


<b>Category:</b>	Human Resource Administration	<b>INCA Community Services Personnel Policy</b> 
<b>Sub Category:</b>	Personnel Records	
<b>Effective Date:</b>	10/1/1986	
<b>Revised Date:</b>	8/1/2012, 1/29/18, 06/22, 9/23,9/24	
<b>Forms:</b>	See below (Personnel File)	
Responsible: Human Resource Department/ Finance Director		

## Employee Personal Information/ Privacy Policy

### Purpose

We respect the privacy and dignity of all individuals. INCA community services, Inc limits its access to personal information to authorized personnel who need it for business or legal purposes, and we will comply with all applicable laws regarding disclosure of personal information. We ensure that an employee's personal information is maintained in a secure and confidential location at all times. INCA wants to reassure each employee through this policy that at no time may any unauthorized user view their personal information and protect their privacy.

### Policy

- A separate and confidential personnel file will be established for all employees of the Agency. Records will be maintained in the Human Resource Office in accordance with established federal, state, and local laws.
- The maintenance and control of personnel records is the responsibility of the Human Resource Director.

### Access to Personnel Files

- Personnel files are the property of the agency and not the employee.
- Employee records will not be removed from the Administrative office.
- All individuals accessing an individual employee's file must put the date, their name, and purpose on the sign in the front of the employee's file.
- The only individuals who have access to individual personnel files will be the following:
  - An employee, but only his/her individual file and only in the personnel office.
  - Executive Director;
  - Human Resource Director;
  - Program Directors and Direct Supervisors, but only for employees under their direct supervision;
  - Equal Opportunity Officer, when processing a discrimination complaint;
  - Authorized government officials;
  - Program Directors who are considering transferring an employee from one department or component to another will be authorized to review past performance evaluations;
  - Auditors;

- Authorized Federal or State grant monitors may have access to personnel files funded by the their department;

### **Personnel File - Hard Copy**

The following minimum types of documents may be maintained and constitute the personnel record:

#### **Section 1:**

- Payroll information
- Employee History - Current address and emergency information
- Code of Ethics, Conduct, and Confidentiality Statement
- Drug and Alcohol Testing Policy
- Personnel Policy and Affirmative Action receipt forms
- Standards of Conduct
- Declaration of Arrest and Criminal Charges
- Video and Sound Employee Agreement
- Dress Code
- Professional Development Agreement (Head Start)
- Cell Phone Policy
- ROMA Certification
- Orientation Checklist
- Program Checklist

#### **Section 2:**

- Job Description
- Application for employment and/or resume
- Letters of recommendation

#### **Section 3:**

- Payroll Change Notices
- W-4 Forms - Employee's withholding Allowance Certificate

#### **Section 4**

- Performance Evaluations
- Warnings and Disciplinary Actions

#### **Section 5:**

- Training information Certificates/Awards (Head Start, RAVE, JAMM maintains Separately)
- Education Documentation (Head Start maintains College Transcripts Separately)

#### **Section 6:**

- History and Miscellaneous Forms
- Other documents as approved by the Executive Director

### **Electronic Personnel Files**

Employee records which are stored electronically will be accessible to the Department of Labor in accordance with the Fair Labor Standards Act which requires wage records be accessible for a period of three years.

The electronic database for personnel information is a secure site with limited access. The Human Resource Director, Financial Director, and Executive Director will have direct access to the files and limited access will be granted to departments as needed.

The following is a list of information contained within the electronic database:

- Personal Information, Address & Phone, Current Job, Job History, Current Pay, Direct Deposit, Earnings, Dependents, Benefit Plans, Benefits, Deductions, Garnishments, Leave, Worker's Compensation, Leave Events, Taxes, W2/Voucher, Education, Certification, Actions, HR Processes, Performance, Termination, Attachments, Notes

Each category within the system contains information related to the individual employee.

### **Additional Personnel Files**

Access to the following files is limited to Executive Director, Human Resource Director, and appropriate Program Directors. Permission to all other individuals must be approved by the Executive Director on a case by case basis.

