

Files, Case Assignment and Control

1. Introduction. This section provides procedures and guidance for maintaining investigative files. There are special rules required for maintaining investigative files obtained through the grand jury (see Criminal Investigations section, paragraph 14). EBSA maintains an electronic database known as the Enforcement Management System to record certain case activity.¹

2. Maintaining Investigative Files.

- a. **Opening and Retaining Files.** Investigators/Auditors must open a case file each time they begin an EBSA investigation. Case files receive a sequential case number. EBSA retains digital copies of case files. Investigators/Auditors may use hardcopies of case records during their investigations. Each RO shall establish guidelines under which Investigators/Auditors can retain these hard copies in their offices while working on the cases.
- b. **Maintaining Investigative Files.** All material received during the investigation including, but not limited to, interview reports, statements, documentary evidence, memoranda, and correspondence, will be placed in the electronic case file as soon as possible and maintained there at all times. Investigators/Auditors may make copies of documents needed to continue the investigation.
- c. **Electronic Information.** All electronic material received during the investigation will be uploaded to the electronic case file as soon as possible and maintained there to ensure authentication and prevent alteration.
- d. **Use and Maintenance of Case Record Copies.** Investigators/Auditors may download electronic copies of records, or print hard copies from an open case. Each RO will have a procedure for ensuring secure maintenance during the investigation and appropriate disposal after.

3. Case Assignment and Control. Each RO shall have a system for case assignment and control. If the RO maintains an inventory of opened, but unassigned cases, the RO's system shall list the case as assigned to the Group Supervisor, District Supervisor, or RD Designee.

- a. **Investigator/Auditor Assignment File.** EBSA will maintain a record of case assignments by Investigator/Auditor name with a further breakdown between active and completed assignments.
- b. **Investigator/Auditor Assignments.** As a case is assigned, the Investigator/Auditor will be advised of the assignment and provided with a copy of the case opening documents.

Footnotes

1. Database instructions are contained in a separate manual.