

CITY OF CHESAPEAKE, VIRGINIA

NUMBER: 2.02

ADMINISTRATIVE REGULATION

EFFECTIVE DATE: 07/01/2017

**SUBJECT: DEPARTMENT OF HUMAN RESOURCES
ACCESS TO PERSONNEL FILES**

SUPERSEDES: 06/03/2014

I. PURPOSE

This policy is established to identify those individuals who have access to employees' official personnel files maintained by the Department of Human Resources, what information may be obtained from personnel files, and the procedure for accessing personnel files.

II. POLICY

A. Authorized Personnel

Individuals who have access to personnel files are as follows:

- Members of City Council for their appointees;
- Department of Audit Services in connection with specific audits/investigations;
- City Manager and authorized employees in the City Manager's office;
- Legal representatives for the City in connection with grievance proceedings, litigation and other legal matters;
- Director of Human Resources and authorized employees of the Department of Human Resources;
- The employee;
- The employee's supervisor or designee;
- The employee's department head or designee;
- A hiring supervisor considering a current or former employee for demotion, transfer, or promotion into his/her work unit;
- Members of a grievance panel assigned to hear a grievance for an employee (with prior written permission of the grievant);
- Individuals who have submitted a subpoena for the record; and
- Individuals with a signed release by the employee giving permission to access his/her personnel file.

B. Location of Personnel Files

Personnel files are maintained electronically by the Department of Human Resources.

C. Review or Release of Records

1. An employee desiring to review his/her personnel file should contact the Department of Human Resources.
2. Some personnel-related records are not considered part of an employee's personnel file (e.g. health or recruitment-related documents). These types of documents may or may not be available for inspection in accordance with the Freedom of Information Act or other applicable laws.
3. Identification may be requested by the Department of Human Resources for an individual requesting access to a personnel file, including the employee.
4. Requests for materials, subpoenaed or otherwise, received in connection with a legal action or investigation should be submitted in writing.
5. Items not specifically identified will not be provided.
6. When an investigator seeks information pursuant to a signed release, only the material specifically requested will be disclosed. In the event of a concern regarding the validity of the requestor's credentials or the appropriateness of the information requested, a written request for the material, including verification of credentials, will be requested prior to disclosure.

D. Reproduction of Records

Items from a personnel file may be printed by a member of the Department of Human Resources. A nominal cost (per page) may be charged. Documents will only be disseminated to individuals as authorized in Section II, A.

E. City Council Briefing

Nothing in this policy shall preclude the City Manager, the City Attorney, or their designees from briefing City Council members on personnel matters to the extent permitted by Virginia law.

APPROVED AS TO FORM AND CONTENT:



Dana E. Sanford, Deputy City Attorney

7.6.2017

Date

APPROVED AND ADOPTED:



James E. Baker, City Manager

7/10/2017

Date