

A. Definitions

1. "Record" means any information maintained on an individual with his/her name and/or other identification.
2. "Official personnel file" means any employment information maintained on current or former County employees.
3. "Maintain" means collect, file, update, use, or disseminate.
4. "Access" means to have permission, liberty, or ability to examine, obtain information from, or add to personnel files as defined in this Policy.
5. "Official insurance file" means insurance and benefits information maintained on current County employees.
6. "Official payroll file" means any payroll information maintained on current County employees.
7. "Custodian of Records" means the person(s) designated by the County Administrator to be in charge of official employee records. For the purpose of inquiries and/or subpoenas, the Director of Human Resources is designated the Custodian of personnel records and the Director of Finance and Risk Management is designated the Custodian of financial records.

B. General

1. Effective personnel administration requires the gathering and use of information concerning employees. Personnel files shall be established and maintained in a manner designed to protect the privacy of all concerned.
2. Each Appointing Authority is responsible for assuring that employment information is filed in the appropriate personnel file. An Appointing Authority with centralized Human Resources staff support shall designate that staff to maintain the department personnel and medical records on his or her behalf while still maintaining the ultimate responsibility for this task.
3. To avoid inappropriate disclosure of records pertaining to County employees, all inquiries for personnel information shall be referred to the Custodian of personnel records and all inquiries for payroll information shall be referred to the Custodian of financial records. Departments shall instruct all employees that inquiries regarding current and former employees, made either verbally or in writing, are to be referred to the appropriate Custodian of records. This Policy shall be adhered to regardless of how routine or insignificant the inquiry may be.

C. Official Personnel Files

1. Official personnel files shall be maintained by Human Resources and are the property of Pima County Government.
2. Each official personnel file should contain documentation of official personnel actions and the following information:
 - a. Employee's name;
 - b. Social Security Number;
 - c. Employee emergency information;
 - d. Employment application(s);
 - e. County Personnel Action Forms and supporting documentation;
 - f. Loyalty Oath;
 - g. Performance Appraisal Forms;
 - h. Documentation of all formal disciplinary actions and grievance actions not alleging discrimination when the grievance was filed based on a Letter of Reprimand;
 - i. Relevant credentials and/or verification of transcripts or diplomas as stated on the application;
 - j. A copy of the Pima County Drug-Free Workplace Agreement signed by the employee;
 - k. Electronic Mail Procedure Acknowledgment prior to January 25, 2008;
 - l. Preventing Workplace Harassment Acknowledgment;
 - m. Employee Consent to Pima County's Disclosure of Employment Information and Release of Liability Form;
 - n. Applicant Consent to Release Liability and Reference Information Form and accompanying reference check documentation;
 - o. Eligibility for Reinstatement of Sick Leave Hours Form.

D. Official Insurance Files

Official insurance files are maintained by Human Resources and should contain the following information:

1. Medical membership records;
2. Dental membership records;
3. Life insurance membership records;
4. Other supplemental benefit records.

E. Form I-9 Employment Eligibility Verification Archive Files

Official Form I-9 archive files are maintained by Human Resources and shall contain the following information:

1. Form I-9, Employment Eligibility Verification;
2. Supporting documentation.

F. Official Payroll Files

1. Official payroll files are maintained by the Finance and Risk Management Department and should contain the following documents:

- a. W-4 Forms;
- b. Arizona State Retirement Fixed Benefit Plan Enrollment Form, Application for Return of Contributions Form and/or Change of Beneficiary Designation Form;
- c. Authorizations for deductions;
- d. U.S. Military Selective Service Act Compliance Form.

2. The Finance and Risk Management Department shall respond to civil subpoenas for any payroll records in the same manner outlined in H.5 below.

