



## **1.04 PERSONNEL RECORDS**

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### **Official Personnel Record**

The 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 Bureau of Human Resources is responsible for maintaining and securing those employee records. For records held in other areas of the City of Portland, the responsibility for security and maintenance lies within that bureau or work unit.

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### **Rule Applicability**

The provisions of this administrative rule apply to:

- City Employees
  - Former City Employees
  - Prospective Employees
  - Members of the Public
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### **Definition of Personnel File**

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

- Individual's application
- Personal Information (non-medical)
- Selection materials
- Promotions, demotions, transfers
- Salary
- Performance evaluations
- Disciplinary actions, and termination of employment
- Work history, status and tenure
- I-9

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.

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### **Notice**

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

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### **Remedies of Employees Objecting to Material in File**

Documents may be removed from the employee's official personnel file only upon mutual agreement of the Director of Human Resources or designee, the bureau director and the employee or the employee's representative. The Oregon public records

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law prohibits destruction of public records except when certain conditions are met. Documents that are removed from the official personnel file, and their retention or storage, 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 City to aid in personnel administration. External inquiries regarding the record of an employee or a former employee shall be responded to in accordance with disclosure laws, or released upon the employee's written authorization in accordance with the [Administrative Rule on Reference Checks and Employment Verification](#).

The 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 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**

Each bureau or work unit will designate a record location for employees and prospective employees. Bureaus have the responsibility of maintaining and securing the confidentiality of any and all types of records, forms, data relating to the selection, status, performance, salary, discipline, and training of employees.

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

In order to ensure the security and confidentiality of records, each 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, upon the [employee's written 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 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.

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**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 Rules on Reference Checks and Employment Verification.](#)

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**File of Employee  
Transferred or  
Separated from Service**

The Bureau employee file of an employee who is transferred/promoted to another bureau, will be forwarded to the employee's new bureau. The bureau employee file of a separated employee will be kept in the bureau for one year from the separation unless there is pending legal action, and then disposed of in a confidential and secure manner. If there is pending legal action the file will be retained by the bureau until such time as disposition is authorized by the City Attorney's Office.

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**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.

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**Responsibility of  
Employees**

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

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**Fees**

The 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.

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**Administrative Rule  
History**

Adopted by Council March 6, 2002, Ordinance No. 176302  
Effective April 5, 2002  
Revised July 1, 2004  
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