

## 1.04 PERSONNEL RECORDS

### Official Personnel Record

The ~~Auditor's Office~~City of Portland complies with all applicable federal, state, and local laws to maintain records of employees and/or prospective employees. ~~The official personnel record consists of information housed centrally at the Bureau of Human Resources.~~The ~~Auditor's Office~~ Bureau of Human Resources is responsible for maintaining and securing the ~~ose~~ employee records ~~of its staff~~. They are maintained and secured by Management Services.~~For records held in other areas of the City of Portland, the responsibility for security and maintenance lies within that bureau or work unit~~

### Rule Applicability

The provisions of this administrative rule apply to:

- ~~City~~ Employees
- Former ~~City~~ Employees
- Prospective ~~E~~mployees
- Members of the ~~P~~ublic

### Definition of Personnel File

For purposes of this Administrative Rule, the official personnel file consists of information gathered by Management Services~~the Bureau of Human Resources~~ which that relates to the:

- Individual's application
- Personal ~~I~~information (non-medical)
- Selection materials
- Promotions, demotions, transfers
- Salary
- Performance evaluations
- Disciplinary actions; and termination of employment
- Work history, status and tenure

Employees shall have the right to include in their personnel file letters of commendation, training certifications, educational records and other documents relevant to their employment.

Information about employees should include only that which is necessary and relevant to employment and should be used only for employment related purposes.

### Notice

No information reflecting critically on an employee shall be placed in the employee's personnel file unless the employee is notified.

### Remedies of Employees Objecting to Material in File

Documents may be removed from the employee's official personnel file only with upon ~~the~~ mutual agreement of the ~~City Auditor~~Director of Human Resources or a designee, the ~~division manager or supervisor~~bureau director and the employee or the employee's representative. ~~The~~ Oregon public records law prohibits destruction of public records except when certain conditions are met. Documents that are removed from the official

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personnel file, and their retention or storage, ~~must comply with~~ ~~will be dealt with in~~ ~~accordance with the~~ public records law or other public policy requirements.

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**Records Open to Inspection**

Confidential records shall only be disclosed within the ~~Auditor's Office~~ City to aid in personnel administration. ~~Responses to External inquiries regarding the record of an employee or a former employee must comply with~~ ~~shall be responded to in accordance with~~ disclosure laws, ~~or be released with~~ ~~upon~~ the employee's written authorization in accordance with the Administrative Rule on Reference Checks and Employment Verification.

The ~~City Auditor~~ Director of Human Resources shall determine procedural requirements regarding the release of personnel data.

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**Bureau Medical Records**

Medical records shall not be retained in the official personnel file, but in a separate confidential file, which is physically separate from the official personnel files. See the Administrative Rule on Employee Medical Files.

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**Bureau Personnel Record**

~~Management Services~~ ~~Each bureau or work unit~~ will designate a record location for employees and prospective employees. ~~It will~~ ~~Bureaus have the responsibility of~~ maintaining and securing ~~any and~~ all types of records, forms, and data relating to the selection, status, performance, salary, discipline, and training of employees. This includes responsibility for ensuring the confidentiality of those records designated as such.

~~Bureau Personnel Records are convenience copies with the official record being held at the Bureau of Human Resources. Division managers and supervisors are~~ ~~It is the responsibility for~~ ~~of those in charge of the bureau personnel record to~~ ensure documents that need to be placed in the official employee file are sent to Management Services ~~Employee Records in Human Resources~~ when they are created or received.

~~In order to~~ ensure the security and confidentiality of records, Management Services and each division managers and supervisors ~~bureau or work unit~~ shall establish administrative, technical and physical controls to protect confidential information from unauthorized access or disclosure.

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**Union Access to Personnel Files**

The employee's authorized representative may inspect and obtain copies of the employee's official personnel file ~~with, upon~~ the employee's written permission ~~release~~.

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**Employee Access to Employee Files**

Employees ~~shall~~ have the right to inspect and obtain copies of their own personnel records within the prescribed guidelines of this rule to the extent provided by applicable law.

Employees requesting to see their official personnel file should contact Management Services ~~will be directed to contact Human Resources~~. At no time during the examination of the employee's file shall the file be out of the direct supervision of the record keeper.

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**Employee Access to Bureau Employee Files**

~~Employees have the same right to inspect their bureau personnel file as they do their official personnel file.~~

**Disclosure of Information in Personnel Files**

~~External inquiries regarding the record of an employee or a former employee shall be responded to in accordance with the Administrative Rule on Reference Checks & Employment Verification.~~

**File of Employee Transferred to a Bureau or Separated from Service**

~~The Bureau employee files of an employees who is transfer or are red/promoted to another City bureau will be forwarded to the employee's new bureau. Upon separation from City employment, transfer any remaining original documents to the Bureau of Human Resources. Retain convenience copies 1 year after separation from city employment. Follow guidelines for confidential destruction when disposing of personnel records. If there is pending legal action, the files bureau file will be retained by the bureau in consultation with the until such time as transfer to the Bureau of Human Resources is authorized by the City Attorney's Office.~~

**Personnel Record Retention**

All employee files will be retained in accordance with the Record Retention Requirements as determined by the Auditor's Office as well as federal, state and local laws.

**Responsibility of Employees**

Employees are expected to promptly notify their supervisor and Management Services~~the Bureau of Human Resources~~ of changes of name, home address and telephone number to assure proper records management.

**Fees**

The Auditor's Office~~Bureau of Human Resources~~ may charge fees for providing information to requestors. These charges may not exceed the actual cost of providing the information but may include copying costs and costs for labor involved in locating and copying the information.

**Administrative Rule History**

~~Adopted by Council March 6, 2002, Ordinance No. 176302  
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Revised July 1, 2004  
Revised July 9, 2007  
Revised October 19, 2010  
Revised April 25, 2016~~