

Office of Human Resources
600 Records and References

2025-05-22

Table of Contents

| | |
|--|----|
| 601 Employment Information | 1 |
| Section A: Access to Personal Information..... | 1 |
| Section B: Employment Verification | 2 |
| Section C: Reference Checks | 2 |
| Section D: Documenting Poor Performance | 3 |
| Section E: Intern and Work Program Information | 4 |
| 601 A1 Employment Verification Form..... | 4 |
| 601 A2 Reference Evaluation Form | 4 |
| 602 Access to Personnel-Related Public Records Based on The Georgia Open Records Act | 5 |
| Section A: Public Records | 5 |
| Section B: Not Considered Public Records | 6 |
| Section C: Time Limits..... | 6 |
| Section D: Responding to Open Records Request | 6 |
| Section E: Fees | 7 |
| Section F: Penalty | 7 |
| 603 Official Personnel Files | 8 |
| Section A: Filing Guidelines | 8 |
| Section B: Custodians | 8 |
| Section C: Access to Information | 9 |
| Section D: Transfer of Official Personnel..... | 10 |
| Section E: Purged Files | 10 |
| Section F: Closed Files | 10 |
| 603 A1 Documents to be Retained in Official Personnel Files..... | 10 |
| 603 A2 Documents to be Maintained Separately from Official Personnel Files | 12 |
| 603 A3 Purged Records Notification | 12 |

601 Employment Information



Georgia Department of Human Services Human Resources Policy #601

Employment Information

Release Date: December 22, 2010

Revised Date: July 23, 2020

Next Review Date:

References: O.C.G.A. §34-1-4 — Employer immunity for disclosure of information regarding job performance
O.C.G.A. §50-18-70 — Inspection of Public Records
Rule of the State Personnel Board 478-1-06 — Recruiting, Screening and Hiring
DOAS Policy Memo 12/12/17 – Applicant Screening and Reference checks for Current or Former State of Georgia Employees
DHS Human Resources Policy #602 — Access to Personnel Related Public Records Based on the Georgia Open Records Act
DHS Human Resources Policy #603 — Official Personnel Files

All employment-related records are subject to disclosure to the public, unless specifically exempted in accordance with the Georgia Open Records Act. See DHS Human Resources Policy #602—Access to Personnel Related Public Records Based on the Georgia Open Records Act. Basic employment information is subject to disclosure and will be provided by authorized DHS officials as indicated in this policy. Employees' consent is not required to disclose basic employment information.

Section A: Access to Personal Information

1. Certain personal information about employees is not subject to disclosure under the Georgia Open Records Act and will only be released to authorized officials, as indicated in item #2 below. This information includes: an employee's social security number, home address, phone number, mother's birth name, debit and credit card information, other banking/financial information, insurance, medical information, and birthdate.
2. Personal information about current or former DHS employees is accessible without the employee's consent under the following circumstances:
 - a. The custodians have access to the information for maintenance purposes.
 - b. Division/Office Directors, designees and supervisors may have access to the information when necessary for employment-related purposes or on a "need-to-know" basis.
 - c. For purposes of investigating employment-related misconduct or for other legal, administrative, or regulatory reasons, information is available to authorized officials with organizations including, but not limited to, the following:
 - I. DHS Office of Inspector General (OIG),

- II. DHS Office of Audits,
 - III. DHS Office of Human Resource (OHR),
 - IV. DHS Department of Child Support Services (DCSS),
 - V. DOAS Workers' Compensation,
 - VI. Georgia Department of Labor,
 - VII. Federal Department of Labor,
 - VIII. Social Security Administration,
 - IX. Georgia Bureau of Investigation,
 - X. Federal Bureau of Investigation,
 - XI. Other federal, state, and local law enforcement or investigative agencies with a "need to know."
- d. Information may also be released in response to a subpoena or other appropriate inquiry issued in the course of litigation.
3. Employees may have access to their own personal information and may grant access in writing to other individuals or organizations.
4. OHR should be contacted when requests for access to personal information are received.

