



**MESCAL J-6
FIRE DISTRICT**

**STANDARD OPERATING
POLICY # 008**

PERSONNEL RECORDS

I. PURPOSE

To establish standards by which information contained in personnel records shall be managed to achieve accuracy, privacy, and legal compliance.

II. SCOPE

This policy applies to all members of the District.

III. POLICY

It is the policy of the District to maintain all personnel files according to all Federal and State recordkeeping requirements, as well as the following guidelines.

IV. GUIDELINES

- A. Changes** – All changes of address, telephone number, family status (i.e., birth, adoption, marriage, death, divorce, legal separation) shall be reported to the Administration Office within one week. A member's income tax status and group insurance may be affected by these changes.
- B. Personnel File Access** – Access to personnel files shall be restricted to the Fire Chief or his designated representative.
- C. Information Requests and Employment References** – Requests for information from member files received from outside the District, including requests for references on current or former members, shall be directed to the Fire Chief or a designated representative.

V. PROCEDURE

- A. Telephone Inquiries** – Information shall be verified only by the Fire Chief or his designated representative, via telephone, but shall be limited to the following:

- date of hire
- date of separation
- most recent position held

Note: No other person is authorized to provide information via a telephone inquiry, unless previously authorized by the Fire Chief.

- B. Written Inquiries** – If the request for information is in writing, wage/stipend information may be verified in addition to the items set forth in Guideline V-A above. The response to a wage verification shall only be in writing from the Fire Chief or his designated representative. A copy shall be retained in the individual's personnel file.
- C. References with Written Approval** – With written approval from the current or former member, wage/stipend, job chronology, and performance information may be released in writing only.



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- D. **Public Records Request for Personnel File Information** -- The District shall respond to public records requests in accordance with the law. Confidential information that is protected under the Freedom of Information Act shall be redacted from any personnel file information that is released in response to a public records request. Wage/stipend information included in the District's monthly financial reports shall be redacted to include only the date and the amount of the wages/stipends paid. Public record requests for wage/stipend information of specific personnel shall be limited to date issued and the amount of the wage/stipend earned. Unless otherwise required by law, No information regarding specific wage garnishments, taxes withheld, personal deductions or voluntary contributions, etc. shall be released to the public without prior written consent from the employee/member or a court order.
- E. **Examination of a Personnel File** – Inspection of a member's personnel file may be accomplished at reasonable times during office hours under the following conditions:
1. **Member** – Upon request by a member and in the presence of the Fire Chief or his designated representative, the individual may inspect the personnel file. Members have the right to obtain copies of any documents in the file which are signed by the member as a condition of initial or continued employment.
 2. **Government Inquiries** – The District shall cooperate with Federal, State and local governmental agencies investigating a member if the investigators furnish proper identification and proof of legal authority to investigate. The investigation shall be permitted on the District premises, but the investigator shall not be allowed to remove or reproduce this information without consent from the Fire Chief and the District's legal counsel.
- F. **File Retention** – The permanent or "central" file containing all member information shall be maintained in the Administration Office. Originals of personnel records shall be maintained in the Administration Office for a period of seven years after a member's separation date.
- G. **Medical Files** – All medical files shall be maintained separate from the personnel files.
1. **Content** – Medical files shall contain any information related to one's medical or physical condition including but not limited to such items as: Physical Examinations results, Workers' Compensation reports, Drug Screen results, and Hazardous Materials Exposure reports.
 2. **Access** – Access to the medical files shall be restricted to the Fire Chief or his designated representative.
 3. **Release of Information** – Medical information shall be released only upon written authorization of the individual or upon proper request from other persons or agencies who have legal rights to the information.
 4. **Retention** – Medical files shall be maintained for thirty years after the member's separation date, unless the member separates employment within the first year, at which point the medical file shall be released to the member.

Approved by the Mescal-J6 Fire District Governing Board on September 30, 2020. Replaces May 4th, 2015