

PERSONNEL INFORMATION

8.01 PURPOSE

- A. Standards: This regulation standardizes the contents, maintenance, access, reproduction, and release of personnel information. Personnel information is contained in records maintained in both the official personnel folder and the Troop/Bureau/Office personnel file.
- B. Official Personnel Folder: The official personnel folder is the official repository of personnel records maintained for the purpose of:
 - 1. Providing to those persons authorized to access the file, a ready reference of personnel information as specified in this regulation.
 - 2. Protecting the privacy of personnel by ensuring that only authorized persons have access to personnel information.
- C. Troop/Bureau/Office Personnel File: The Troop/Bureau/Office personnel file is a reference file of personnel information maintained for the purpose of:
 - 1. Providing to those persons authorized to access the file, a ready reference of personnel information as specified in this regulation.
 - 2. Protecting the privacy of personnel by ensuring that only authorized persons have access to personnel information.

8.02 DEFINITIONS

- A. Permanent Information: Formal documentation of a member's/employee's current employment status and employment history.
- B. Temporary Information: Information that does not make a substantial contribution to a member's/employee's employment record; it is information which becomes outdated.

8.03 RESPONSIBILITIES

- A. Commissioner: The Commissioner shall ensure necessary procedures and safeguards are implemented in accordance with this regulation.
- B. Director, Bureau of Human Resources: The Director, Bureau of Human Resources is the custodian of official personnel folders. The custodian or designee shall ensure:
 - 1. An official personnel folder is established for each member/employee upon initial hire.
 - 2. Personnel information is filed, disclosed, withheld, and purged in accordance with this regulation.
- C. Troop Commander or Bureau/Office Director: Each Troop Commander or Bureau/Office Director is the custodian of the Troop/Bureau/Office personnel file. The custodian or designee shall ensure:
 - 1. A Troop/Bureau/Office personnel file is established and maintained for each member/employee under their command.
 - 2. Personnel information is filed, disclosed, withheld, and purged in accordance with this regulation.

8.04 OFFICIAL PERSONNEL FOLDER

- A. Location: Official personnel folders for active personnel are maintained in the Bureau of Human Resources, Department Headquarters.
- B. Utilization: The folders are utilized to file and maintain both permanent and temporary information.
- C. Permanent Information: Permanent information shall, in all cases, remain in the official personnel folder, even if an individual transfers or separates. The following permanent information, when available, shall be maintained in the official personnel folder (this is not an all-inclusive list):
 - 1. Latest employment application.

2. The member's/employee's Social Security number.
3. Orientation Checklist, Parts I and II, Forms SP 3-363A and SP 3-363B.
4. Personnel Orders and other documents notifying a member/employee of:
 - a. Appointment.
 - b. Promotion.
 - c. Demotion.
 - d. Transfer.
 - e. Salary changes (except general pay increase).
 - f. Resignation by reason of abandonment of position.
 - g. Dismissal.
 - h. Suspension (letter).
 - i. Change in Civil Service status.
5. Member/employee initiated documents:
 - a. Request for Dual Employment, Form OA-338.
 - b. Notice of voluntary separation.
 - c. Record of selection, change in status of, and payroll authorization for:
 - (1)** Medical/hospital insurance.
 - (2)** Federal and State withholding tax.
 - (3)** Earned Income (Wage) Tax Questionnaire, Form STD-399.
 - (4)** Payroll deductions—Union Dues Deduction Status, Form STD-432; Financial Institution

Deduction Authorization, Form OA-354;
etc.

(5) Retirement.