Section B: Employment Verification

1. The Department of Human Services will verify basic employment information regarding employees' job titles, salaries, and dates of employment. Requests may be received from current or former employees or organizations such as financial institutions, rental or leasing companies and credit card companies.
 - a. Requests for verification of employment information should be obtained in writing, whenever possible (See Attachment #1).
2. Requests are to be sent to the appropriate OHR office for response.
3. Verification of employment information will be provided in writing. The Employment Verification Form may be used for this purpose.

Section C: Reference Checks

1. Reference information on current or former DHS employees must be provided by authorized officials to prospective employers.
 - a. DHS organizational units may determine which officials are authorized to provide reference information.
 - b. When considering a current or former State employee, reference checks must include contacting the current and previous State employers for job-related information.
 - c. If an employee has a long State employment history, the hiring agency may determine when it has sufficient reference information.
 - d. DHS will review the Applicant Verification Portal provided by the substance abuse testing

administrator to ensure there is no active employment disqualification for a substance abuse testing violation.

- e. DHS will also review the State Human Resources Information System (HRIS) for previous and current State employment history.
 - f. If the Human Resources Information System (HRIS) indicates that the employee was dismissed or not recommended for rehire, the hiring agency is to seek more specific information from the previous employer as part of the reference check.
 - g. DHS requires applicants to sign a consent for release to gather reference information from current and previous employers.
 - h. Authorized officials are required to provide reference information on current and former employees when requests are received from other DHS managers.
 - i. Providing reference information to non-State employers is discretionary, unless required by law.
2. Reference information must be job-related and factually accurate. Information provided should be supported by performance evaluations, examples of work performance, attendance records or other objective indicators.
 3. Prospective employers may be advised that DHS employees have access to their performance evaluations and attendance records.
 4. Under the Official Code of Georgia Annotated, agencies who disclose to a prospective employer factual information regarding a current or former employee's job performance or ability to carry out their duties are presumed to be acting in good faith, unless confidential information is disclosed or a preponderance of evidence shows lack of good faith.
 5. When references are requested on employees who have been separated from DHS employment for serious infractions (e.g., disciplinary actions, drug-related offenses, theft, etc.), authorized officials are to discuss the request with OHR prior to releasing any information. The specific information to be released will be determined on a case-by-case basis.
 6. DHS hiring officials or designees should always conduct reference checks prior to making employment offers.
 - a. Reference checks should be conducted in a structured manner using the Reference Evaluation Form (See Attachment #2).
 - b. Answers are to be documented and maintained with other selection materials.
 - c. Non-job-related inquiries are prohibited.

Section D: Documenting Poor Performance

1. To support effective screening of current and former State employees and to minimize the potential for an agency to hire an applicant with a history of poor performance, employing agencies are responsible for documenting deficiencies in job performance and adherence to employment standards. Examples of appropriate documentation include performance evaluations, corrective and disciplinary action letters, and notes from coaching or counseling sessions.
2. Effective documentation will alert a prospective employer to a history of poor performance. It can also assist a prospective employer with determining whether the past poor performance

would be applicable to the new job.

Section E: Intern and Work Program Information

1. DHS managers are authorized to provide feedback to schools or organizations that place interns or similar work program participants within DHS. Information should be provided in the format required by the school or organization and may include evaluations of performance and recommendations for improvement. Questions regarding information that can be provided should be directed to OHR.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

601 A1 Employment Verification Form

601 A2 Reference Evaluation Form

602 Access to Personnel-Related Public Records Based on The Georgia Open Records Act



Georgia Department of Human Services Human Resources Policy #602

Access to Personnel-Related Public Records Based on The Georgia Open Records Act

Release Date: December 27, 2010

Revised Date: September 20, 2024

Next Review Date: September 19, 2026

References: O.C.G.A. §50-18-70, et seq. - Georgia Open Records Act
Rules of the State Personnel Board 478-1-.09 - Records
DHS Human Resources Policy #601 - Employment Information
DHS Human Resources Policy #603 - Official Personnel Files

The Georgia Open Records Act provides that all records are subject to disclosure to the public, unless specifically exempted for reasons such as an order by a Georgia court or by law. Employees of the Department of Human Services (DHS) will review and respond to all requests for access to public records in a timely manner. This policy governs only requests for personnel related public records. Requests for access to other types of records should be addressed to the Office of General Counsel.

