

**Subject: PERSONNEL RECORD KEEPING**

**Date: May 17, 2017**

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**Replaces Policy Dated: October 1, 1997**

**PURPOSE:** To establish procedures for the creation and maintenance of personnel records for the County.

**SCOPE:** This policy applies to all employees and all personnel records.

**STATEMENT OF POLICY:** An official personnel file is established and maintained for each employee upon hire. These files are housed in electronic format and are the Human Resources Department and are the property of the County.

**DISPOSITION OF RECORDS**

Public Records. In accordance with ARS § 39-128, all records that are reasonably necessary or appropriate to maintain an accurate knowledge of employee performance to include performance evaluations, disciplinary actions, and employee responses to the same are considered public records. However, the County shall not release the home address, home telephone number, date of birth, social security number, or other personal information of any employee without the employee’s specific written consent. Personal information included on the application or other personnel documents shall be redacted prior to release.

Pictures. Pictures of “eligible employees” shall only be released with the specific written consent of the employee except in instances described in ARS § 39-123 where such pictures meet the criteria of a public record. “Eligible employees” are identified in ARS § 39-123 as a peace officer, judge, county supervisor, public defender, prosecutor, code enforcement officer, adult or juvenile detention officer, detention support staff member, probation officer, law enforcement support staff member or a person who is protected under an order of protection or injunction against harassment, firefighter who is assigned to the Arizona counterterrorism center in the department of public safety or victim of domestic violence or stalking who is protected under an order of protection or injunction against harassment.

1. Generally, the following records may be released:
  - a. Full name of the employee
  - b. Dates of employment
  - c. Current and previous job titles
  - d. Current and previous salaries
  - e. Name of current supervisor
  
2. Record of performance evaluations and disciplinary actions and any employee responses to the same shall only be released to the public following review by the County Attorney’s Office or Human Resources and upon completion of a Request for Public Records form. Any additional information that does not constitute a public record (employee medical information, etc.) shall only be released with the individual’s specific written consent.

3. Official personnel records shall be maintained by Human Resources and are the property of the County.
4. Health Insurance Portability and Accountability Act (HIPAA) protected medical information shall always be treated as confidential and will be kept in a separate medical file within the Human Resources Department.
5. With the exception of an employee wishing to view their own personnel file, Human Resources staff or Department Heads in the normal performance of their duties, all persons requesting access to an employee personnel file shall complete a public records request. Only information defined as a public record shall be available for review.
6. Granting agencies who conduct program and/or financial audits shall be allowed access to files of employees paid by the grant without an authorization from the employee.
7. An employee, or the employee's designated representative, who possesses a confirmable written authorization from the employee, may review the personnel file at Human Resources and may request copies of the contents. Personal information shall be redacted prior to release to an employee's designated representative, unless the employee specifically authorizes in writing releasing copies of this information to the representative. Human Resources reserves the right to charge a nominal fee for the cost of the copies if copies of the personnel file documents are requested in paper or on a data storage device.
8. Notwithstanding the foregoing, employee records may be released as necessary for the County to defend itself against claims made or litigation commenced by an employee, and any employee bringing such a claim waives their right to confidentiality to the extent necessary for the County to defend itself, officials, representatives, and employees of the County.