

443-08 PUBLIC ACCESS TO PERSONNEL RECORDS—PROCEDURE

1. PURPOSE

The purpose of this procedure is to govern the access to and disclosure of certain information contained within personnel records pursuant to ARS 39-121.

2. PROCEDURE

1. Applicability

Personnel records maintained concerning individuals who are employees or who perform volunteer services are closed except for the following information:

- a. Full name of individual.
- b. Date of employment.
- c. Current and previous jobs and effective dates of employment.
- d. Name, location and phone number of department and/or office to which the individual has been assigned.
- e. Current and previous salaries and dates of each change.
- f. Name of current or last known supervisor.
- g. Information authorized to be released by the individual to the public unless prohibited by law.

All material contained within personnel files are the property of the College.

2. Requests for Records and Fees

Pursuant to ARS 39-121.01 subsection D, the College has facilities and resources available to provide copies and/or transcription. In cases where significant copying or labor is required to fill a public records request, fees will be charged based on the College fee schedule.

Requests for records must be submitted in writing in itemized forms to Human Resources. Items not specifically identified will not be provided and the time to fill a request for records will be dependent upon the nature of the request.

3. Employee Access to Personnel Records

The employee's own personnel file may be examined by that employee under the supervision of an employee in the Human Resources Department. The employee may not add to or remove information from their file without the authorization of the Human Resources Director.

4. Providing Employee Reference Information

Supervisors may provide to a requesting employer information concerning a current or former employee's reason for termination, job performance, professional conduct and evaluation to be used for the purpose of evaluating the employee for employment. Any information provided on current or former employees must be job-related, truthful, factual and demonstrable from the records of the employee. Arizona law provides that supervisors who are

authorized to respond to references about current or former employees are immune from civil liability in connection with providing information to a prospective employer unless all of the following are found to exist:

- a. The information is false.
- b. The information tends to bring the staff member into disrepute, contempt, or ridicule.
- c. The information is acted on to the harm of the staff member by the prospective employer.
- d. The supervisor knows the information is false or acts with reckless disregard of its truth or falsity.

A copy of any written communication provided to a prospective employer must be sent to the employee's, or former employees, last known address.

3. BACKGROUND

1. References: ARS 39-121
2. Revision History: 06/09/2010 (reformatted)
3. Legal Review: none
4. Sponsor: Human Resources

Adopted by College Council: 06/09/2010

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