6. Training records of employees, which document job-related training and/or other records which may be significant to the employee's career development, may be submitted for retention by employees.
 7. A record of the following awards:
 - a. Official Department-issued awards (refer to AR 4-13).
 - b. Handicapped Worker of the Year Award.
 8. Department Suggestion Program submission, endorsements, and reply.
 9. Armed Forces Service Verification form (usually DD 214).
 10. Final Statement, Form SP 3-407.
 11. Acknowledgment of Receipt of the Commonwealth of Pennsylvania's Sexual Harassment Policy.
 12. Information Technology User Agreement (bearing original signature).
 13. Any other permanent personnel information designated by another regulation to be maintained in the official personnel folder.
 14. Rebuttal by personnel to any information listed above.
- D. Temporary Information: Temporary information is to be retained for four years unless otherwise indicated. The following temporary information, when available, shall be maintained in the official personnel folder:
1. Written reprimand: Retain copy of written reprimand two years, then destroy if there are no similar occurrences.

2. Crash Report Endorsement: Retain copy of endorsements to crash report involving a Department vehicle for five years.
3. Professional affiliations.
4. Enforcement Officer Assessment, Form SPLE-45; Employee Performance Review, Form 363L: Retain all Employee Performance Reviews or Enforcement Officer Assessments for the last three years.
5. Probationary Trooper Evaluation, Form SP 8-101: Retain for three years.
6. Training Records (employees only): Employees may submit for retention, a record of any training received which is not job related or significant to the employee's career advancement.
7. Request for release of personnel information (when authorized in writing by personnel).
8. Any other temporary personnel information designated by another directive to be maintained in the official personnel folder.
9. Rebuttal by personnel to any information listed above.

8.05 TROOP/BUREAU/OFFICE PERSONNEL FILE

- A. Location: The Troop personnel file shall be located within the Troop Headquarters. The Bureau/Office personnel file shall be maintained within the Bureau/Office or Division, at the discretion of the Bureau/Office Director.
- B. Utilization: The Troop/Bureau/Office personnel file shall be utilized to file and maintain both permanent and temporary information.
- C. Permanent Information: The following permanent information, when available, shall be maintained in the Troop/Bureau/Office personnel file:
 1. A record of:

- a. Name, home address, and emergency telephone number.
- b. The member's/employee's Social Security number.
2. Acknowledgment of temporary or unusual condition of employment with the Department.
3. Personnel Orders and other documents notifying a member/employee of:
 - a. Appointment.
 - b. Promotion.
 - c. Demotion.
 - d. Transfer.
 - e. Suspension (letter).
 - f. Temporary assignment in a higher classification.
4. Record of selection, change in status of, and payroll authorization for:
 - a. Medical/hospital insurance.
 - b. Federal and State withholding tax.
 - c. Earned Income (Wage) Tax Questionnaire.
 - d. Payroll deductions—Union Dues Deduction Status and Financial Institution Deduction Authorization forms, etc.
 - e. Retirement.
5. A record of the following awards:
 - a. Official Department-issued awards (refer to AR 4-13).
 - b. Handicapped Worker of the Year Award.

- c. Any other form of nonofficial recognition received that relates to State Police duties and responsibilities such as letters of appreciation from the public.
 - 6. Leave approval (except annual, sick, or personal).
 - 7. Change in Civil Service status.
 - 8. Department Suggestion Program submission, endorsements, and reply.
 - 9. Training records:
 - a. Members/enforcement officers may submit copies of certificates of achievement, diplomas, scholastic awards, or other training information for inclusion in the Troop/Bureau/Office personnel file.
 - b. Employees may submit a record of any training received which is job related, and/or significant to the employee's career development, for inclusion in the Troop/Bureau/Office personnel file.
 - 10. Information Technology User Agreement (copy of signed original).
 - 11. Any other permanent personnel information designated by another directive to be maintained in the Troop/Bureau/Office personnel file.
 - 12. Rebuttal by personnel to any information listed above.
- D. Temporary Information: The following temporary information, when available, shall be maintained in the Troop/Bureau/Office personnel file.
 - 1. Performance Evaluation Report, Employee Performance Review, or Enforcement Officer Assessment: Retain all Performance Evaluation Reports, Employee Performance Reviews, or Enforcement Officer Assessments for the last three years.
 - 2. Commonwealth of Pennsylvania Police Crash Report, Form AA-500: Retain photocopy of the crash report

involving a Department vehicle and endorsements for five years.

