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## POLICY

The only official employee personnel file shall be maintained by the Personnel Officer. Access to employee personnel files is limited according to prescribed procedures. Employee data maintained elsewhere is not considered part of the employee's personnel file. All personnel files and employee data shall be confidentially maintained.

## RESPONSIBILITY

It shall be the responsibility of the **Personnel Officer** to confidentially maintain official personnel files.

It shall be the responsibility of the **District Manager, Fire Chief, and fire officers** to forward original employee documents to the Personnel Officer and to protect the confidentiality of employee data and records maintained in departmental files.

## PERSONNEL FILE CONTENT PRACTICES

1. An employee's personnel file, which does not have to be a singular, physical file, must contain the following original documentation if the documentation existed:
  - a. Educational transcripts and verifications;
  - b. Awards, honors, letters of commendation connected with employment;
  - c. A copy of all written requests for verification of employment, reference checks and completed documents;
  - d. Certificates or notices of employee accomplishments in the area of training or employee development;
  - e. Internal education and training records, rosters, etc.;
  - f. Orientation and periodic policy review affirmations;
  - g. ***Employment Application Form 218-1***;
  - h. ***Internal Application Form 218-2***, if employee has applied for internal vacancies;

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- i. **Request From [Driver's License] Record Holder Form DOR 4681**, if driving is a bona fide occupational qualification (BFOQ) for the employee;
- j. **Request For Criminal Record Check Form SHP-158** and results thereof;
- k. Written requests for background or reference checks, e.g., **Information Release Waiver & Indemnity Form 218-3**, and reference check information;
- l. Certificate to Employ a Child 14 or 15 Years of Age **Form DOL 500-1368**, if employee is or was fourteen (14) or fifteen (15) years of age while employed at the District;
- m. Personnel forms, e.g., **Data Form 254-1; Action Form 254-2**; etc.;
- n. Checklists, e.g., **Applicant Form 254-4; New Member Form 254-5**; etc.;
- o. Accident and disability beneficiary forms;
- p. Employment contracts, if the contracts exist;
- q. Performance management documentation; e.g., evaluations; warnings; employee development plans; performance improvement plans (PIPs);
- r. Summary reports of internal investigations and grievances if disciplinary action results;
- s. Issued equipment documentation;
- t. Non-disclosure agreements, e.g., for health privacy;
- u. Termination documentation, including exit interview documentation (also see 2.m in this section);
- v. Retirement application, if retired or retiring; and
- w. **Employee Confidentiality Agreement Form 730-1.**

2. Personnel files must NOT contain the following:
  - a. Wage, salary, and benefits documentation, e.g., time and pay records; **Create Payroll Form 838-2**; garnishment orders; benefit statement acknowledgements; COBRA notification and election forms; **Authorization for Compensation Form 838-1**; etc.
  - b. Training repayment documentation, e.g., agreements;
  - c. Allowances documentation, e.g., pager agreements with third-parties; **Authorization for Allowances Form 840-1**; attestations; etc.
  - d. **Federal Employee's Withholding Allowance Certificate IRS Form W-4**;
  - e. **Missouri Employee's Withholding Allowance Certificate DOR Form MO W-4**;
  - f. Fleet Fuel Program documentation, e.g., **User Agreement Form 886-1**; **Add User Form 886-2**; **Update User Form 886-3**; **Dispute Form 886-4**; etc.
  - g. Purchase Card documentation, e.g., **Agreement Form 884-1**; **Lost/Stolen Report Form 884-2**; **Dispute Form 884-3**; and **Return Form 884-4**;
  - h. Travel and business expense documentation; e.g., **Business Expense Reimbursement Request Form 830-1**; **Mileage Log Form 830-2**; **Travel Advance Form 830-3a**; **Travel Advance Worksheet Form 830-3b**; etc.
  - i. Equal Employment Opportunity documents;
  - j. Workplace wrongdoing complaints or investigative reports that are not supported by fact or documentation;
  - k. Legal case documentation and records;
  - l. Unemployment documentation; and
  - m. Exit interview documentation with accusations that are not supported by fact or documentation.

3. Medical- or disability-related information must be kept in a separate, secure file with only those who would need to know having access:
  - a. Employment-related physical examination reports;
  - b. Injury or workers compensation claims;
  - c. Diagnostic records
  - d. Laboratory test results;
  - e. Medical Leave of Absence and return to work documents;
  - f. Drug and alcohol testing; and
  - g. Any other medical records with personally identifiable information about individual employees.
4. **Employment Eligibility Verification Form I-9** and supporting documentation must be kept in a separate, secure file with only those who would need to know having access.
5. **Employment Eligibility Verification Form I-9** and supporting documentation shall be kept for three (3) years after the employee's hire date or one (1) year after the employee's termination date, whichever comes later.

#### ACCESSING PERSONNEL FILE PRACTICES

1. The following persons shall have the right of access to an employee's personnel file:
  - a. The employee who is the subject of the file;
  - b. Those persons the employee has authorized, in writing, to view their file;
  - c. The Personnel Officer;
  - d. The Board of Directors;
  - e. The District Manager or Fire Chief, with the appropriate fire officers;

- f. Other individuals empowered to do so by court order or other lawful request;
  - g. Attorneys representing the District in an appeal, legal complaint or investigation.
2. Upon request, an employee may review their personnel file by making an appointment with the Personnel Officer.
  3. Only the Personnel Officer will be allowed to remove the personnel file or portions thereof.
  4. One copy of an employee's file will be provided to the requesting employee at no charge. Additional copies will be provided at the District's prescribed rate in *Sunshine Law Policy #872*.

#### PERSONNEL FILE REVIEW PRACTICES

1. An employee may request, in writing, to the Personnel Officer, a review of their personnel file on the basis that information in the file is in error, unjustifiable or misleading.
2. The Personnel Officer shall advise the employee of appropriate options which include submission of additions to the file through conciliation or the grievance procedure.

#### VERIFICATION OF EMPLOYMENT/REFERENCE CHECK PRACTICES

1. All inquiries for verification of employment or reference checks will be forwarded to the Personnel Officer for review and completion.
2. The Personnel Officer will release the following information for verification of employment or reference checks:
  - a. Dates of employment; and
  - b. Position.
3. The Personnel Officer may release additional information with a signed release statement from the employee to comply with legal requirements or governmental investigative agencies (also see 1.c. under the PERSONNEL FILE CONTENT PRACTICES).

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REVISION HISTORY

Revision Date	Author	Revision Details
May 13, 2021	Monte Olsen	Initial version
March 3, 2022	Monte Olsen	Added Employee Confidentiality Agreement and Privacy Policy 730