

**U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons**



**PROGRAM STATEMENT
Personnel Records and Files**

Approved by	<i>William K. Marshall III</i> William K. Marshall III Director, Federal Bureau of Prisons
OPI	HRM
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Summary of Changes

<i>Program Statement Rescinded:</i> <ul style="list-style-type: none">3293.01 Personnel Records and Files (7/25/2017)
<i>Changes:</i> <ul style="list-style-type: none">Removed the term “CPU” from Section 3.e.Updated reference under Responsibilities in Section 4.c.Updated time and attendance retention time frame under Timekeepers & Timekeyers in Section 4.c.Added “(or equivalent)” to OPM Form 71, Request for Leave or Approved Absence references.Removed attachments, Minimum Reports Requirements for Human Resource Offices and BP-A1096, Pre-Exit Clearance Form, and added reference these documents can be located on the Bureau’s intranet site.

1. PURPOSE AND SCOPE

To provide procedures and responsibilities for:

- the clearance of separating staff,
- personnel records, and
- time and attendance (T&A) reporting.

a. Program Objectives.

- Outstanding property obligations and financial indebtedness to the Bureau of Prisons (Bureau) will be addressed prior to a staff member’s separation.

- Communicate the requirements for the establishment, maintenance, and availability of staff electronic personnel records.
- Communicate the requirements for the processing of T&A data.

b. **Institution Supplement.** None.

2. CLEARANCE PROCEDURES

This section prescribes responsibilities and procedures for the clearance of all outstanding property obligations and financial indebtedness to the Bureau prior to a staff member's resignation, transfer, retirement, or any other type of separation from the Bureau or reassignment to another duty location.

Procedures. Staff departing from a duty station are responsible for identifying, returning, or accounting for all accountable items received from the Bureau during the course of their employment, excluding wearable items (e.g., foul weather gear and shoes). The Human Resource Office (HRO) will ensure a departing staff member completes the BP-A1096, Pre-Exit Clearance Form, which can be found on the Bureau's intranet site in the BOP Forms Directory, during the clearance process and certify all required clearances have been obtained by the staff member on or before the last day of duty. If the staff member does not complete the form, the HRO will document this on the form in the signature block. Certified BP-A1096, Pre-Exit Clearance Forms will be destroyed 1 year after date of separation or transfer, but longer retention is authorized if required for business use.

3. PERSONNEL RECORDS AND FILES

The following regulations and instructions are for establishment, maintenance, availability, and disposition of the electronic Official Personnel Folder (eOPF) and the Employee Performance File (EPF).

a. **Custodians of Personnel Records.** The Office of Personnel Management (OPM) has government-wide responsibility for the overall personnel recordkeeping system, including policies and standards, however, it is not automatically the custodian of every individual eOPF. Instead, the agency that employs the person and has primary access to that individual's eOPF acts as the custodian of the personnel records while the person is employed.

b. **Location of Records.** Personnel records for current Bureau staff are stored electronically in a secure central repository maintained by OPM.

c. **Forwarding Files Outside the Bureau of Prisons.** When a staff member moves to another federal agency, the eOPF must be sent to the gaining agency. In addition, performance records that are four years old or less (five years old or less for Senior Level [SL] and Senior Executive

Service [SES]), and eOPFs for separated staff must be forwarded to the National Personnel Records Center (NPRC).

d. **Staff Access and Availability to Information.** All staff will be provided with electronic access to their official personnel and performance records, which will be made available during work hours at all Bureau locations. Upon request, staff, recently separated staff, or designated representatives may receive eOPF documents by contacting the servicing HRO. Documents will be provided upon verification of identity or appropriate authorization.

e. **Response To Subpoenas.** The servicing HRO will be guided by 5 CFR 297.402 and The Guide to Personnel Recordkeeping (U.S. Office of Personnel Management [OPM]) in responding to a subpoena for personnel records. All subpoenas will be referred to the Office of General Counsel for guidance.

f. **Sensitive Personnel Information.** Any document which has an individual's Social Security number is regarded as "Sensitive But Unclassified" (SBU) and must be physically safeguarded against unauthorized use and disclosure. SBU information will be handled in accordance with the Program Statement **Information Security**.

g. **Access to Staff Records.** Only Human Resources staff may have access, maintain, or process any forms or records pertaining to staff. All functions involved in handling staff records must be performed by a civilian staff member of the Bureau.

h. **Information Available to the Public.** The following information is in the public domain and may be released without the staff member's authorization:

- Name
- Present title, series, grade, salary, duty station
- Past titles, series, grades, salaries, duty stations
- Position description
- Performance standards (not performance rating)

i. **Release of Information With/Without the Staff Member's Consent.** Information concerning performance, attendance, conduct, or work quality of a staff member or former staff member may be released with the signed written consent of the staff member or former staff member. Any information provided must be specific, factual, and well documented by the records. Authorized officials and others who receive inquiries must be careful not to offer unsubstantiated opinion or comments.

