



**TOWN OF DEWEY-HUMBOLDT
ADMINISTRATIVE REGULATION**

AR № 10-06

Subject: *Personnel Records*

Effective Date: June 28, 2010

1. **SCOPE.** This policy applies to all Town Employees.
2. **PURPOSE.** To establish principles regarding Personnel Records.
3. **RECORDS.** The Town shall maintain two personnel files for each employee. All information concerning race, color, ancestry, national origin, religious creed, sex, age, handicapped conditions, or arrest record shall be kept in a separate confidential file.
 - 3.1. **Material in file.** Employees and department heads shall be aware of all materials placed in the employee's personnel file. An employee has the absolute right to review his or her personnel file and to have copies of any materials. The Town Manager and Human Resource shall decide whether material may be removed from the personnel file and placed in a confidential employee file. Employees have the right to prepare and submit a written rebuttal or request to his/her department head regarding any material in the file and request that it be purged. The department head shall forward the request or rebuttal with his or her recommendations to the Town Manager for final decision. Employees' access to their personnel file shall be scheduled at the convenience of the employee, the Town Manager and Human Resource.
 - 3.2. **Protected from access.** Personnel files shall be protected from access by persons other than the Town Manager, the authorized representative of Human Resources (Finance Director), the Town Attorney, the Town employee's department head, and the employee or his or her authorized representative by written request.
 - 3.3. **Private or Confidential Information.** Access to the following information, if contained in an employee's personnel file, shall be considered private, confidential, or both, as applicable, and shall not be disclosed to a person making a public records request, pursuant to the provisions of Title 39 of the Arizona Revised Statutes, except as otherwise provided in this section.
 - 3.3.1. The resident address and phone number of the employee or any dependents or relatives of the employee.
 - 3.3.2. Any written reviews or evaluations relating to the employee's performance of their job.
 - 3.3.3. Any letters of counseling, memoranda or other writings, used in connection with the supervision, management or guidance of the employee, which do not constitute disciplinary actions within the meaning of this policy.
 - 3.3.4. Any information relating to charges or allegations, which have been brought against the employee and which, after investigation, have been dismissed or determined to be unfounded.
 - 3.3.5. Any medical documents or reports relating to the employee.
 - 3.3.6. Any documents the disclosure of which is specifically prohibited by federal or state law.
 - 3.3.7. Any documents relating to any benefits relating to the employee, or the employee's dependents, provided through programs established by the Town.
 - 3.3.8. Any document reasonably designated to be "confidential."
 - 3.4. **Public Records Requests.** The following employee information will be provided to any person making a request for it as a public record, pursuant to the provisions of Title 39 of the Arizona

Revised Statutes. Any requests whatsoever for information not included below will only be considered when accompanied by a signed authorization from the employee or ex-employee.

3.4.1. Employee name.

3.4.2. Present and previous job titles held with the Town and the dates for each.

3.4.3. Starting employment date.

3.4.4. Salary range for the position held by the employee and present salary of unclassified employees, if requested.

3.4.5. Name of the employee's supervisor.

3.4.6. Written information summarizing commendations or disciplinary actions, which are the subject of an appeal to the Town Manager and/or Town Attorney.

3.5. Denial of access. In the event that a person making a public records request pursuant to Title 39 of the Arizona Revised Statutes is denied access to material, the aggrieved person may request that the denial of access be reviewed by the official representative of Human Resources, or designee. The Town Manager and/or Human Resource, along with the assistance of the Town Attorney shall review the request and respond to it. The decision of the Town Manager and Human Resource shall be based upon an assessment of the prevailing law, the nature of the public's right to access to the record or material and any potential harm to the employee, the public or the Town in granting access.

3.6. Specificity of requests. Requests for materials subpoenaed or otherwise, received in connection with civil or criminal actions or investigations whether judicial or administrative, must be submitted in itemized form. Items not specifically identified will not be provided. When an investigator seeks information, only the material specifically identified and requested shall be disclosed and the investigator's credentials shall be checked by the Town Manager, Human Resource, and the Town Attorney. If there is any doubt concerning the validity of the credentials or the appropriateness of the information requested, a written request for the material including verification or credentials can be required before disclosure. All such requests shall be directed to Human Resources. The Town Manager and Human Resource may release information from any employee's personnel file, upon the advice of the Town Attorney, when required to represent the interests of the Town in any administrative or judicial proceedings concerning any employee of the Town.

TOWN MANAGER APPROVAL	Initial: _____
Notes: _____	