File Organization
SOP# 1200

Employment Discrimination Bureau
North Carolina Department of Labor

Procedure approved by: Tiffany Lathan, Bureau Chief

Signature: Tiffany Lathan **Date:** 7/28/14

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Signature: Kathy Woodford **Date:** 7/28/14

STANDARD OPERATING PROCEDURE MANUAL

1. PURPOSE and SCOPE

1.1. Purpose

This SOP establishes the procedure used to maintain and organize a complaint case file. This procedure has the following goal(s):

- To ensure the organization of case records;
- To ensure consistency among files.

1.2. Scope

This SOP outlines the procedure for maintaining a case file, including the creation of a table of contents, organization by tabs, and a discussion of the location / organization of certain types of documents, such as emails, the report of investigation, the activity log, and the right-to-sue letter. For Occupational Safety & Health (OSH) cases, also refer to the OSH Discrimination Manual for specific OSH procedures.

1.3. Regulations

The following statutes, rules and/or codes must be followed while performing this SOP (click the link for the most up-to-date rules and laws):

1.3.1. Department of Labor (DOL) Record Retention Policy

2. PERSONNEL RESPONSIBILITIES

The following is a list of people who participate in the procedure and the overall responsibilities of each role.

Role	Responsibilities
Investigator	• To place documents in a specified order under specific tabs for easy location at a later date; • To maintain overall file organization; • To keep all records / evidence associated with a complaint in the complaint file.

3. HEALTH AND SAFETY ISSUES

Refer to the *Employee Safety and Health Program Policies*, the *Employee Safety and Health Manual*, and the *Employee Safety Rules* on the DOL Intranet for information related to safety matters affecting EDB personnel. For information related to the Americans with Disabilities Act, refer to the ADA Checklist on the Intranet as well. To access these policies and checklists, click on the links above or visit the DOL Intranet *Safety and Health Program* and the EDB *Standard Operating Procedures* pages.

4. PROCEDURE

4.1. Trigger

This procedure is triggered when a case file is assigned to an investigator, but the organizational process continues throughout the course of an investigation. At the close of the case, the investigator must ensure that the entire file is organized according to the following procedures.

4.2. Primary Procedure

4.2.1. A case file shall be organized into four separate sections within the file folder. These sections are referred to as first left section, first right section, second left section, and second right section.

4.2.2. **First left section** (the first left side of the file folder):

a. This shall contain written and email correspondences between the investigator and the parties. These correspondences *may* be divided into Complainant Correspondence and Respondent Correspondence sections and shall be maintained in order by date with the most recent dated document on top. Refer to Exhibit 1200-4 for sample Correspondence Tabs.

b. The copy of the mailed right-to-sue letter or closure letter should be the top document, as it should be the last communication with the parties.

4.2.3. **First right section** (the first right side of the file folder):

a. This should contain administrative documentation, such as the REDA Case History sheet.

4.2.4. **Second left section** (the second left side of the file folder):

a. This should contain the activity log.

4.2.5. **Second right section** (the second right side of the file folder):

a. Due to the variety of information contained in this section, the section shall be divided into separate tabs. Refer to Exhibit 1200-1 for sample tabs. A tab should be placed directly before the reference information.

Tab A: This should contain the Report of Investigation (or alternatively, the memo immediately followed by necessary supporting documentation, such as the settlement agreement, written withdrawal request, or 90-day request) and the complaint form;

Tab B: This should contain interview statements or notes;

Tab C: This should contain Complainant's information, including the Complainant's questionnaire and any additional evidence / exhibits submitted by the Complainant;

i. Relevant evidence submitted by Complainant other than the questionnaire must be labeled specifically as exhibits (such as

Complainant's Exhibit A or Complainant's Exhibit 1, etc.). An exhibit cover sheet must be utilized if the document is not already clearly marked with an exhibit number or letter by the submitting party. Refer to Exhibit 1200-2 for a sample exhibit cover sheet. The exhibit cover sheet is placed directly before the referenced exhibit.

Tab D: This should contain Respondent's information, including the position statement and any additional evidence / exhibits submitted by the Respondent;

i. Relevant evidence submitted by Respondent must be labeled as exhibits (such as Respondent's Exhibit A, etc.). An exhibit cover sheet must be utilized if the document is not already clearly marked as a specific exhibit number or letter by the submitting party. Again, the exhibit cover sheet is placed directly before the referenced exhibit.

Investigators may use additional tabs at their discretion to identify additional forms of documentation, such as a Wage & Hour report.

b. A table of contents shall describe the organization of the documents in this section. Refer to Exhibit 1200-3 for a sample table of contents. The table of contents may be as detailed as the investigator desires, even naming the specific exhibits within a tab. At a minimum, the table of contents should describe the separate tabs.

c. In conclusion, the table of contents shall be on top with the tabs following in order, Tab A, Tab B, etc. The exhibits within the tabs shall also be in numerical or alphabetical order.

4.3. Alternative Procedures

4.3.1. Circumstances may dictate a slightly different case file organization. This is permissible as long as the documents are maintained in a logical fashion so that the documents may be referenced and located easily.

4.4. Exception Procedures - N/A

5. CUSTOMER SERVICE REQUIREMENTS

The following table lists the customer service requirements that must be satisfied for each Customer of the procedure.

Customer	Requirements
Public (Complainants and Respondents), Bureau Chief, Investigator	It is necessary to maintain an organized case file so that information may be easily located by any investigator, bureau chief, or the public at a later date.

6. DATA AND RECORD MANAGEMENT

6.1. Data Entry in Oracle – N/A

6.2. Record Retention

6.2.1. All records must be retained in the file and may not be destroyed, per the DOL Retention Policy. Records include, but are not limited to, complaint forms, questionnaires, emails, the report of investigation, table of contents, exhibits, any evidence submitted by the Complainant or Respondent, and activity logs.

7. Exhibits

Exhibits are examples of forms, letters, checklists, reports or other documents that are used or created during the execution of this SOP. Exhibits referenced in this SOP are available for view on the SOP website.

7.1.1. Exhibit 1200-1 (sample tabs)

7.1.2. Exhibit 1200-2 (sample exhibit cover)

7.1.3. Exhibit 1200-3 (sample table of contents)

7.1.4. Exhibit 1200-4 (sample correspondence tabs)