



**CITY OF VISALIA PERSONNEL POLICY**  
**Policy #122**  
**Personnel Files and References**

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**I. PURPOSE**

To outline the City's policy on official employee personnel files and to establish consistent and appropriate methods for responding to employment verification and reference requests concerning current and past City employees.

**II. POLICY**

The Human Resources Division maintains a personnel file on all employees. This file is considered the employee's official personnel file and will contain only material that is necessary and relevant to the administration of the City's personnel program. Personnel files are the property of the City, and access to the information they contain is restricted..

It is the City's policy that all requests for verification of employment and/or reference requests by telephone or in writing for information concerning current or former City employees are to be referred to the Human Resources Division.

**A. Supervisor Working Files**

Supervisors, managers, and/or department heads may keep working files on their assigned employees and these files are for the exclusive use of these persons. This working file should be purged on an annual basis, provided there is no ongoing performance issue or problem requiring documentation.

**B. Public Safety Officer and Firefighters**

Peace Officer personnel files are maintained pursuant to Penal Code § 832.7. (Refer to the Visalia Police Department Policy #1026 – Police Officer Personnel Files.)

No adverse comment of a public safety officer or firefighter may be entered into a working file or personnel file without first providing the employee the opportunity to sign and date the comment.

**C. Medical Information**

1. Separate Confidential Files. All medical information about an employee or applicant is kept separately and is treated as confidential, in accordance with applicable state or federal law.
2. Information in Medical Files. The City will not obtain medical information about an employee or applicant except in compliance with the Americans with Disability Act, Fair Employment and Housing Act, and/or California Confidentiality of Medical Information Act. To enable the City to obtain certain medical information, the employee or applicant may be required to sign an Authorization for Release of Employee Medical Information.
3. Access to Medical Information. Access to employee or applicant medical information shall be strictly limited to only those with a legitimate need to have such information



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---

for City business reasons, or if access is required by law, subpoena or court order. In the case of an employee with a disability, managers and supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

The City will only provide employee or applicant medical information to a third party if the employee signs an Authorization for Release of Employee Medical Information, unless disclosure is required by law. The City will, consistent with applicable law, release only the medical information that is identified in the employee's authorization or other lawful order. If the employee's authorization indicates any limitations regarding the use of the medical information, the City will communicate those limitations to the person or entity to which it discloses the medical information.

**D. Release of Information**

1. **Public Information.** Upon request, the City will release to the public information about its employees as required by the Public Records Act or other governing law. The City will not disclose personnel information if, based upon applicable law, doing so would violate the law or constitute an unwarranted invasion of personal privacy.
2. **Reference Checks.** All requests from outside the City for reference checks or verification of employment concerning any current or former employee must be referred to the Human Resources Division. Information will be released by the Human Resources Division only if the employee signs an Authorization for Release of Employment Information and will release only the information specifically authorized. Without such authorization, the following limited information will be provided: position held, dates of employment and salary. Employees, Supervisors, Managers, and Department Heads should not provide any information in response to requests for reference checks or verification of employment, unless specifically approved by the Human Resources Division.
3. **Medical Information.** Medical Information will be released only in accordance with subsection C above.

**E. Letters of Recommendation**

City employees may not provide letters of recommendation for current employees, former employees, or other individuals on City letterhead and/or acting as an agent of the City unless authorized by the City Manager. City employees may provide a personal reference on personal stationary.

**F. Access to Personnel Files**

1. **Inspection of File - Employee.** An employee may inspect his/her own official personnel file in Human Resources. An employee who wishes to review his/her file should contact Human Resources to arrange an appointment. The review must be done in the presence of an employee of the Human Resources Division.
2. **Inspection of File – Employee Representative.** In the event an employee wishes to have another person/representative inspect his/her official personnel file, the



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employee must provide Human Resources with written authorization, specifically identifying the person/representative authorized to inspect the employee's personnel file. Human Resources will notify the employee of the date, time and place of inspection. It is the employee's responsibility to notify his/her representative of the date, time and place of inspection. This review must be done in the presence of an employee of the Human Resources Division.

3. Removal or Change of Documents in File. Under no circumstances is the employee and/or the employee's representative permitted to add, change or remove any document or other item from the employee's personnel file during inspection.
4. Copies. On request, an employee is entitled to receive a copy of any employment-related document contained in the individual's personnel file.

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*Applicable Laws: CA Public Records Act, POBR, FFBOR*