

SECTION X: RECORD KEEPING

1. GENERAL POLICY. Federal law requires employers to keep detailed records about their employees.
2. CONFIDENTIALITY.
 - A. Tremonton City's policy is that only relevant, job-related information is maintained regarding its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons.
 - B. Upon request, employees, or their representative designated in writing, have the opportunity to review their own files, in the presence of the Mayor, City Manager, or HR Director on Tremonton City premises during regular business hours. When a supervisor requires access to the personnel file of an employee under his or her supervision for the handling of personnel matters, the supervisor may review the file with the HR Director.
3. PERSONNEL FILE REQUIREMENTS.
 - A. General.
 - (1) Personnel files are maintained regarding each employee and kept by the HR Director. The record copy (original, copy when available) of all appropriate personnel information, as set forth hereafter, related to an employee shall be filed in the employee's personnel file.
 - (2) No information from any record placed in an employee's personnel file shall be communicated to any person or organization except by authorization of the Mayor or the employee's designated representative.
 - B. Contents.
 - (1) An employment record, including the employee's job application, resume, conditional offer of employment forms, and final job offer letter.
 - (2) Results of any pre-employment medical examinations and background investigations.
 - (3) A signed copy of the employee's acknowledgment of receiving a copy of the personnel policies and procedures manual.
 - (4) Employee's Withholding Allowance Certificate (Form W-4).
 - (5) Health Insurance forms.

- (6) Retirement forms.
 - (7) All personnel action forms, which may include, but are not limited to:
 - (a) Performance evaluations.
 - (b) Promotions or transfers.
 - (c) Salary rate changes.
 - (d) Disciplinary action taken.
 - (e) Any information the employee wants included in response to any of the above actions.
 - (8) Records of citations for excellence or awards for good performance.
 - (9) Record of any other pertinent information having a bearing on the employee's status.
 - (10) Certificates or documentation of trainings attended.
 - (11) Any other documents management deems appropriate to be retained.
 - C. Change of Employee Status. Employees are responsible for ensuring that personal employee information contained in their personnel files is current and accurate. Employee information (any change in number of dependents, marital status, address, educational degrees, etc.) shall be updated by the employee completing a Change of Status Form (see Appendix Number 27 for details) and giving it to the HR Director to file in their personnel file.
4. EMPLOYMENT REFERENCES. Tremonton City limits information given in an employment reference to the following:
- A. Verification that the employee worked for Tremonton City during a stated period and the employee's job titles.
 - B. A description of the position held.
 - C. Verification that the employee achieved a given wage or salary.
5. VERIFICATION OF EMPLOYMENT.
- A. When the HR Director receives a third party request for verification of employment, the third party shall also provide the City with the employee's

signed authorization to release information. No information shall be given without the employee's signed authorization to release.

- B. The HR Director shall compare the release signature with the employee's signature on file in the personnel files.

6. MAINTAINING SEXUAL/GENDER HARASSMENT COMPLAINT FILES.

- A. Any paper documents related to any sexual/gender harassment complaint, proceeding, or resolution shall be maintained in separate and confidential sexual/gender harassment complaint files. This information shall not be placed or maintained in any employee's personnel file.
- B. Information contained in the sexual/gender harassment complaint files shall be released only with the written authorization of the Mayor or City Manager for internal purposes only.
 - (1) Written Sexual/Gender Harassment Complaints (Appendix Number 54) and documents and supporting or associated documents shall be classified as "Private" for purposes of the Government Records Access Management Act ("GRAMA") of the State of Utah.
- C. Participants in any sexual/gender harassment proceeding/investigation shall treat all information and records related to that proceeding/investigation as confidential.

7. GRIEVANCES COMPLAINT FILES.

- A. Any paper documents related to any grievance complaint, proceeding, or resolution shall be maintained in separate and confidential grievance complaint files. This information shall not be placed or maintained in any employee's personnel file.
- B. Information contained in the grievance complaint files shall be released only with the written authorization of the Mayor or City Manager for internal purposes only.
 - (1) Written Grievance Forms (Appendix Number 21) and documents shall be classified as "Private" for purposes of the Government Records Access Management Act ("GRAMA") of the State of Utah.
- C. Participants in any grievance proceeding/investigation shall treat all information and records related to that proceeding/investigation as confidential.

8. OTHER FILE REQUIREMENTS. Records should be examined annually to keep the files current.

- A. Job applications.
 - B. Test papers completed by job applicants or candidates for any position.
 - C. Any advertisements or notices relating to job openings or training programs.
9. FEDERAL LABOR STANDARDS ACT (FLSA) MINIMUM WAGE REQUIREMENTS. Tremonton City shall keep time cards on all employees for a period of at least three (3) years with the following information:
- A. Hours worked each day and total hours worked each week;
 - B. Total daily or weekly straight-time earnings;
 - C. Total additions to or deductions from wages paid each pay period, including an explanation of items that make up additions and deductions;
 - D. Date of payment and pay period covered; and
 - E. Total overtime above regular compensation for work week.
10. OTHER REQUIREMENTS. There are record keeping requirements under other federal and state laws over which the HR Director has jurisdiction:
- A. Occupational Safety and Health Administration record of injuries.
 - B. Workers Compensation files shall be retained for ten (10) years after the case is closed per the Government Records Access Management Act (GRAMA).
 - C. Immigration Reform and Control Act requires the Employment Eligibility Verification (Form I-9) forms to be kept for three (3) years after the person is hired or for one (1) year after employment is terminated, whichever is later.