The staff member's consent is not required to provide this information when the information is subpoenaed, court ordered or subject to production by the Agency in the course of an official

investigation and/or litigation, in accordance with the Privacy Act of 1974. In addition, applying for a position implies consent from the staff member to release information.

j. **Restricted Information.** Information regarding any phase of the pre-employment screening process or background investigations should not be disclosed to anyone except Bureau, Department of Justice (DOJ), or OPM officials involved in making suitability or qualification determinations or conducting an official investigation. Disclosure of such information within the Bureau is restricted to those who need to know the information in order to perform their official duties.

k. **Release of Information Concerning Staff Termination.** Information concerning former staff who were terminated or removed from their position is particularly sensitive. Release of such information, even with the written consent of the former staff member, must be specific, factual, and well supported by the records. Because probationary staff have limited appeal rights, and therefore little chance to refute allegations against them, and because the reason for termination is not normally documented in the eOPF, the reason for probationary staff terminations should not be disclosed outside the Bureau, unless required by law.

Occasionally, the Bureau agrees to resolve an adverse action appeal by accepting the staff member's resignation in lieu of removal and agreeing to provide a "neutral" reference to prospective employers. HRO officials responding to requests for information in these cases must be especially mindful of these agreements and ensure the terms of the agreement are met. HRO officials will direct supervisors and others who may receive inquiries in these cases, to refer inquiries to the HRO for response.

l. **Questions and Complaints.** Staff who believe their personnel records contain inaccurate information should attempt to resolve the discrepancies with their servicing HRO. If the matter is not resolved at that level, it may be referred to the Regional Human Resource Administrator (RHRA) and/or the Chief, Human Resource Service Center (HRSC). Requests for correction of records must be handled in accordance with 5 CFR 297.301.

Complaints or appeals regarding the disclosure or withholding of personnel information may be referred to the Chief, HRSC, or processed under the appropriate grievance procedures.

4. TIME AND ATTENDANCE

This section outlines the requirements and responsibilities associated with the National Finance Center's (NFC) Time and Attendance (T&A) reporting for the processing of T&A data.

a. **T&A Transmission Time Frames.** T&As should be completed and sent to the NFC by the close of business on the Monday following the pay period.

b. **Responsibilities.** The requirements and responsibilities involved in the proper processing of T&A reports are defined in the Department of Justice HR Order DOJ1200.1: Part 12, Time and Attendance Reporting, Chapter 12-1, Time and Attendance Reporting (August 26, 2002). It is essential that Executive Staff, managers, supervisors, timekeepers/timekeyers, and staff are knowledgeable about their role in the T&A process.

- **Chief Executive Officers (CEO).** CEOs or their designees must approve, in advance, the granting of overtime and compensatory time. In addition, the CEO or designee will delegate responsibility for T&A reporting.
- **Supervisors.** Responsible for:
 - Being aware of existing leave policy and regulations published in DOJ Order 1630.1B, ensuring staff understand leave policy and regulations, and exercising fair and honest enforcement of policy and regulations.
 - Designating timekeepers and alternates, typically administrative staff in a department, and notifying the HRO in writing of any change in timekeepers.
 - Providing timekeepers with necessary documentation concerning staff T&As during the pay period. Supervisors should also ensure documentation pertaining to corrected/amended T&As is submitted to the timekeeper/timekeyer.
 - Ensuring staff do not certify their own T&A records.
 - Certifying accurate T&A records for assigned staff and ensuring adequate T&A documentation is maintained to support the entries made.
 - Ensuring leave errors are promptly resolved and any adjustments are documented. If necessary, leave audits should be performed when correcting leave discrepancies and must be certified by the supervisor. When leave audits are not conducted, a memorandum signed by the supervisor must be filed in the T&A folder detailing the reason adjustments were made.
 - Ensuring staff are aware of their responsibilities.
- **Human Resource Manager.** Responsible for:
 - Ensuring supervisors, timekeepers, and timekeyers are trained annually in both keying and the recording of T&A.
 - Ensuring timekeyers do not approve or send their own T&A to NFC, as directed by OMB Circular A-123.
 - Ensuring T&A data is sent to the NFC each pay period.
 - Ensuring appropriate T&A reports are maintained each pay period and verifying the accuracy and completeness of the T&A data processed. See, Minimum Reports Requirements for Human Resource Offices, on the Consolidated Processing Unit page of the Bureau's intranet site.
 - Ensuring T&A files are forwarded to the receiving HRO upon staff transfer within the Bureau.
 - Providing timekeepers with accurate staff member, leave, and accounting data.
 - Ensuring a representative sample of each department's T&A files is reviewed annually, and appropriate corrective measures are taken to remedy discrepancies. It is