The following additional information will be maintained in the Human Resource Office:

- **HIPPA (Health Insurance Portability and Accountability Act) Information**
  - Medical information protected under HIPPA's privacy and security provision.
- **Employment Folder**
  - Copy of Driver License and Social Security Card
- **Benefits & Insurances Folder**
  - Insurance Benefit Forms
  - 401 K Forms
- **Medical Folder**
  - Physical (Head Start)
  - Driver's Medical Card (JAMM Transit)
  - Tuberculoze Screening Form (Head Start)
  - Authorization for Protected Health Information (Immunizations - Head Start)
- **FMLA & Workers Comp**
  - Worker's Compensation Forms and Documents
  - FMLA Forms and Documents
- **Confidential Screens and Documents**
  - FingerPrint Background Results (RSVP)
  - OSBI Background Results (RAVE)
  - National Sex Offender Results
  - National, State, and Local Results
  - Motor Vehicle Records
  - Confidential Documents relating to:
    - Grievance Procedures
    - Harassment Procedures
- **I-9 forms**
- **Agency Required Training Records** - Documentation of information provided and training required by all staff

The following additional information will be maintained within the Bookkeeping Office:

- Garnishment Information
- 125 Cafeteria Plan Forms

The following additional Information kept outside of Human Resource Office:

- JAMM Drug/Alcohol Testing Reports are kept by DER - Designated Employee Representative.
- Leave and Compensatory time records are maintained on INCA's (EWS) Employee Website System.
- Time and attendance records are maintained on INCA's (EWS) Employee Website System.
- Head Start Background Checks - Fingerprints - Head Start Director will maintain the records in accordance with DHS's Oklahoma Child Care Licensing requirements. Records are kept in a locked file cabinet.

## **Employment**

Information concerning a current or former employee will be released only under limited circumstances as follows:

- **Verification of Earnings:**
  - Human Resource Director or Senior Bookkeeper may answer requests regarding an employee's earnings.
  - Verification of earnings may be confirmed by telephone; specific amounts will be released upon written request of the employee.
- **Employment verification:** The Human Resource Director or Senior Bookkeeper will verify employment dates.
  - The questions, "Is the employee eligible for rehire?" will not be answered.
- **Garnishments** ([see Garnishment Policy](#))
- **Letter of Recommendation:** Former employees may request a letter of recommendation from the Executive Director, Program Directors, and/or direct supervisors. These letters will be written at the discretion of the appropriate person. Agency letterhead cannot be used.

## **Former Employees Files**

- Upon termination of an employee, all documents constituting the records will be gathered and placed in the inactive files.
- Record retention policy will be followed
- Employee files will be retained for seven years from termination. These records will be maintained in the Human Resource Office for three years and then retired to the file holding area until purged.
- The agency is not required to release information to former employees or third parties, whether the employment was terminated through personal or agency choice unless required to do so by Oklahoma statute or court order.

## **Request for Employee information:**

All personnel records on individual employees including insurance and pay records will be kept in the strictest confidence. Personnel transactions are confidential and will not be discussed with anyone outside those on need-to-know basis without the specific approval of the Executive Director.

The Human Resource Department which maintains personnel records will receive all calls and written requests from outside the Agency concerning both present and past employees. The following guidelines will be followed in answering verbal and written requests for information:

- Authorized personnel to distribute information are the Executive Director, Human Resource Director or Senior Bookkeeper.
- **Telephone or Verbal inquiries:** The only information authorized to be released in response to a verbal request is the employee's name, job title, and dates of employment.
- **Written Inquiries:** The same rules set out above for verbal inquiries applies to written inquiries unless the employee has authorized in writing and by his/her signature, the release of other information such as salary, age, work performance, etc.
- Employees may copy material contained in their regular personnel file in the presence of the Human Resource Director.
- A past employee requesting a copy of the documentation in their personnel file will pay a fair market copying fee.
- Exceptions to these rules can only be granted by the Executive Director.

### **Dissemination of Policy**

The policy will be made available to all employees through the agency's website. The agency will educate and train employees and supervisors regarding the policy and any conduct that could constitute a violation of the policy.