

**A RULE PROVIDING FOR THE TRANSFER OF ALL PERSONNEL FILES OF CLASSIFIED EMPLOYEES AND CIVIL SERVICE OF THE COUNTY TO BE TRANSFERRED TO THE HUMAN RESOURCE DEPARTMENT AND PROVIDING THAT THE DIRECTOR OF THE HUMAN RESOURCE DEPARTMENT SHALL BE RESPONSIBLE FOR ESTABLISHING PROCEDURES FOR THE DAY TO DAY MAINTENANCE AND UPKEEP OF SAID PERSONNEL FILES; AND PROVIDING THAT SAID FILES SHALL BE MADE AVAILABLE TO CITIZENS IN A MANNER PURSUANT TO THE HUMAN RESOURCE POLICY IN ACCORDANCE WITH THE LAWS OF FLORIDA AND PROVIDING FURTHER THAT THOSE APPOINTING AUTHORITIES WHO DO NOT HAVE PERSONNEL FILES ESTABLISHED ON THEIR EMPLOYEES SHALL BE REQUIRED TO PROVIDE THE HUMAN RESOURCE DEPARTMENT UPON THE FORM ATTACHED AND MADE A PART OF THIS RULE THE CERTIFICATION OF THE STATUS OF EACH EMPLOYEE IN SAID DEPARTMENT; AND PROVIDING THAT ALL FUTURE ACTIONS TAKEN BY THE APPOINTING AUTHORITIES RELATIVE TO CLASSIFIED EMPLOYEES SHALL BE DONE IN WRITING WITH THE ORIGINAL COPY OF SAID ACTIONS FORWARDED TO THE HUMAN RESOURCE DEPARTMENT FOR PLACEMENT IN THE EMPLOYEE PERSONNEL FILE; AND PROVIDING FURTHER THAT THE PERSONNEL FILE TO BE TRANSFERRED TO AND HENCEFORTH MAINTAINED BY THE HUMAN RESOURCE DEPARTMENT SHALL BE THE OFFICIAL REPOSITORY OF THE EMPLOYEE RECORDS FOR CLASSIFIED EMPLOYEES AND THAT NO OTHER FILES MAINTAINED BY THE APPOINTING AUTHORITY RELATIVE TO SAID EMPLOYEES SHALL HAVE ANY EVIDENTIARY VALUE UNLESS SAID FILES HAVE BEEN ACCEPTED BY THE HUMAN RESOURCE DEPARTMENT OR AUTHENTICATED TO BE THE OFFICIAL RECORD OF THE COUNTY**

**SECTION I.** The Human Resource Department will continue to maintain permanent personnel files for the Board of County Commissioners and other Constitutional Officers as requested.

**SECTION II.** The Director shall be responsible for establishing procedures for the day-to-day maintenance, security and upkeep of personnel files and shall maintain files pursuant to the Human Resource Policy and in keeping with State and Federal regulations.

A. The procedure established by the Director pursuant to this section shall include the establishment of a log separate from the files to maintain a record of all documents withdrawn from each file. This log shall also contain information relating to the time and date any Personnel information is removed from the Human Resource Department office; the name of the

person removing said file and the authority by which individuals were authorized to have custody of the file.

B. The Official Personnel File will consist of the new hire paperwork (HR Form III - Application for Employment, HR Form VII – Personnel Action Form, HR Form II – Requisition to Fill Vacancies from Registers, loyalty oath, Florida Retirement System Personal History Record, and other related documents), HR Form V – Notice of Disciplinary Action, letters of counseling approved for filing, HR Forms VIII & VIIIA - Performance Evaluations, HR Form X – Request for Donated Leave, HR Form IX – Transfer/Donate Leave, administrative leave, leaves without pay (LWOP), and other related documents. Employees current job description, Letters of Commendation or Appreciation, Pay data associated with; promotions, demotions, transfers, merit increases, change of appointment and employment contracts, documents relating to training and education, demographic data (e.g. change of address, name or phone number), Reports of Injury. Upon separation, HR Form VI (Termination of Employment) & HR Form XIV (Termination Checklist) with cover personnel action form will be filed. Medical examination reports (and related physical reports) & I-9 Forms will be filed separate from the Official Personnel file.

### **SECTION III.**

A. Any citizen, county official or employee requesting access to or copies of personnel files or other public records will make a request to the Human Resource Department.

B. Access to Personnel Files.

1. A record of access to a personnel file (other than normal files maintenance) will be maintained, recording the date and to whom access was given. A copy of this access request will be filed in the affected personnel file.

2. For the purpose of this section the term "access" is defined to mean the right to review and/or copy personnel files within the confines of the Human Resource Department and under the supervision of the Human Resource staff. Access does not include the right to remove files from the office or documents from files except pursuant to the procedures and policies established by the Human Resource Department, State and Federal regulations

3. The right to access is limited by the provisions of the Florida Public Records Act (FS 119.07).

3. Individuals requesting copies of documents will pay the statutory fee.

**SECTION IV.** All appointing authorities who do not have individual personnel files established on their employees on the date this rule becomes effective shall be required to provide the Human Resource Department, within thirty (30) days from the effective date of this rule, upon the form attached to and made part of this rule the certification of the status of each individual employee in their respective department.

**SECTION V.** Following the effective date of this act, all further action taken by the appointing

authority relative to classified employees shall be done in writing and will be forwarded to the Human Resource Department for placement in the employee's personnel file. Human Resource Department will forward a copy to the employee concerned, with additional copies forwarded to the appointing authority and the employees payroll office.

**SECTION VI.** This rule replaces and repeals any provisions, policies or procedures presently being carried out by any appointing authorities which are in conflict with this rule. Nothing in this rule shall be construed to prevent any appointing authority from maintaining any duplicate records which they might wish to maintain relative to an individual employee.

**SECTION VII.** The effective date of this rule shall be July 1, 2002.