Section A: Public Records

Public records include:

1. All documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar material prepared and maintained or received in the course of the operation of DHS;

NOTE

Drafts and other unfinished documents not specifically exempted from disclosure are also considered public records.

2. Items received or maintained by a private person or entity on behalf of DHS; and,
3. Records received or maintained by a private person, firm, corporation, or other private entity in the performance of a service or function for or on behalf of DHS to the same extent that such records would be subject to disclosure if received or maintained by DHS.

Section B: Not Considered Public Records

Public records do not include:

1. Records which by order of a Georgia court or by law are prohibited or specifically exempted from being open to public inspection.
2. Certain personal information about employees is not subject to disclosure and will only be released to authorized officials. This information includes: an employee's birthdate/month, social security number, home address, phone number, mother's birth name, debit and credit card information, other banking/financial information, and insurance/medical information.
3. Preparation of reports, summaries or compilations not in existence at the time of the request. If a document does not currently exist, one should not be created.
4. Records pertaining to the subject of a pending administrative proceeding without the prior approval of the presiding administrative law judge.

Section C: Time Limits

1. The Georgia Open Records Act requires DHS to make public records available for inspection or copying within three (3) business days of receiving a verbal or written request for access. Requests should be obtained in writing from requesters. The three-day time requirement does not start until such requests are made in writing or delivered to the Open Records Officer.
2. Official requests for records under the Open Records Act must be made directly to the Open Records Officer. All Open Record Requests received by an employee who is not the Open Records Officer should be forwarded to openrecordsdhs@dhs.ga.gov immediately upon receipt. Official Open Record Requests can be submitted at clarityvalue.app/dhsorr. Open Records Requests can also be mailed to the Open Records Officer at: Department of Human Services Office of General Counsel 47 Trinity Ave. S.W. Atlanta, GA 30334.

NOTE

The three (3) business days time limit begins at 12:01 a.m. on the first business day after the request is received. Weekends and holidays are not counted in the three (3) business days.

3. If a requested public record cannot be made available within three (3) business days, a written description of the record and the time that it will be available for inspection or copying must be provided to the requester within the three (3) business days time limit.

NOTE

Requested records should be made available within three (3) business days unless extraordinary circumstances prevent availability.

Section D: Responding to Open Records Request

1. Due to the short time frame for complying with an Open Records request, the Office of Human Resources (OHR) must be immediately contacted when a personnel-related public records

request is received.

2. OHR will work with the Office of General Counsel to determine if the requested record is subject to disclosure.
3. If it is determined that the record is subject to disclosure, the Office of General Counsel, Open Records Department will respond to the requester. This response must be issued within three (3) business days of receipt of the request. The response must include notification of any cost for assembling and/or copying the requested information. The department is required to use the most economical means available for providing copies of public records.
4. Records maintained on computer are to be made available electronically when requested and when possible. Necessary security should be considered prior to making computer records available electronically via the Internet, etc.
5. If it is determined that a record is not subject to disclosure (See Section B), a response must be sent to the requester which specifies the legal authority which exempts the record from disclosure. This response must be issued within three (3) business days of receipt of the request.

Section E: Fees

1. Unless otherwise specified in law, a copying fee of 10¢ per page is to be charged.
2. The actual cost of a computer disk, audio tape, etc. used to provide a requested record may be charged.
3. If determined appropriate, a reasonable fee may also be charged for search, retrieval and other direct administrative costs for complying with a request. No fee is charged for the first quarter hour.
4. Fees charged must not exceed the salary of the lowest paid full-time employee who, in the discretion of the custodian of the record, has the necessary skill and training to perform the request.

Section F: Penalty

1. Any employee who knowingly and/or willfully violates the Georgia Open Records Act by failing or refusing to provide access to public records in a timely manner may be charged with a misdemeanor punishable by a fine not to exceed \$100.00. In addition, disciplinary action up to and including separation from employment may be taken.

For additional information or assistance, please contact the DHS Open Records Officer at open-recordsdhs@dhs.gov.

