

STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT
POLICIES & PROCEDURES

ARTICLE: B-7
SECTION: Personnel Division
DATE: January 29, 2009
SUPERSEDES: Green Book 202
TITLE: Personnel Records and File Access

PURPOSE

To establish guidelines for the collection, maintenance, access to, and retention of employee personnel records for SCFPD.

DEFINITION

SCFPD Administration Division is the repository of personnel records concerning individual employees. Personnel files are the property of SCFPD and access to the information they contain is restricted. Generally, only supervisors and management personnel of SCFPD who have a legitimate reason to review information in a file are allowed to do so.

Unauthorized access to personnel files is considered a serious breach and will result in significant disciplinary action.

POLICY

1. PERSONNEL FILE - Contains those records and documents pertaining to an employee's work history with the District from date of hire to separation. The Administration Division shall maintain the personnel file for each employee.
 - a. Types of Information - The personnel file contains such information as the employee's job application, resume, evaluations, salary increases, disciplinary action records, medical benefit selection information, and other letters of performance and miscellaneous job related correspondence.
 - b. Access to Personnel File - Physical review of records and documents in the official files shall be limited to the following persons and shall be in conformance with state law:
 - 1) The employee
 - 2) An employee representative designated in writing by the employee
 - 3) HR/Administrative Staff designated/authorized by the Fire Chief
 - 4) Chief Officers designated/authorized by the Fire Chief
 - 5) The Fire Chief

Actual review of contents of the file by the employee or authorized employee representative shall be scheduled at the mutual convenience of the employee or authorized representative and authorized Human Resources Administrative Staff or an authorized Chief Officer, and shall be accomplished in the presence of such authorized staff. As a normal practice, an employee may, at reasonable times and at reasonable intervals, during usual business hours, with no loss of compensation, inspect their personnel file, upon receiving approval (for scheduling purposes) from the Fire Chief.

- c. Copies of Documents in Personnel Files – Copies of most records and documents signed by the employee and placed in the personnel file are routinely provided to the employee. Starting January 1, 2007 every safety member will have a copy and be aware of what is placed in their personnel file. For all employees, copies of documents of a negative nature shall be provided to an employee prior to placement in their personnel file. (Examples: notices of disciplinary action, unsatisfactory performance evaluations and related records).

Additional copies of records and documents may be obtained by payment of current reproduction charges, per District policy.

Copies of records and documents subpoenaed by the courts or legally constituted Boards or Commissions shall be provided and fees collected where applicable.

- d. Release of Information from Personnel Files – Information generally available without authorization from the employee, and provided by Administration staff from the employee's personnel file, shall include the following:

- 1) Verification data sufficient to ensure proper identification of the employee.
- 2) Employment verification data, including current status, hire date, termination date, position title, and current or final salary.
- 3) Information necessary to process claims for Workers' Compensation, Unemployment Compensation Insurance, District Vehicle Accident, District Liability, and District retirement.
- 4) Requests for records subpoenaed or otherwise, received in connection with some legal action or investigation, must specify items sought. The investigator's credentials must be checked, and record of the investigator's name and date of access preserved.
- 5) Release of information not specified above, including reference checks, may only be considered when accompanied by signed authorization from the employee concerned.

- e. Retention of Personnel Files – The contents of an employee's personnel file shall be retained permanently. Files will be stored in a secured manner. Former employee files may be placed into storage as needed.

2. TRAINING FILE – The District will keep a training file for every employee. The training file will be kept by the Training Division. The training file will include certifications, records, and other correspondence identifying the training for each employee.

Review of the training file contents by the employee shall be scheduled at the mutual convenience of the employee and authorized Training Division Staff or an authorized Chief Officer and shall be reviewed in the presence of such authorized staff.

Copies of certificates will be placed in the training file. Originals belong to the employee. It shall be each employee's responsibility to ensure the Training Division receives copies of certificates or other class documentation.

Reasonable accommodation will be made regarding lost copies of training records. Large order requests for copies may be obtained by payment of current reproduction charges, per District policy.

3. MEDICAL RECORDS FILE – These files are considered highly confidential and shall be maintained by the Administration Division in a separate file from the personnel file, with limited access available only to the affected employee and the Administrative staff designated by the Fire Chief.

Review of the medical file contents by the employee shall be scheduled at the mutual convenience of the employee and authorized Human Resources Administrative Staff or an authorized Chief Officer and shall be reviewed in the presence of such authorized staff.

Copies of records and documents from the medical file for the employee may be obtained by payment of current reproduction charges, per District policy.

4. DEPARTMENT OF MOTOR VEHICLES FILE – DMV requires their records be kept in a separate file from the personnel file. This file is maintained by the Administration Division with limited access available only to the affected employee and the Administrative staff designated by the Fire Chief.

Review of the DMV file contents by the employee shall be scheduled at the mutual convenience of the employee and authorized Human Resources Administrative Staff or an authorized Chief Officer and shall be reviewed in the presence of such authorized staff.

Written by: Chief Stephen Mayotte

Approved by: _____

Date: March 9, 2009