

TO: ALL COUNTY PERSONNEL
FROM: VERDENIA C. BAKER
COUNTY ADMINISTRATOR
PREPARED BY: HUMAN RESOURCES DEPARTMENT
SUBJECT: PERSONNEL RECORDS
PPM #: CW-P-009

ISSUE DATE
May 1, 2019

EFFECTIVE DATE
May 1, 2019

PURPOSE:

To standardize the manner in which employees' personnel records are maintained by all departments and to provide for the protection and amendment of personnel records and files.

UPDATES:

Future updates to this PPM are the responsibility of the Director of Human Resources.

AUTHORITY:

- Florida Statute, Chapter 119 (Public Records Law), as may be amended
- Palm Beach County Merit Rule 1, as may be amended
- Countywide PPM CW-F-002, as may be amended

POLICY:

Personnel files are official legal records maintained in the Human Resources Department, which shall establish and maintain procedures to assure retention of information that is relevant, job related, or required by law or business necessity.

Employees shall be given access to their official records; however, no employee, agent of employee or person shall remove, abuse, alter, deface, write upon or mark up any legal document which is part of a personnel record.

Records may be inspected upon request; copies of all or any portion of a record may be provided upon payment of the applicable copying fee; and, file material may be included in the records to correct, amend or dispute information believed to be incorrect.

Departmental personnel records are sub-files only. Information kept in those files, except payroll and attendance records, must also be entered into the official legal personnel record.

The public has the right to review official personnel records, except certain information exempted by Florida Statute.

APPLICABILITY:

This policy shall be applicable to all official personnel records under the Palm Beach County Board of County Commissioners.

GUIDELINES:

File Contents – Personnel files include, but are not limited to, the following documents:

1. Application/Resume/Hiring Data – Letter of Offer, Transcripts, Reference Checks, Processing Forms, FRS Certification Form, Physical Notice, New Employee Requisitions.
2. Personnel Actions – Back-up Documentation, Justifications.
3. Performance Reviews – Backup Documentation, Attachments.
4. Pay Cards.
5. Miscellaneous – Leave of Absence, Exemption Forms, Letters (i.e., Outside Employment Letter, Government Agency Transfer Letter, Incentive Leave Letter, Ethics Forms, Signed Policies and Procedures, Driving Authorization Form).
6. Counseling Forms/Reprimands/Grievances – Disciplinary Documentation, Violations of Rules, Record of Counseling.
7. Workers' Compensation/Accident Reports – Supervisor Compensation Claims, FMLA Authorization Forms.
8. Certifications – Golden Palm Awards, Work Related Licenses, Certifications, Degrees.

Documents and memoranda reflecting work in process or pending issues, such as disciplinary actions, grievances, appeals, or matters under consideration, are usually not filed until final action or resolution by the administrative or legal authorities involved. Original document listed in file contents section shall have final resolution.

PROCEDURE:

1. Inspection - Any employee or member of the public who desires to inspect an official personnel record shall make the request to the Records Custodian in the Human Resources Department. Review must be in the presence of a Records Custodian. Constant surveillance of anyone viewing a record or file is mandatory. Records Custodians requested to make copies must take the complete file with them to avoid

Constant surveillance of anyone viewing a record or file is mandatory. Records Custodians requested to make copies must take the complete file with them to avoid possible tampering, abuse, marking or loss of the documents or records contained in the file. Files will be removed from anyone seen or suspected of tampering.

2. Pertinent Exemptions from Public Inspection - As provided by Florida Statute Chapter 119, the home addresses, telephone numbers, date of birth, and photographs of certain personnel, and their spouses, and the places of employment of spouses and children of such personnel, and the names and locations of schools attended by children of such personnel are exempt from public inspection. The social security numbers of all County employees are exempt from public inspection. Human Resources staff will assure that such exempted information is redacted from viewing prior to public inspection.
3. Material Filed – Should an employee, upon examining his/her personnel file, believe that information in the file is inaccurate or incorrect, s/he may be permitted to submit a signed and dated written statement to be retained as long as the information referred to in the statement remains in the file. Such statements must be approved by the Records Custodians prior to entry in the employee's personnel file. Upon approval, the Records Custodian shall assure that all previous recipients of the information questioned are notified.
4. Amendment – Information contained in an official legal personnel record found to be inaccurate, incomplete, or in need of updating shall be amended by memorandum issued by the Records Custodian only, in lieu of County employees or their agents marking up documents requiring amendment. Decisions regarding what data or information are to be amended, rests upon the determinations made by Human Resources staff after resolution of the issues involved and an examination of the personnel record documents.
5. Release – Upon sign-out, personnel records and files may only be released to the Human Resources Director and Records Custodian.
6. Subpoenas – Departments receiving subpoenas or records requests for employees' personnel records or employment information shall immediately submit them directly to a Records Custodian in the Human Resources Department.


VERDENIA C. BAKER
COUNTY ADMINISTRATOR

Supersession History

1. Administrative Order #7-7, dated 7/18/87
2. PPM#CW-P-009, effective 7/1/88
3. PPM#CW-P-009, effective 8/22/91
4. PPM#CW-P-009, effective 8/11/97
5. PPM#CW-P-009, effective 11/1/05
6. PPM#CW-P-009, effective 5/15/13