

MAGNOLIA POLICE DEPARTMENT
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PERSONNEL RECORDS POLICY

APPLIES TO: SWORN OFFICERS AND EMPLOYEES OF THE VILLAGE OF MAGNOLIA

POLICY

The Magnolia Police Department recognizes the expectations of employees that information about them stored in department personnel files is accurate, relevant and safe from improper disclosure. Federal and state laws require that certain information be gathered and maintained in personnel files. Additionally, sound personnel decisions require that the department collect and retain information concerning employment history and performance. Because The Magnolia Police Department is a public institution, many personnel records are available to the public upon request.

POLICY GUIDELINES

I. Definitions

- a. The following descriptions of certain terms used in this policy are intended to provide guidance in understanding the policy, but are not comprehensive or definitive. These terms are subject to legislative revision and judicial interpretation.
- b. Personnel Records**
 - i. Any records, other than directory information (e.g., name and address), directly related to a Sworn Officer or Employee.
- c. Medical Records**
 - i. Any documents pertaining to the medical history, diagnosis, prognosis or medical condition of a patient that is generated and maintained in the process of medical treatment.
- d. Investigatory Records**
 - i. Applies primarily to the records of a police department, but also includes some records of administration investigation.

II. Personnel File Maintenance

- a. An employee's personnel file contains the necessary job-related and personal information and is maintained by the Chief Of Police or his representative.

III. Personnel File Contents

- a. Only job-related information will be contained in the personnel records. Contents of each personnel file should include basic identifying information (e.g. name, address and job title), employment applications or other hiring-related documents, position descriptions, compensation records, information on benefit enrollment, attendance records, performance evaluations and information about other employment-related actions (e.g., promotions, training or correction action) and other job-related information. Information placed in the personnel file should be shared with the employee. Unsolicited and anonymous materials will not be included in the personnel file unless there has been a finding of fact through an existing investigatory process.
- b. The following documents should be maintained in separate files: education records, medical records, confidential investigatory records, promotion and tenure records and attorney-client communications.

IV. Record Retention

- a. Personnel files should be retained for 100 years from the date of separation. Records of sick leave balances and workers' compensation records should be maintained for at least 100 years from the date of separation.

V. Notification

- a. The Magnolia Police Department has the right to verify information (e.g. employment status and job title) without notifying the individual involved and to cooperate with law enforcement investigators, public safety or medical officials.

PROCEDURE

I. Requesting Copy Of Personnel File

- a. In accordance with and to the extent permitted by the Ohio Public Records Act, current and former employees may request to inspect and obtain a copy of their personnel files. The Chief Of Police or his representative will respond to such requests within a reasonable amount of time.

II. Disputing Information

- a. Employees who question the accuracy or completeness of information in their files should discuss their concerns with the appropriate department supervisor. The supervisor will consider the objection and remove erroneous information. Should the disputed information be retained in the file, the employee may submit a brief written statement identifying the alleged errors or inaccuracies. The statement will remain in the file as long as the disputed information is retained.

III. Public Records Requests For Personnel Records

- a. Records maintained in a personnel file are generally considered public records under Ohio law. However, some documents contained in personnel files or otherwise maintained by the Magnolia Police Department are not public, including medical or educational records, certain investigatory files, and any other record made confidential by law or not considered a public record.
- b. Social security numbers are not public records. An individual's social security number should be removed from any records inspected or released in response to a public record request.
- c. When a public records request is made to examine an employee's personnel file, that employee will, when practical, be notified, in advance of the release of the record if possible, that the record has been requested and informed of the name of the person making the request, if available.