the system will not be accessible by unauthorized users.

System Administrator will provide database management and technical support. Access will be limited.

b. Will other systems share or have access to information in the system?

No

(1) How will information be transmitted or disclosed?

c. What controls will prevent the misuse (e.g., unauthorized browsing) of information by those having access?

The Program Manager will define the level of access by all the Labor/Employee Relations Specialists, and the Application Administrator. The Program Manager and the Application Administrator will define the user access roles of the Labor/Employee Relations Specialists, and will monitor all accessibility to the tracking system. Each user will be restricted/limited access by the Application Administrator. The system is designed for access by user ID and password. In addition, the system will not be accessible by unauthorized users.

d. Are criteria, procedures, controls, and responsibilities regarding access documented?

Not currently.

(1) If yes, where?

2. EXTERNAL ACCESS

a. Will external agencies/organizations/public share or have access to the information in this system?

No

(1) If yes, who.

b. What information will be shared/disclosed and for what purpose?

- c. **How will this information be transmitted or disclosed?**

F. TECHNICAL ACCESS AND SECURITY

1. **Describe security controls used to limit access to the system (e.g., passwords). Explain.**

Users will be required to login to the system using a login id and password. Password control will follow the guidance in Management Directive 12.5.

2. **Will the system be accessed or operated at more than one location (site)?**

Yes. OLR employees working at alternate work sites will have access to information stored in the system at their desk at Headquarters or in the regions, or by using CITRIX to access their NRC accounts remotely.

- a. **If yes, how will consistent use be maintained at all sites?**

Users are required to adhere to NRC's policies for computer use.

3. **Which user group(s) (e.g., system administrators, project manager, etc.) will have access to the system?**

System administrators, application administrators, and general users will have access to the system.

4. **Will a record of their access to the system be captured?**

Yes.

- a. **If yes, what will be collected?**

Audit logs will capture login ids, IP address, and timestamp when a user log in and what they did within the system.

5. **Will contractors have access to the system?**

Yes.

- a. **If yes, for what purpose?**

System administration, including operations and maintenance.

6. **What auditing measures and technical safeguards are in place to prevent misuse of data?**

Audit trails and logging in addition to database security will be in place.

7. **Are the data secured in accordance with FISMA requirements?**

Yes

If yes, when was Certification and Accreditation last completed?

LEES is covered by the Certification and Accreditation of the NRC LAN/WAN.

PRIVACY IMPACT ASSESSMENT REVIEW/APPROVAL
(For Use by OIS/IRSD/RFPSB Staff)

System Name: Labor Relations Module/LEES

Submitting Office: Office of Human Resources (OHR)

A. PRIVACY ACT APPLICABILITY REVIEW

Privacy Act is not applicable.

Privacy Act is applicable.

Comments:

The Labor Relations Module of LEES is will be maintained as part of NRC’s Privacy Act system of records NRC-8, “Employee Disciplinary Actions, Appeals, Grievances, and Complaints Records.”

Reviewer’s Name	Title	Date
Sandra S. Northern	Privacy Program Officer	May 22, 2008

B. INFORMATION COLLECTION APPLICABILITY DETERMINATION

No OMB clearance is needed.

OMB clearance is needed.

Currently has OMB Clearance. Clearance No. _____

Comments:

Information collected from federal contractors is for contact purposes only and is not subject to the Paperwork Reduction Act.

Reviewer’s Name	Title	Date
Gregory Trussell	Information Collections Team Leader	May 28, 2008

C. RECORDS RETENTION AND DISPOSAL SCHEDULE DETERMINATION

No record schedule required.

**TRANSMITTAL OF PRIVACY IMPACT ASSESSMENT/
PRIVACY IMPACT ASSESSMENT REVIEW RESULTS**

TO: James McDermott, Director, Office of Human Resources	
Name of System: Labor Relations Module of LEES	
Date RFPSB received PIA for review: May 14, 2008	Date RFPSB completed PIA review: June 2, 2008
<p>Noted Issues:</p> <p>The Labor Relations Module of LEES is will be maintained as part of NRC's Privacy Act system of records NRC-8, "Employee Disciplinary Actions, Appeals, Grievances, and Complaints Records."</p> <p>This PIA supersedes the previous Labor Relations PIA reviewed/approved 4/17/2007 and located in ADAMS at ML070930154.</p> <p>No information collections issues.</p> <p>Records retention and disposition should be in accordance with General Record Schedule 1, Item 28 "Labor Management Relations Records."</p>	
Margaret A. Janney, Chief Records and FOIA/Privacy Services Branch Information and Records Services Division Office of Information Services	Signature/Date: /RA/ 06/04/2008
<p><i>Copies of this PIA will be provided to:</i></p> <p><i>James C. Corbett, Director Business Process Improvement and Applications Division Office of Information Services</i></p> <p><i>Paul Ricketts Senior IT Security Officer (SITSO) FISMA Compliance and Oversight Team Computer Security Office</i></p>	