G. Department Files

1. Department personnel files should contain the following information:
 - a. Employee's name;
 - b. Social Security Number;
 - c. Classification title and classification code;
 - d. Employee emergency information;
 - e. Copies of Personnel Action Forms;
 - f. Performance Appraisal and Performance Plan forms;
 - g. Documentation of all formal and informal disciplinary and grievance actions;
 - h. Letters of commendation;
 - i. Educational Reimbursement Application Forms;
 - j. Outside Employment Permission forms;
 - k. Computer Use and Electronic Mail Procedure acknowledgments;
 - l. Termination arrangements (non-medical) as found in Personnel Policy 8-123.A.6.
2. Department medical files should contain the following information:
 - a. Workers' compensation reports:
 - (1) Initial reports (Supervisor's Report of Industrial Accident/ Injury; Employer's Report of Industrial Injury);
 - (2) Work status documentation from health care provider;
 - b. Accident /Injury reports;
 - c. Records and documents relating to medical certifications or medical history except for Family and Medical Leave Act (FMLA) related medical documents dated on or after January 16, 2009, including medical certification forms;

- G. 2. d. Hepatitis B Vaccination Consent/Declination Form;
- e. Pima County Risk of Exposure Notification;
- f. Termination arrangements (verification from medical provider) as found in Personnel Policy 8-123.A.6.
- 3. Upon request, departments shall provide an opportunity for employees to review their department files.
- 4. Department files shall be relocated to the receiving department when an employee transfers. The transferring department may retain the following information:
 - a. Employee's name;
 - b. Address;
 - c. Social Security Number;
 - d. History of personnel actions as indicated on County Personnel Action Forms.
- 5. Any employee records maintained by the department, aside from those contained in the official department personnel file, shall contain no adverse material that is not contained in the official department personnel file. For the purpose of employee performance evaluation, notations related to deficiencies in identified performance factors may be maintained in a supervisory file provided the performance issue(s) has been discussed with the employee and the notation(s) removed after the performance evaluation has been issued.

H. Access to Personnel Files

- 1. Official personnel files shall not be disclosed except as required by law. The following persons may be allowed access to official personnel files:
 - a. Members of the Board of Supervisors;
 - b. The County Administrator or designee;
 - c. The employee or the employee's designated representative who has written authorization from the employee;
 - d. Authorized County staff with the approval of the Director of Human Resources or designee;

- H. 1. e. Law enforcement and investigative organizations' staff in the course of their duty, when required, and only after presentation of proper identification and a release signed by the employee, or a subpoena calling for release of the records;
- f. Internal, state and federal auditors in the course of their duty, when required, and only after presentation of proper identification and notification of the audit;
- g. The employee's Appointing Authority or designee.
- 2. The Director of Human Resources may provide access to persons other than those cited in this Policy upon determination that such persons in the course of their official duties have a valid need-to-know.
- 3. Department personnel files shall not be disclosed except as required by law. The following persons may be allowed access:
 - a. The County Administrator or designee;
 - b. The employee or the employee's designated representative, who has written authorization from the employee;
 - c. The Appointing Authority and authorized departmental staff;
 - d. Law enforcement and investigative organizations' staff in the course of their duty, when required, and only after presentation of proper identification and a release signed by the employee, or a subpoena calling for release of the records.
- 4. Appointing Authorities and/or the Director of Human Resources shall require reasonable identification of individuals requesting information to assure that records are disclosed only to the proper persons.
- 5. Human Resources shall respond to civil subpoenas for any personnel records as follows:
 - a. Notify the affected employee;
 - b. Determine whether to seek, through the County Attorney, a protective order restricting dissemination to only such materials as are necessary and proper; and
 - c. Comply with the subpoena as required by law.

- H. 6. Each employee and/or his/her authorized representative has the right to review the employee's personnel files. With reasonable notice given to Human Resources, files may be reviewed at Human Resources in the presence of authorized staff.

- 7. Employees shall be provided with copies of their own personnel records for a fee not to exceed the actual cost of providing the copy, or the prescribed statutory fee, if any, whichever is less.