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Policy Contents

- Purpose and Summary
- Policy
- Related Information*
- Revision History*

Policy Information

Effective Date:
September 2, 2009
Last Revised Date:
September, 2009
Policy Number:
HR-403
Reference:
Classified Staff Human Resources Policy Manual 115.1
University Handbook for Appointed Personnel 2.28
Responsible Unit:
Division of Human Resources
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Purpose and Summary

Access to official personnel records of University employees and the circumstances under which information from official personnel records may be released shall be limited as described herein.

Policy

Employee Review

On request, an employee or a person authorized by the employee in writing may review the employee's own official personnel record. Requests may be made to Human Resources Employee Records during normal University business hours. Photo identification is required before files may be inspected or photocopied for a reasonable copying fee.

Administrative Access

1. All personnel, employment, or related records shall be available only to authorized users for authorized purposes. The University President or the President's designee has final authority to determine what administrative uses and purposes are authorized pursuant to this policy. Any unauthorized access, release, or use of personnel information shall constitute employee misconduct.
2. As determined by the University President or the President's designee, authorized officers, employees, or agents of the Board or any institution under the jurisdiction of the Board may have access to and may disclose personnel records or information as necessary in the prosecution, defense, or resolution of any hearing or dispute regarding personnel matters. This paragraph is a supplement to, and shall not be construed as a limitation of, paragraph 1 above.

University of Arizona hiring officials and/or employee supervisors are authorized administrative access to review official personnel records of current or former University employees who are under consideration for competitive recruitment or noncompetitive selection. Requests may be made to Human Resources Employee Records during normal business hours. Photo identification and a signed request are required before records may be inspected.

Access by or Disclosure to Third Parties

The following information contained in personnel records may be disclosed to third parties regarding current or former employees without prior consent: name, titles or positions (including academic degrees and honors received), department, campus telephone number and email address, facts of past or present employment, dates of employment, and salaries or rates of pay.

Other information contained in the current or former employee's personnel record may be disclosed to a third party upon presentation of the written consent of the employee to Human Resources Employee Records, such as for mortgage and bank loan applications, student loan deferments, and government agency background inquiries.

Access to personnel records or disclosure of personnel information may be provided when necessary to protect the interests of the University when the University believes the actions of the individual violate the conditions of employment or otherwise threaten injury to the University or to others; to a properly identified law enforcement authority when the University reasonably believes that an applicant, employee, or former employee may have engaged in illegal activities; or pursuant to a federal, state, or local government statute or regulation that specifically requires disclosure of certain information to certain parties.

Access to certain personnel records or disclosure of personnel information may be provided in response to a lawfully issued administrative summons, search warrant, or judicial order or subpoena provided that:

a. Legal counsel has reviewed the matter and approved disclosure; and
b. If the request is not issued on behalf of the affected employee(s), a reasonable effort has been made to notify the affected employee(s) of the request prior to compliance.

The institution receiving a summons or subpoena may seek a protective order to prevent disclosure of certain documents, such as promotion and tenure files, letters solicited from outside reviewers who were given a promise of confidentiality, and performance evaluations, on the basis that a qualified privilege exists to protect those documents in the employee evaluation system for making

determinations of employee retention and the granting of tenure or continuing status.

Employment Reference

With the current employee's or former employee's written consent, a supervisor may provide an employment reference to a prospective employer for purpose of evaluating the person for employment. Information on the employee's education, training, experience, qualifications, job performance, professional conduct or evaluation, and/or the reason for termination may be provided and shall be job-related, factual, and demonstrable from the records of the employee. A copy of any written communication, including electronic communications, regarding employment references will be sent to the employee's last address of record.

Employment verification contacts may be referred to Human Resources Employee Records.

Records Retention

Official personnel records of the University are maintained by Human Resources in accordance with University records retention schedules.

Related Information*

Arizona Board of Regents Policy 6-912. Access to or Disclosure of Personnel Records or Information [2]

Arizona Revised Statutes 23-1361. Blacklist; definition; exceptions; privileged communications; immunity [3]

This policy incorporates information from the former Classified Staff Policy 115.0 Employment Reference/Verification

Revision History*

Revised September 2009

This policy incorporates the former Classified Staff Human Resources Policy Manual policy 115.0 Employment Reference/Verification.

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http://policy.web.arizona.edu/human-resources/access-and-release-personnel-records-and-information

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[1] mailto:hradmin@email.arizona.edu
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[3] https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/23/01361.htm