

**COUNTY BOARD OF HEALTH
POLICY # HR-03123
OFFICIAL PERSONNEL FILES POLICY AND PROCEDURE**

Approval:		<i>7/31/2020</i>
	District Health Director	Date



1.0 PURPOSE

This policy contains guidelines for the maintenance of Official Personnel Files.

2.0 AUTHORITY

The County Board of Health (CBOH) Official Personnel Files Policy is published under the authority of CBOH and in compliance with the following:

- 2.1 Official Code of Georgia Annotated (OCGA), §§ 50-18-70 through 50-18-77. – (Georgia Open Records Act)
- 2.2 Official Code of Georgia Annotated §45-1-5 (Purging of Personnel Records of Terminated Employees)
- 2.3 CBOH Policy HR-03121 - Employment Information
- 2.4 CBOH and State Records Retention Schedules

3.0 SCOPE

This policy applies to employees of the County Board of Health.

4.0 POLICY

It is the policy of the County Board of Health (CBOH) that the official personnel files for CBOH employees are maintained by Human Resources.

5.0 DEFINITIONS AND ACRONYMS

- 5.1 CBOH – County Board of Health

County Board of Health POLICY AND PROCEDURES	Policy No.	HR-03123		
	Effective Date:	6/4/2014	Revision #:	4
Official Personnel Files	Page No.	2 of 8		

5.2 DHD – District Health Director

5.3 HR – Human Resources

5.4 “Confidential employment records” -- records which must be maintained in files separate from or in a separate folder within the official personnel file. Such items include but are not limited to medical records, documents relating to certifications or recertifications under the federal Family and Medical Leave Act (FMLA), I-9 forms, workers’ compensation records, and background check records.

5.5 “Official personnel file” -- records documenting an employee's work history with an agency. Official personnel files shall be stored in a secure location. Access shall be restricted to those with a legitimate need for access or as required by law.

5.6 “Records” -- all documents, papers, letters, maps, books (except books in formally organized libraries), microfilm, magnetic tape, computer-based or computer-generated information, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by any agency.

5.7 “Retention schedule” -- a set of disposition instructions prescribing how long, where, and in what form a record series shall be kept.

6.0 RESPONSIBILITIES

6.1 HR is responsible for issuing and updating procedures to implement this policy.

6.2 HR is responsible for properly storing personnel files of all employees.

7.0 PROCEDURES

7.1 FILING GUIDELINES

7.1.1 Documents that should be placed and retained in official personnel files include, but are not limited to: appointment packet material, performance-related documents and requests for personnel/payroll actions. A more inclusive list is provided in *Form HR-03123-A*. Questions regarding documents to be placed in official personnel files should be directed to HR.

7.1.2 Documents that should be maintained SEPARATELY from official personnel files include, but are not limited to: supervisory files,

County Board of Health POLICY AND PROCEDURES	Policy No.	HR-03123		
	Effective Date:	6/4/2014	Revision #:	4
Official Personnel Files	Page No.	3 of 8		

competency files, medical information, criminal history records investigations, garnishments and employee grievances. A more inclusive list is provided in *Form HR-03123-B*.

- 7.1.3** Management files are to be maintained by each employee's work unit for the duration of employment in the unit. When employment in the work unit ends, all management and employee related files should be transferred to HR.

7.2 ACCESS TO INFORMATION

- 7.2.1** The Georgia Open Records Act provides that all CBOH records are public and accessible unless specifically exempted for reasons such as an order by a Georgia Court or by law. All open records requests should be forwarded to the CBOH Open Records Custodian.

- 7.2.2** Certain personal information about employees is not subject to disclosure and will only be released to authorized officials. This information includes: an employee's home address and telephone number, social security number, mother's birth name, debit and credit card information, other banking/financial information, insurance and medical information, birth day and month, the identity of immediate family members and dependents, and certain confidential information obtained in connection with an appointment.

- 7.2.3** The following individuals may have access to personnel files in the presence of the HR representative:

7.2.3.1 The record custodian has access to the information for maintenance purposes.

7.2.3.2 Employees may have access to their own personal information and may grant access in writing to other individuals or organizations.

7.2.3.3 Employees are entitled to review their employment records upon request. The review must take place in the presence of a member of the human resources office. An employee cannot remove any contents of the file, but photocopies must be provided within a reasonable time after the employee's review of the file and at the employee's expense, pursuant to the Georgia Open Records Act.

7.2.3.4 Authorized Officials for purposes of investigating employment-related misconduct or for other legal, administrative, or regulatory reasons. Information may also

County Board of Health POLICY AND PROCEDURES	Policy No.	HR-03123		
	Effective Date:	6/4/2014	Revision #:	4
Official Personnel Files	Page No.	4 of 8		

be released in response to a subpoena or other appropriate inquiry issued in the course of litigation.

7.2.4 Subpoenas and other legal requests for information maintained in official personnel files are to be immediately forwarded to the DHD.

7.2.5 Custodians are to ensure that confidential information is removed prior to allowing access to official personnel files, unless one or more of the conditions outlined in this policy exists.

7.3 EMPLOYEE TRANSFERS

7.3.1 In the event of an employee transferring from one agency to another, the employee's official personnel file must be transferred to the new employing agency within two weeks of the employee's last day of employment with the previous agency.

7.3.2 Confidential employment records should be removed from the personnel file before it is transferred and should be retained in accordance with applicable records retention schedules.

7.4 PURGED FILES

Official personnel files may be purged as a result of settlement agreements made with employees who have been terminated from employment.

