

Yamhill Fire Protection District

District Policies, Procedures, & SOG's

MISSION

*Yamhill Fire Protection District is dedicated to
serve and protect our community*

District Policies

PERSONNEL

PER – 715

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Personnel Records

Issued: January 11, 2005

Revised: November 11, 2014

Maintenance of File

Official personnel records of employees shall be maintained by the Fire Chief. If there is a change of name, address, telephone number, marital status, or number of dependents, the Fire Chief should be notified in order to keep applicable records up to date.

Record Removal

Documents shall not be removed from a personnel file, except pursuant to a determination by the Fire Chief that a particular document is not accurate, or is no longer relevant or timely to any personnel or performance matter. Any document removed shall be maintained in a separate file containing all such documents, not indexed under the name of any employee.

Medical Records

Documents containing medical information are kept in a separate, confidential file that is not part of the employee's personnel file. While these records are treated as confidential, supervisors and managers may be informed regarding necessary work restrictions and necessary accommodations. First aid and safety personnel may be informed, when appropriate, of an employee's disability, if the disability might require emergency treatment. Government officials investigating compliance with discrimination laws shall be provided relevant information on request.

Personnel Files

This policy defines circumstances under which an employee may examine his/her personnel records; as well as the circumstances under which an individual who is not an employee of the District may examine an employee's personnel record. This policy and procedure applies to all District employees.

- A. No material of a negative or derogatory nature shall be placed in an employee's file unless a copy is given to the employee.

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- B. Employees may be allowed to include in their personnel file any material deemed relevant to job qualifications or performance, in the judgment of the District. Employees may inspect and review their personnel files, excluding confidential reports from previous employers and all other information gathered prior to the date of hire. Employees may protest, or comment upon, in writing, any materials placed in their personnel file. Such protest/comments shall be placed in the personnel file.

Procedure for Access by Employee

- A. Employees wishing to inspect/review their personnel file shall make an appointment in advance with the Fire Chief.
- B. An employee must receive a copy of such records within 45 days following a request. Employee may be charged the actual cost of providing this service.

Access to Personnel Files – Persons Other Than Employee

- A. Personnel files are exempt from disclosure under the provisions of ORS 192.502(2) if disclosure would constitute an unreasonable invasion of privacy. Records of discipline may be exempt from public disclosure.
- B. Any person seeking disclosure of material that would constitute an unreasonable invasion of any employee's privacy shall have the burden of showing that public disclosure would not constitute such an unreasonable invasion of privacy, by clear and convincing evidence.
- C. In any event, no information in any employee's personnel file will be released until the employee is notified and has a reasonable opportunity to comment on the request, except as required by Oregon law. In all cases, the District must determine whether or not particular personnel records of any District employee are subject to public disclosure. An employee's expectation of confidentiality and privacy is, in each case, subject to the requirements of Oregon's Public Records Law. Information regarding an employee's address, telephone number, work history, performance or salary will not be given over the telephone. Only employment dates and job title may be released verbally.
- D. Verification of employment, requests for salary or other confidential information must be in writing, signed by the employee, authorizing release of specific information.

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- E. Work reference requests, for both present and terminated employees, must be in writing and signed by the employee, authorizing release of information and containing an effective authorization to disclose and release of liability (as determined by the District) for providing such information.

Management Review of Personnel Files

- A. Upon request of an employee, adverse material in the personnel files will be reviewed by the Fire Chief to determine the continued appropriateness of retention.
- B. Materials deemed inappropriate or no longer relevant may be removed from the personnel file with the employee concerned so notified. Criteria which may be used, include age of the material, seriousness of the infraction, and instances of repeated or similar infractions. However, such information may be maintained by the District in a separate file for purposes of forewarning and litigation defense, but generally not for human resources determinations.