

SECTION X: RECORD KEEPING

Purpose

1. GENERAL POLICY. Federal law requires employers to keep detailed data about their employees.
2. CONFIDENTIALITY. Employee records are maintained in compliance with the law.
 - A. Confidentiality must be maintained at all times with access limited to employees and their supervisory chain.
 - B. Tremonton City's policy is that only relevant, job-related information is maintained on 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.
 - C. Employees have the opportunity to review their own files in the presence of the Mayor, City Manager or City Recorder on Tremonton City premises during regular business hours.
3. PERSONNEL FILES REQUIREMENTS.
 - A. General.
 - (1) Personnel files are maintained on each employee and kept by the City Recorder and Payroll Clerk. The record copy (original) 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 will be communicated to any person or organization except by the Mayor, or their designated representative.
 - (3) Employees, or their representative designated in writing, may examine the employee's personnel file upon request during normal working hours at Tremonton City. When a Supervisor requires access to the personnel file of an employee under their supervision for the handling of personnel matters, the supervisor must obtain the file from the Recorder or Payroll Clerk.
 - B. Contents.

- (1) An employment record, including the employee's job application, resume, interview forms, Employment Eligibility Verification (Form I-9), Employee's Withholding Allowance Certificate (Form W-4), etc.
- (2) A signed copy of the employee's acknowledgment of receiving a copy of the personnel policies and procedures manual and the performance standard for the position the employee currently occupies.
- (3) Election form to disclose or keep confidential, the employee's home address and home telephone number.
- (4) All personnel action forms, including:
 - (a) Performance evaluations.
 - (b) Promotions or transfers.
 - (c) Salary rate changes.
 - (d) Disciplinary action taken. The employee will be asked to sign the disciplinary action form. If the employee refuses to sign this form, the Mayor or City Manager, will so state.
- (5) Any information the employee wants included in response to any of the above actions.
- (6) Records of citations for excellence or awards for good performance.
- (7) Annual records of any leave accrued and taken. Official records of vacation and sick leave accrual and of leave usage are kept for employees by the Recorder or Payroll Clerk. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled. Employees may check with the Recorder or Payroll Clerk to obtain information regarding their current leave usage.
- (8) Record of any other pertinent information having a bearing on the employee's status.

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.) should be updated by completing a Change of Status Form (see Appendix Number 28 for details) and giving it to the Recorder or Payroll Clerk to file in their personnel file.

- D. Giving References. Tremonton City limits information given in a reference to the following:
 - (1) Verification that the employee worked full- or part- time for Tremonton City during a stated period.
 - (2) A description of the position held.
 - (3) Verification that the employee achieved a given salary range.

- 4. OTHER FILES REQUIREMENTS. Records related to the items listed below should be kept for a period of at least one (1) year. In addition, records should be examined annually to keep the files current and to save those records that management feels should be kept longer.
 - A. Job applications.
 - B. Test papers completed by job applicants or candidates for any position.
 - C. Results of any pre-employment physical exam and mobility exams should be kept for a period of at least four (4) years.
 - D. Any advertisements or notices relating to job openings, promotions, training programs, or opportunities for overtime work.
 - E. Records of promotion, demotion, transfer, selection for training, layoff, rehire, or termination of any employee. These should also be signed by the employee.

- 5. FEDERAL LABOR STANDARDS ACT (FLSA) MINIMUM WAGE REQUIREMENTS. Tremonton City should keep the following data on all employees for a period of at least two (2) years.
 - A. Employees' sex;
 - B. Time and day work week begins;
 - C. Hours worked each day and total hours worked each week;
 - D. Total daily or weekly straight-time earnings;

- E. Total additions to or deductions from wages paid each pay period, including an explanation of items that make up additions and deductions;
 - F. Date of payment and pay period covered; and
 - G. Total overtime above regular compensation for work week.
6. OTHER REQUIREMENTS. There are record keeping requirements under other federal and state laws over which the personnel record keeping function has jurisdiction:
- A. OSHA record of injuries.
 - B. ERISA record of pensions.
 - C. IRCA requires verification of status 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.