3. Probationary Trooper Evaluations: Retain for three years.
4. Coach/Trainee Evaluation Report, Form SPLE-39: Retain for two years.
5. Preference Transfer Request, Form SP 3-316: Retain until transfer is received or the request is withdrawn.
6. Professional affiliations.
7. Request for release of personnel information (when authorized in writing by personnel).
8. Any other temporary personnel information designated by another directive to be maintained in the Troop/Bureau/Office personnel file.
9. Rebuttal by personnel to any information listed above.

8.06 PROHIBITED INFORMATION

The following information is specifically prohibited from being placed in the official personnel folder and the Troop/Bureau/Office personnel file:

- A. Arrest Records: Upon acquittal or when formal charges have been dropped.
- B. Investigative Records: Record of civil, criminal, or administrative investigation of alleged wrongdoing.
- C. Racial Identification: Except data used in support of the Commonwealth's Equal Employment Program and 3x5 bust photo of the member, which is part of the preemployment package for Cadets.
- D. Nomination of Beneficiaries for Retirement: Unless personnel specifically request it to be placed in their Troop/Bureau/Office personnel file.
- E. National Origin Identification.

- F. Ethnic Information.
- G. Political Information.
- H. Religious Information.
- I. Record of Grievances Denied.
- J. Written Criticisms of Which Personnel are Unaware.
- K. Medical Records (except pregnancy).
- L. State Ethics Act and Code of Conduct Financial Disclosure Forms.
- M. Statement of Financial Interest, Form SEC-1.
- N. Supplementary Employment Information.

8.07 RELEASE OF INFORMATION

- A. Public Information: Upon request, custodians may release the following public personnel information to anyone requesting it. This list is not all inclusive. A request for information asserted to be public, which does not appear on this list, should be discussed with the Bureau of Human Resources.
 - 1. Name.
 - 2. Employing department.
 - 3. Position title.
 - 4. Sex.
 - 5. Salary (biweekly).
 - 6. Appointment date.
 - 7. Headquarters county.
 - 8. Pay status (active/inactive).
 - 9. Civil or Non-Civil Service status.

10. Personnel benefits.

B. Nonpublic Information: Except for the specific public information listed, all other information contained in the official personnel folder or the Troop/Bureau/Office personnel file is considered NONPUBLIC and its dissemination by custodians is restricted as follows:

1. Home address:
 - a. May be furnished to police or court officials upon written request showing that an indictment has been returned against a member/employee, or a complaint, information, accusation, or other writ has been filed, and the home address is needed to serve a summons, warrant, or subpoena.
 - b. May be furnished to taxing authorities upon written request.
2. Social Security number: May be furnished to taxing authorities upon written request.
3. Medical information may be furnished:
 - a. When it is needed to aid in medical treatment of personnel and they themselves are not able to provide the information.
 - b. To a federal or state investigative agency when requested information is required to verify adherence to regulations governing recipients of medical benefits. Personnel need not be notified of the release of this information.
4. Employment information:
 - a. Replies to inquiries from prospective employers shall include only dates of employment and whether the separation was voluntary or involuntary. When employment requests require specific information regarding employment history, that information shall not be disclosed, but the request shall be forwarded to the Director, Bureau of Human Resources for response. No

request for information beyond dates of employment shall be provided without a release of information signed by the current or former member/employee. No medical information shall be released without a Health Insurance Portability and Accountability Act (HIPAA) Release Form signed by the current or former member/employee.

- b. If a written request from a state agency is received indicating that a member/employee is being considered for employment by their agency, the following information, in addition to public information, shall be provided:
 - (1) Performance Evaluation Reports, Employee Performance Reviews, or Enforcement Officer Assessments.
 - (2) Letters of caution, reprimand, admonishment, or warning.
 - (3) Confirmation of oral reprimand.
 - (4) Letters of suspension or dismissal.
 - (5) Letters of commendation.
 - (6) Leave records.
 - (7) Training records.
 - (8) Employment history data (consists of the above data on file from each agency in which personnel were employed by the Commonwealth).
5. Any request for information available to personnel from their official personnel folder or Troop/Bureau/Office personnel file, shall be referred to the Bureau of Human Resources, along with their written authorization. The authorization must specify who is entitled to receive the information.
6. Any other requests for personnel information or any subpoena, or other written judicial order seeking

information, should be referred to the Director, Bureau of Human Resources, who shall process it in accordance with the Governor's Management Directive 505.18.

7. Following the release of nonpublic information to a federal or state agency, the custodian shall notify personnel in writing indicating who received the information and what information was released, except as indicated in this regulation.

C. Electronic Employment and Salary Verification:

1. The Commonwealth has contracted with TALX Corporation to automate employment and salary verifications through the use of a service called "The Work Number for Everyone." TALX Corporation operates the nation's largest database of multiemployer payroll records. The database is available for access by individuals and institutions that have authorization from personnel to obtain employment and salary verification.
2. "The Work Number for Everyone" provides faster, more efficient, and more complete responses to employment and salary verification requests. Employment verification information is accessible 24 hours a day, 7 days a week, and is strictly confidential.
3. Employment and salary information is divided into three category levels: Basic Information, Basic Plus Information, and Full Information.
 - a. Basic Information provides:
 - (1) First name, middle initial, and last name.
 - (2) Current employment status.
 - (3) Total time with the Commonwealth.
 - (4) Job title.
 - b. Basic Plus Information provides:
 - (1) All Basic Information.
 - (2) Current pay rate.

- c. Full Information provides:
 - (1) All Basic Plus Information.
 - (2) Gross earnings year to date.
 - (3) Gross earnings for past two years.
4. Procedures:
 - a. To grant access to employment and salary information, personnel shall provide the lender/verifier with the Commonwealth Code 10574, their Social Security number, and the number to call for verification (1-900-555-WORK). For Basic Plus and Full Information, personnel must also provide the lender/verifier with an Authorization Code/Salary Key.
 - b. To obtain an Authorization Code/Salary Key, personnel must dial 1-800-EMP-AUTH or access the website www.theworknumber.com. When prompted, enter the Commonwealth Code 10574, their Social Security number, and their confidential Personal Identification Number (PIN). The PIN is the employee number plus the last two digits of their birth year. A six-digit Authorization Code/Salary Key will be generated and may be provided for use by the lender/verifier.
 - c. A maximum of three Authorization Codes/Salary Keys may be active at one time, each for the duration of six months. Authorization Codes/Salary Keys used by a lender/verifier may not be used again. Personnel may cancel unused Authorization Codes/Salary Keys by calling 1-800-EMP-AUTH or by accessing the website www.theworknumber.com.
 - d. Personnel shall inform individuals and institutions requiring employment and salary verification about the automated process, thereby eliminating the need for manual forms completion.

- e. Manual verification request forms received by Troop/Bureau/Office administrative personnel shall be returned to the requester with correspondence explaining the automated process (refer to Appendage A).
- f. Troop Commanders and Bureau/Office Directors shall ensure personnel are informed of the automated employment and salary verification process. Detailed instructions for use of the automated process are described on posters, brochures, and wallet-size cards previously distributed to Troops/Bureaus/Offices. "The Work Number for Everyone" posters shall be posted in areas accessible for personnel to view. Existing supplies of pamphlets, or previously distributed wallet-size cards, shall be duplicated as necessary as informational pamphlets are not available for reorder (refer to Appendage B).
- g. "The Work Number for Everyone" employment and salary verification process shall be the subject of benefits orientation for new Cadets and employees.

8.08 ACCESS TO RECORDS

- A. Security: Official personnel folders shall be secured in a locked file room; Troop/Bureau/Office personnel files shall be secured either in a locked file room, or in cabinets secured with a lock when unattended.
- B. Access: Custodians and designees shall have access to official personnel folders or Troop/Bureau/Office personnel files. All requests for access shall be made to the custodian or designee. When needed in the performance of their duties, the following shall have access to all information in official personnel folders and Troop/Bureau/Office personnel files.
 - 1. Commissioner or designee.
 - 2. Equal Employment Opportunity Officer.
 - 3. An individual's Troop Commander or Bureau/Office Director, or designee.

4. An individual's immediate supervisor and those in direct command above the supervisor.
5. Individual personnel in accordance with this regulation.
6. Other state officials as specified in Management Directive 505.18 amended.

8.09 REVIEW OF PERSONNEL FOLDER/FILE

- A. Policy: Members/employees and persons with written permission of those individuals may examine the contents of their official personnel folder and/or Troop/Bureau/Office personnel file.
- B. Requests: Personnel who desire to examine the contents of their folders or files shall submit their requests via Department Correspondence, Form SP 3-201, in duplicate, through channels to the appropriate custodian. Requests shall specify whether the folder or file is to be examined, and the date and time preferred for the examination. Approved requests will indicate the date and time that the examination will take place.
- C. Review:
 1. Folders/files may only be examined during the normal office hours where the folders/files are located.
 2. If arrangements cannot be made to examine the folder/file during the individual's nonwork hours, leave shall be taken. Only annual or personal leave will be approved for this purpose. If travel is required, Commonwealth vehicles shall not be utilized.
 3. Personnel who cannot travel to Department Headquarters, may request their official personnel folder be photocopied.
 - a. Photocopies shall be mailed to the Troop Commander or Bureau/Office Director who shall arrange for the member/employee to examine the photocopies.

- b. After inspection by the individual, the Troop Commander or Bureau/Office Director may retain or destroy photocopies.
 - c. There will be no charge to the member/employee for photocopying material in the official personnel folder.
- 4. Personnel shall examine the official personnel folder in the presence of the Director, Bureau of Human Resources, or designee; the Troop/Bureau/Office personnel file in the presence of the Troop Commander or Bureau/Office Director, or designee.
 - 5. Personnel may not remove, add, annotate, or in any other manner, alter, or disturb the contents of any personnel records they view, except they may initial each document on the upper right-hand corner to signify it was examined.
 - 6. Personnel may submit written rebuttals to any information in their personnel records and it shall become part of the record.
 - 7. Personnel may make notes, transcribe, or copy any information examined.
 - 8. Personnel may have a representative present during the examination.

8.10 FILING

- A. Separation: Separate file folder into two sections with the temporary information to the back, and the permanent information to the front. Group records by category or subject as listed in this regulation.
- B. Records: Records shall be filed first by section, then by category or subject, and finally in chronological order, latest date to the front of the file folder.

8.11 RETENTION

- A. Permanent Information: Records containing permanent information shall be retained in accordance with approved Department Headquarters/Field Record Retention and Disposition Schedules.
- B. Temporary Information: Temporary information shall be retained four years unless otherwise indicated in approved Department Headquarters/Field Record Retention and Disposition Schedules.
- C. Purging: Temporary documents which have been purged may be furnished to personnel for their retention and/or destruction.
- D. Transfers: When a member/employee permanently transfers to another Troop/Bureau/Office, their Troop/Bureau/Office personnel file shall be immediately forwarded under confidential cover to the appropriate Troop Commander or Bureau/Office Director.
- E. Separations: Within 30 calendar days after the separation date, the Troop/Bureau/Office personnel file shall be delivered to the Bureau of Human Resources, except when a grievance or other formal action is pending. The file may be retained in the Troop/Bureau/Office until after such action is completed. No purging is necessary at the Troop/Bureau/Office level.
 - 1. Complete files shall be submitted to the Director, Human Resource Management Division, Bureau of Human Resources.
 - 2. The file shall be reviewed at Department Headquarters to incorporate into the official personnel folder any pertinent permanent information not already maintained therein to ensure a complete and accurate record is submitted to the State Records Center.