



POLICY STATEMENT 40 CONFIDENTIALITY OF PERSONNEL RECORDS OF UNIVERSITY EMPLOYEES

POLICY DIGEST

Monitoring Unit: Human Resource Management
Last Revised: April 1, 2016

I. PURPOSE

To define those materials which constitute personnel records, to identify those persons who may have access to such records and to specify conditions governing access to and use of personnel records.

II. DEFINITIONS

- A. Personnel Records - Any record maintained in any administrative office of the University in connection with the recruitment and employment of any person whether the record is stored in printed or written form, micrographically, electronically or otherwise. Such records include but are not necessarily limited to letters of application, personal resumes, letters of recommendation, academic records, materials furnished by a placement service, appointment forms, records of promotion or other changes in status subsequent to appointment, salary raises, leave accrual, use and balances and any other personnel action processed through the Office of Human Resource Management, performance evaluations, and correspondence in the employee's personnel folder between the individual employee and any administrative officer of the University.
- B. Employee Medical Records - Other than such records as may be retained in the Student Health Center, medical records of an employee relating to the employment relationship between the employee and the University may only be maintained in the Office of Human Resource Management, in a file separate from the employee's personnel file or, if related to worker's compensation, in a separate file in the Office of Risk Management. Because medical records of an individual employee may involve worker's compensation matters, both departments, Human Resource Management and Risk Management share employee medical records upon need. Other LSU administrative offices may not solicit or retain employee medical records.
- C. Law Enforcement Records - Records held by a law enforcement investigating officer or agency, including the LSU Police Department, except for the initial arrest record, do not become public records until such time as any criminal charges have been finally adjudicated or otherwise settled. Such records may only be made a part of an employee's personnel record if directly bearing on the employment relationship and, in any case, only in personnel records of Human Resource Management.

- D. Office of Internal Auditing - Working papers and other materials gathered by University auditors become available as public records only in the form of a completed audit report upon its issuance. Audit reports may only be made a part of an employee's personnel record if applicable to employee discipline.
- E. Grievance and Disciplinary Hearings - Papers, notes, tapes, and minutes of grievance or disciplinary proceedings are not personnel records until such time as those proceedings are completed.
- F. Directory Information - Public information which may be published or otherwise divulged to any interested persons. Directory information related to University employees includes only the following items: name, job title and/or rank, salary, tenure status, academic degrees held, institutions awarding those degrees, date of employment by the University, department or office in which employed, work location (building and room number) and University telephone number. Home address and home telephone number will be provided as directory information unless specifically excluded at the employee's request. Directory information, as defined above, will be provided for former employees, with their date of termination and their written reason for leaving, if any.
- G. Administrative Officer - Any person duly appointed by the Board of Supervisors to carry out any administrative function of the University.
- H. Record Custodian - For purposes of this Policy Statement, a record custodian is a person who has the responsibility for receiving, safeguarding, maintaining, and dispatching all personnel records. The President is the custodian of all records maintained by the central administration of the University. A dean, director, supervisor, manager, or the administrative head of any office is the custodian of all records in that office. The department head or chairman is the custodian of all records in an academic department. Other employees who merely process and/or file personnel records are not record custodians.
- I. Public Records Statute - Public Records Act (RS 44:1 et. seq.) establishes statutory requirements as to which records must be made available to public inspection and those for which is not required.

III. STATEMENT OF POLICY

It is the purpose of this policy to establish reasonable balance among (1) Requirements of the Louisiana Public Records law defining some personnel records as public documents, (2) Privacy rights of individual employees and (3) Availability of information necessary to accomplish the purposes of the University.

IV. CONDITIONS OF ACCESS

Directory information about individual employees as defined above, except for salary information, will be provided routinely to any inquirer by any University employee who is a custodian of those records.

Information about employees' home and office addresses and telephone numbers may be obtained from the *Louisiana State University Faculty, Staff & Student Directory*. Copies are available for review in most LSU offices and copies are available for purchase at the LSU Union Bookstore. Lists or mailing labels of employees' home and office addresses and telephone numbers may only be provided to non-University

agencies with written authorization of the Vice President for Finance & Administration and CFO. Printed or computerized listings of employee information will not otherwise be provided except as may be required by law. In all cases, the costs of providing employee information will be borne by the information requestor.

Salary information of a University employee may be obtained only upon request to the Vice President for Finance & Administration. In such case, the University reserves the right to notify affected persons of the names of persons to whom information was furnished.

All University employees may review their own official personnel records. Letters of recommendation or references obtained as a part of the tenure review process will not be made available to the employee except for letters containing explicit statements by the maker that the letter is not to be regarded as confidential. The personnel record of any individual will be made available to him or her upon written request and within a reasonable period of time not to exceed three (3) working days to allow the custodian of the record or his designated deputy to screen the file for confidential material.

The University does not provide information about applicants for employment until such time as they become employees. The resumes of applicants for employment, therefore, will be considered as confidential unless the applicant agrees to the release of such information.

Administrative officers of the University will have access to the personnel files of all employees within their areas of responsibility. Custodians of personnel records may give access to the files to any administrative officer or other employee of the University who, in the judgment of the custodian of the personnel record, must have access in order to carry out his/her duties. Custodians will also provide access to files in response to court orders and subpoenas but should consult with the Office of Human Resource Management before so doing.

All persons having access to personnel files will regard the contents (other than directory information) as confidential and will not divulge such contents to prospective employers, credit agencies, government agencies or to other persons except as specified above or with the express written consent of the employee.

Access to medical records is available only to designated personnel in the Office of Human Resource Management and, in the case of worker's compensation matters, in the Office of Risk Management. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations resulting from medical information contained in such information.

Breach of personnel records confidentiality by any employee of the University will be considered cause for disciplinary action up to and including termination.

V. SOURCE

Public Records Act (RS 44:1 et. seq.)