7.4.1 In such cases, the official personnel files and any associated work history must be clearly designated with a notation that records have been purged as a condition of settlement agreement. (*See Form HR-03123C*)

NOTE: Termination settlement agreements and requests for data change are to be forwarded to HR where notations regarding purged records are to be entered into terminated employees' computer-based work histories.

7.4.2 Notations regarding purged records will be disclosed to any governmental entity requesting information on former employees' work histories for the sole purpose of making hiring decisions.

7.5 CLOSED FILES

Custodians are responsible for properly maintaining closed (inactive) personnel files of former employees.

County Board of Health POLICY AND PROCEDURES	Policy No.	HR-03123		
	Effective Date:	6/4/2014	Revision #:	4
Official Personnel Files	Page No.	5 of 8		

7.5.1 When CBOH employment ends, employees' official personnel files are to be withdrawn from the active files area. The inactive files are then to be maintained in accordance with the CBOH Records Retention Policy and Retention Schedules.

8.0 REVISION HISTORY

REVISION #	REVISION DATE	REVISION COMMENTS
0	June 4, 2014	Initial Issue
1	September 25, 2015	Annual Review
2	June 6, 2018	Annual Review
3	November 13, 2019	Annual Review and minor revisions
4	June 11, 2020	Annual Review and Revisions 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 6.1, 6.2, 7.1.1, 7.1.3, 7.2.3, 7.2.4, 7.4.1

9.0 RELATED FORMS

*HR-03123A Documents to be **retained** in Official Personnel Files*

*HR-03123B Documents to be **maintained separately** from Official Personnel Files*

HR-03123C Notification of Purged Records

**COUNTY BOARD OF HEALTH
POLICY # HR-03123
OFFICIAL PERSONNEL FILES POLICY AND PROCEDURE**

**HR-03123-A
DOCUMENTS TO BE RETAINED IN
OFFICIAL PERSONNEL FILES**

This list is not all inclusive but provides guidance regarding the types of documents to be placed and retained in official personnel files.

- ◆ Requests for Personnel/Payroll Action and supporting documentation, including:
 - Changes to payroll deductions (e.g., flexible benefits)
 - Documents confirming appointments, promotions, transfers, demotions, etc. (Documents must include at a minimum the effective date, salary, and classified/unclassified status)
 - Family and Medical Leave requests and approvals
 - Documents requesting and approving leaves of absence without pay
 - Correspondence regarding military leave, kidney donation leave, disaster volunteer leave, etc.
 - Suspensions with pay
 - Notice of resignation or retirement

- ◆ Appointment Packet material, including:
 - Applications for Employment
 - Security Questionnaire / Loyalty Oath forms
 - Employment Eligibility Verification (INS Form I-9)
 - Tax forms
 - Designations for Outstanding Wage Payments
 - Acknowledgements of Workers' Compensation Treatment
 - Health Insurance forms
 - Flexible Benefits documents, including beneficiary forms
 - Deferred Compensation enrollment forms and related material
 - Retirement forms
 - Understanding Concerning the Use of FLSA Compensatory Time
 - Drug-Free Workplace Notices
 - Proof of Selective Service Registration (if applicable)
 - Acknowledgements of Unclassified Position (if applicable)
 - Employee Handbook Acknowledgement forms

- ◆ Performance-related documents
 - Performance evaluations
 - Letters of commendation
 - Written reprimands
 - Adverse actions
 - Separation letters and Separation Notices (Form DOL-800)

- ◆ Other Documents
 - Licenses/Certificates/Registrations and proof of renewal
 - Special Requests for Other Employment and approvals/denials

County Board of Health POLICY AND PROCEDURES	Policy No.	HR-03123		
	Effective Date:	6/4/2014	Revision #:	4
Official Personnel Files	Page No.	7 of 8		

**HR-03123-B
DOCUMENTS TO BE MAINTAINED SEPARATELY FROM
OFFICIAL PERSONNEL FILES**

This list is not all inclusive, but provides guidance regarding the types of documents to be maintained separately from official personnel files.

- ◆ DPH Employee Grievances (unless employees specifically request in writing that grievance materials be placed in their official personnel files)
- ◆ Unlawful Discrimination Complaints filed through any of the following:
 - DPH Unlawful Discrimination Complaint Procedure
 - Georgia Commission on Equal Opportunity
 - Equal Employment Opportunity Commission
- ◆ Medical Information
 - ADA related information
 - Alcohol/Drug testing laboratory results
 - Specific medical information which supports absence due to Family and Medical Leave
 - Medical and Physical Examination Program forms
- ◆ Investigative reports from the Office of Inspector General
- ◆ Peer Committee review reports
- ◆ Internal security reports
- ◆ Confirmation of oral reprimands
- ◆ Garnishments, bankruptcies, levies
- ◆ Information received as a result of criminal history records investigations
- ◆ Leave donation records

County Board of Health POLICY AND PROCEDURES	Policy No.	HR-03123		
	Effective Date:	6/4/2014	Revision #:	4
Official Personnel Files	Page No.	8 of 8		

**HR-03123C
NOTIFICATION OF PURGED RECORDS**

Employee Name:	Emp ID:	Effective Date
Title:	Work Location:	
Supervisor Name:	Supervisor Title:	

In accordance with State Law (O.C.G.A. §45-1-5), the official personnel file and all associated work history records of the above-named employee have been partially purged based on a termination settlement agreement, dated _____.

Signature

Verified By: (signature) _____ **Date:** _____

Print Name: _____

Job Title: _____

Cc: HR
Official Personnel File
Other Relevant Purged Files