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PERSONNEL AND PAYROLL RECORDS

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PURPOSE

The purpose of this policy is to inform County employees on information related to their employment and payroll information. It specifies what type of records are maintained by the human resource department and the County Clerk-Auditor department and outlines employee rights and responsibilities regarding access to their records. It also outlines the responsibilities of the human resource department regarding the maintenance of the files and records.

SCOPE

This policy applies to all County employees. The County follows state and federal laws regarding personnel file access.

CROSS REFERENCES

Human Resource Management, Policy 100
Privacy Policy, Policy 470
Health Insurance Portability & Accountability Act (HIPAA)
Government Records Access and Management Act, Utah Code Unannotated, 63-2 (GRAMA)

POLICY AND PROCEDURE

1. Location and Contents of Personnel Records

   A. The HR Director shall maintain personnel records in a secure and proximate location.

   B. The personnel record shall contain:

      1. An employee information form;

      2. The employment application;

      3. Employment examination results;

      4. Copies of licenses, transcripts, certificates, and other necessary documents which are relevant to the employee's position;

5. Work plans, appraisals, and performance ratings;

6. Status change forms recording employee salary and job status;

7. Leave records;

8. Letters of commendation and other work related favorable documents;

9. Disciplinary actions;

10. Payroll withholding information.

11. Benefit enrollment, election, and change forms.

C. The personnel file shall be maintained by the HR Director as per state statute (Division of State Archives).

2. Employee Right to Review File - A County employee shall have the right to inspect his/her personnel file in the presence of a human resource department employee or to request a copy of the file as per Utah Code Annotated 67-18. Files shall be copied within 3 working days of the employee's written request.

3. Placement or Removal of Documents

A. At least three (3) working days prior to placing an adverse document into an employee's personnel records, the Department Head must provide written notice to the employee. Requests for placement of documents in an employees' personnel file shall be denied unless the requestor is a direct supervisor or has supervisory authority over the employee.

B. After three (3) years, a written request for removal of an adverse document may be made by the employee to the HR Director, who shall approve, approve in part, or disapprove the request and provide a written response within twenty (20) days after the receipt of the request. If an employee does not receive such written response, the document shall remain as part of the personnel record and the employee may request Commission review. The criteria considered in this decision shall be based on the performance of the employee, the seriousness of the incident, and any intervening discipline or adverse documents.

C An employee may submit a document to the HR Director for consideration of placement of such into the personnel file relating to the employee's scope of employment.

4. Maintaining Supervisory Notes

A. Department Heads and supervisors are encouraged to maintain notes regarding an employee's job performance without including the notes in the personnel file.

B. Supervisory notes may be used in disciplinary proceedings against the employee.

5. Personnel and Payroll Records are Private with Limited Exceptions

A. Personnel and payroll records, except as provided in 5.C., are private and may be reviewed only by the employee, those authorized by written release of the employee, others authorized by law, or those determined by the HR Director to have a legitimate need for access.

B. Requests for private employment information concerning employees, current or former, will not be honored unless the inquirer has received a written release signed by the employee. When a release is authorized, the human resource department shall only disclose the information that has been authorized by the employee. If written authorization is not obtained, a representative in the human resource department shall only VERIFY information that has been given to the requestor by the former employee per HIPAA & GRAMA rules.

C. The following personnel information is not private and may be disclosed:

1. Confirmation of employment;

2. Education, training, and work experience;

3. Dates of employment;

4. Honors and awards related to employment;

5. Classification, title, job description, grade, gross compensation;

6. Location of employment and work telephone number.