- recommended the review of T&A files includes 10 percent of Wage Grade staff, 10 percent of staff on compressed work schedules, 10 percent of Correctional Services staff, all timekeyers and timekeepers, and three percent of random staff from other departments.
- Ensuring adjustments to leave balances are sufficiently documented (e.g., leave audit, memorandum, screen prints) and a clear audit trail exists to explain any adjustments.
 - **Timekeepers and Timekeyers.** Responsible for:
 - Accurately recording and keying T&A data for staff assigned to them. This may include recording their own time as well as the time of their immediate supervisors.
 - Ensuring leave audits or adjustments are certified by the supervisor. The audit certification and supporting documentation should be maintained in the T&A file. A copy should also be provided to the HRO.
 - Upon request, promptly providing a copy of the signed/certified T&A report to the staff member.
 - Maintaining a T&A file for each assigned staff member. The file should include the certified Timesheet Summary, worksheet, daily roster, or the top portion of the T&A must contain the work schedule. Departments with various tours of duty may use separate duty rosters as documentation. All other supporting documentation (e.g., OPM Form 71, Request for Leave or Approved Absence [or equivalent], BOP-A0369, Overtime Authorization, Request for Compensatory Time Off for Travel, etc.) will be maintained in the staff member's T&A file. If a staff member transfers within the Bureau, T&A records must be sent to the HRO for forwarding to the new duty location. T&A records for all staff must be maintained for three years, or after a Government Accountability Office (GAO) audit, whichever is sooner.
 - **Staff.** Responsible for:
 - Providing timekeepers with an OPM Form 71 (or equivalent) or supporting documentation, regardless of the type of leave, or confirming leave taken by initialing the T&A report when an approved OPM Form 71 (or equivalent) is not on file. OPM Form 71s (or equivalent) are required for leave of five days or more.
 - Reviewing their Earnings & Leave Statement (E&L Statement) and reporting any discrepancies to their supervisor, timekeeper, and/or servicing HRO.

c. **Leave Adjustment Procedures.** Obvious errors (e.g., incorrect keying, late OPM Form 71 [or equivalent]) submission, etc. may be adjusted by a corrected T&A.

If the reason for the error is not obvious or easily explained, a leave audit must be completed for leave errors identified on the CULPRPT Leave Error Report which is requested in the Report Generator System (CULPRPT) application on the NFC Mainframe .

Leave audits must be signed by the supervisor. The original is filed in the staff member's T&A file.

When a leave audit is not necessary, a memorandum to the file must be completed detailing the specific reasons for the errors and what adjustments are required.

When leave balances are adjusted in the T&A application, screen prints before and after the adjustments must be attached to the memorandum or leave audit. A copy of the leave audit and supporting documentation must be forwarded to the HRO.

When the HRO receives leave audits that require adjustments to the Time Inquiry-Leave Update System (TINQ) application on the NFC Mainframe, screen prints before and after the adjustments must be attached to the leave audits. This documentation must be filed by pay period with the necessary Audit Trail of Leave Updated Report and Leave Error Report, which are requested in the Report Generator System (CULPRPT) application on the NFC Mainframe, and retained for 26 pay periods.

REFERENCES

Program Statements
Information Security

Bureau Forms

BP-A0369 Overtime Authorization
BP-A1096 Pre-Exit Clearance Form
Request for Compensatory Time Off for Travel

Other Forms

OPM Form 71 Request for Leave or Approved Absence

Federal Regulations

5 CFR part 293
5 CFR part 297

Other References

DOJ Order 1200.1
Office of Management and Budget. OMB Circular No. A-123: *Management's Responsibility for Internal Control*. Executive Office of the President.
United States Office of Personnel Management. *The Guide to Personnel Recordkeeping*.

ACA Standards

Performance-Based Standards and Expected Practices for Adult Correctional Institutions (5th Edition): 5-ACI-1B-16, 5-ACI-1C-01, 5-ACI-1C-03

Performance-Based Standards and Expected Practices for Adult Local Detention Facilities (5th Edition): 5-ALDF-7D-22

Standards for the Administration of Correctional Agencies (2nd) Edition: 2-CO-1C-23

Records Retention Requirements

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on the Bureau's intranet site.