

Policy Name:

Personnel Records

Policy Category:

Administrative (Policy Development and Standards)

Scope of Policy:

This policy establishes procedures for accessing and maintaining the official personnel records of current and former City of Geneva employees. It outlines responsibilities for safeguarding sensitive personal data and provides standards for lawful disclosure and access.

References:

Human Resources Office

NYS Civil Service Law Section 75 – Removal and Other Disciplinary Action

New York State Archives Retention and Disposition Schedule

New York Freedom of Information Law (FOIL), Article 6 of NYS Public Officers Law

Modification Dates:

November 2025

General Information:

This policy applies to all departments that maintain, access, or request personnel information about City of Geneva employees. The only official personnel file is maintained by the Human Resources Office and may serve as the basis for employment decisions, including disciplinary action. Supervisory documentation not maintained in the official file must be submitted to HR when used for evaluations or disciplinary actions.

Responsible Department or Office:

Human Resources Office

Next Scheduled Review Date:

November 2030

Definitions:

City: Any governmental entity performing official functions for the City of Geneva.

Law: Any federal or state statute, regulation, or rule.

Personal Information: Information that can identify a person by name, number, symbol, or another marker.

Official Personnel File: The single, authoritative employment record maintained by the Human Resources Office.

Policy Statement:

The City of Geneva is committed to protecting the confidentiality of employee personnel records in accordance with applicable laws. Personnel records will only be accessed, used, or disclosed for legitimate City business and in compliance with public records laws and retention schedules.

Policy:

- The official personnel file of each employee shall be maintained solely by the Human Resources Office.
- Access to personnel files is limited to the employee, authorized supervisors, and HR personnel, and is restricted to City business.
- Employees shall receive copies of key employment documents, including offer letters, evaluations, counseling memos, and disciplinary notices.
- Supervisory “desk files” used for internal management are not part of the official file unless submitted to HR for evaluation or disciplinary purposes.
- Personnel files are not disclosed to third parties without written consent from the employee, unless required by law.
- Information routinely shared externally (e.g., name, job title) may be disclosed without consent.

Procedures:

Employee Access:

- Employees may request to view their personnel file by appointment during HR’s normal business hours.
- A Human Resources representative must be present during the review.
- Files may not be removed; however, limited copies of requested documents may be provided.

Rebuttals:

Employees may submit written rebuttals to disciplinary or performance documents; rebuttals will be added to the personnel file.

Contents of the Official File:

- Employment application and resume
- New hire paperwork

- I-9 form
- Payroll and salary documentation
- Performance evaluations
- Counseling or disciplinary memos
- Requests from Outside the City:
- Personnel files will not be released without employee consent, except:
 - To verify public information such as name and position
 - To comply with legal requests from law enforcement or courts
 - To protect the legal interests of the City

Records for Former Employees:

Copies of performance evaluations may be provided upon written request within six (6) years of separation, per NYS retention guidelines.

Approval Date: