

Storey County School District Policy Manual

Section: Personnel

Title: Employee Confidential Records

Presented as below to School Board for Review on 10-9-02, 10-23-02

Adopted: 9 September 1987

Revised: 10-23-02

Previous Policy Number: GE

EMPLOYEE CONFIDENTIAL RECORDS

Identification of Confidential Information

The following types of personnel information and employment records concerning current employees, former employees, and applicants for employment that the employer maintains are confidential (Ref: NRS 239.010):

1. All information related to an employment application including, but not limited to, letters of reference, resumes, or his/her status as an applicant for employment.
2. All information that the employer received or compiled concerning the qualifications of an applicant or an employee including, but not limited to, reports by employers, law enforcement officials, or other individuals concerning the hiring, promotion, performance, conduct, or background of applicants or employees.
3. Ratings, rankings, scoring tests, or remarks by members of an evaluation board or individual interviewer concerning an applicant or results from any testing or employment screening process.
4. Materials used in examinations, including answers, rating guides, score sheets, etc., on any written exam or rating criteria for interviews.
5. Information in an employee's file or record of employment which relates to his/her:
 - a. Performance.
 - b. Conduct, including any proposed or imposed disciplinary action taken.
 - c. Race, ethnic identity or affiliation, age, sex, marital status, number and names of dependents, military/veteran status, living arrangements, national origin, disability, date of birth, or social security number.
 - d. Past or present home address, telephone number, post office box, or relatives.
 - e. All information concerning the voluntary or involuntary termination of an employee, other than the dates of actual employment.
6. The name of an employee's/former employee's designated beneficiary.
7. All medical information concerning an employee, former employee or applicant including, but not limited to, pre-employment and post-employment medical and psychological examinations, disability and documentation relating to reasonable accommodation requested or granted, drug testing, pregnancy, doctor's certification and other communication, and any other medical information that an employee, former employee or applicant has voluntarily provided or the employer has requested.
 - a. All confidential medical information shall be kept in files segregated from other personnel and employment records. Access to such files shall be strictly limited to those with a demonstrable need-to-know.

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- b. Notations on attendance sheets that an employee took sick leave are not a confidential record.
8. All information contained in a confidential investigative file.
- a. The employer shall keep all confidential investigative files in a location separate from other personnel and employment records with access limited to only those with a demonstrable need-to-know.

Access to Confidential Information

Access to confidential records is restricted to the following unless specifically provided in a separate policy:

- 1. Access to the materials for an examination and information relating to an applicant which is relevant to a decision to hire that person; e.g., information described above in items 1-4 is limited to employees with a business need-to-know.
- 2. Access to an employee's personnel related confidential file containing those items listed above in items 5-8 is limited to:
 - a. The employee.
 - b. The employee's representative when she/he presents a current signed authorization.
 - c. The employer's manager/administrator, human resources director/manager, or his/her designee.
 - d. Persons authorized pursuant to any state or federal law or court order.
 - e. Counsel retained by or on behalf of the employer.
 - f. Any other parties with whom the employer has a contractual relationship in order to enable the employer to respond accurately and fully to any lawsuit, complaint, grievance, or other statutory appeal files by or on behalf of an employee or former employee against the employer.