

Number 5.45 - EMPLOYEE INFORMATION

Effective Date: May 22, 2007

Applicable To: All classified employees, as well as exempt, appointed, temporary and contractual, with the Executive Branch of the State of Vermont.

Issued By: Department of Human Resources

Approved By: Michael K. Smith, Secretary of Administration

PURPOSE AND POLICY STATEMENT

It is the purpose of this policy to establish appropriate standards regarding personal and confidential employee information that is received, used, and maintained by employees of the State in the execution of their official duties, and to safeguard the confidentiality of such information.

This policy is not meant to restrict access to public records appropriately requested in accordance with 1 V.S.A. § 318. Those with access to Employee Information, as defined below, must comply with this policy and safeguard Employee Information regardless of whether the information may be subject to release in response to a public records request.

Definitions:

Employee Information

Employee Information is information that is personal to a State employee and that is received, used or maintained by the State, regardless of its source. This includes, but is not limited to, job applications and other personnel records and information obtained from individuals via web sites, email, or other formats that contain personal information about an employee. This applies to all versions of information including but not limited to: all files, regardless of medium, means of storage, transmission, communication, and disposition.

Confidential Employee Information

Confidential Employee Information is Employee Information that is personal, private information that identifies, describes, or pertains to an employee, including but not limited to: age and birth date; gender; race; ethnicity; social security number; motor vehicle operator's license or non-driver identification card number; home address; personal telephone numbers (home, cellular, emergency contact, and other non-official telephone numbers); financial account numbers and other private financial information; marital, domestic partner, and/or civil union status and dependent information; life insurance beneficiary designation; medical information; benefit plan enrollment,

coverage, or deduction information; information about an employee's claimed or recognized impairments or disabilities; and, employment history outside of Vermont state government.

In addition, certain information that relates to an employee's position or official duties may also be Confidential Employee Information, such as performance evaluation ratings and history of disciplinary action. Information that is descriptive of an employee's position or official duties is not Confidential Employee Information unless made confidential by statute or other regulation. An employee's name, base salary, work location, and/or official job title is also not Confidential Employee Information.

Any information that is confidential pursuant to law is also Confidential Employee Information, such as, but not necessarily limited to, the results of a criminal background check.

Additional guidance regarding Confidential Employee Information can be found in Human Resources Policy 5.5 - **Confidentiality**.

Employee Information Standards and Practices

1. It is the responsibility of those who have access to Employee Information to understand the policies governing its use. Employee Information may be accessed or used only when carrying out job duties in response to a legitimate State business need and should not be disclosed to others who do not have a legitimate business-related need to know. Employees with access to, or responsibility for, the collection, use, maintenance, dissemination, and/or disposal of Employee Information shall comply with the provisions of this policy and all procedures written in accordance with this policy. Failure to comply with the provisions of this policy may result in appropriate disciplinary action up to and including termination of employment.
2. Employees responsible for collection, use, maintenance, dissemination and/or disposal of Confidential Employee Information shall take all necessary precautions to ensure that proper administrative, technical, and physical safeguards are established and followed in order to protect the confidentiality of such information and to prevent its disclosure to unauthorized individuals or entities.
3. Access to Confidential Employee Information (electronic and other) available through Human Capital Management (HCM), the Oracle Discoverer database, and the restricted area of the DHR Intranet site is controlled by the Department of Human Resources (DHR). This includes determinations of levels of access for specific users, or specific roles to which users may be assigned, or both. DHR is responsible for the establishment and verification of user identity and the issuance, administration, and revocation of access.
4. In accordance with specific business needs, additional policies may be created by DHR that further define Employee Information and establish procedures for

the access, disclosure, disposition, protection and use of such information resources.

5. This policy is not meant to prohibit the development of memoranda of understanding, inter-departmental agreements, and/or contractual agreements regarding the use of information resources such as Employee Information, as long as those agreements are in compliance with DHR Policies. *New agency policies and revisions to existing policies regarding Employee Information and especially Confidential Employee Information must be approved and on file with DHR.*

All who have access to Employee Information, including contractors, must be cognizant of and abide by all information security policies and are encouraged to continuously examine how information resources are managed to improve protection of Employee Information.

An employee who becomes aware of a security breach of State-maintained Confidential Information or other information resources, or suspects the potential of it being lost or misused, must notify his or her agency's Appointing Authority and DHR immediately.

Signed by Michael K. Smith, May 22, 2007

Agency of Administration