603 Official Personnel Files



Georgia Department of Human Services Human Resources Policy #603

Official Personnel Files

Release Date: November 1, 1999

Revised Date: August 23, 2019

Next Review Date:

References: O.C.G.A. §50-18-70 et seq. - Georgia Open Records Act
O.C.G.A. §45-1-5 - Purging of Personnel Records
DHS Human Resources Policy #601 - Employment Information
DHS Human Resources Policy #602 - Access to Personnel- Related Public Records Based on the Georgia Open Records Act
Retention Schedules for State Government

Official personnel files for Department of Human Services (DHS) employees are maintained by OHR.

Section A: Filing Guidelines

1. Documents that should be placed and retained in official personnel files include, but are not limited to appointment packet material, performance-related documents and requests for personnel/payroll actions. A more inclusive list is provided in Attachment #1. Questions regarding documents to be placed in official personnel files should be directed to OHR.
2. Documents that should be maintained SEPARATELY from official personnel files include, but are not limited to supervisory files, medical information, criminal history records investigations, garnishments, I-9 Form, and employee grievances. A more inclusive list is provided in Attachment #2.
3. Supervisory files are to be maintained by each employee's work unit for the duration of employment in the unit. When employment in the work unit ends, supervisory files should be maintained until the end of the calendar year plus one additional calendar year. They should then be destroyed, unless there is an ongoing issue involving the individual employee's employment with the Department.

Section B: Custodians

1. The custodian of official personnel files is the Director of the Office of Human Resources or designee.

Section C: Access to Information

1. The Georgia Open Records Act provides that all DHS records are public and accessible unless specifically exempted for reasons such as an order by a Georgia Court or by law.
2. Certain personal information about employees is not subject to disclosure and will only be released to authorized officials. (See paragraphs C.3. and C.4.), home address and phone number. This information includes: an employee's social security number, mother's birth name, debit and credit card information, other banking/financial information, insurance and medical information, birthday/month and confidential reference information obtained in connection with an appointment. All other information maintained in official personnel files is generally accessible under the Georgia Open Records Act.
3. Information about current or former DHS employees is also accessible under the following circumstances:
 - a. The records custodians have access to the information for maintenance purposes.
 - b. Employees may have access to their own personal information and may grant access in writing to other individuals or organizations.
 - c. Division/Office Directors and their designees and employees' supervisors may have access to the information when necessary for employment-related purposes or on a "need-to-know" basis.
 - d. For purposes of investigating employment-related misconduct or for other legal, administrative, or regulatory reasons, information is available to authorized officials with organizations including, but not limited to, the following:
 - DHS Office of Inspector General (OIG),
 - DHS Division of Child Support Services (DCSS),
 - DOAS Workers' Compensation,
 - Georgia Department of Labor,
 - Federal Department of Labor,
 - Social Security Administration,
 - Georgia Bureau of Investigation,
 - Federal Bureau of Investigation,
 - Other federal, state and local law enforcement or investigative agencies with a "need to know."
 - e. Information may also be released in response to a subpoena or other appropriate inquiry issued in the course of litigation.
4. Subpoenas and other legal requests for information maintained in official personnel files are to be immediately forwarded to OHR.
5. Custodians are to ensure that confidential information is removed prior to allowing access to official personnel files, unless one or more of the conditions in section C exists.
6. Access to official personnel files is permitted during regular business hours (i.e., Monday through Friday, 8:00 a.m. through 5:00 p.m., excluding holidays and other nonwork days).

7. Individuals requesting access to official personnel files should give advance notice. Identification is required prior to authorizing access to confidential employee information.

Section D: Transfer of Official Personnel

1. Official personnel files of DHS employees who transfer to other State agencies must be forwarded to the appropriate agency's Human Resources Office within ten (10) business days of the transfer effective date.

Section E: Purged Files

1. Official personnel files may be purged as a result of settlement agreements made with employees who have been terminated from employment.
 - a. In such cases, the official personnel files and any associated work history must be clearly designated with a notation that records have been partially purged as a condition of a settlement agreement. (See Attachment #3)

NOTE Termination settlement agreements and requests for data change are to be forwarded to OHR where notations regarding purged records are to be entered into terminated employees' computer-based work histories.

- b. Notations regarding purged records will be disclosed to any governmental entity requesting information on former employees' work histories for the sole purpose of making hiring decisions.

Section F: Closed Files

Custodians are responsible for properly transmitting closed (inactive) personnel files of former employees to the State Records Center.

1. When State employment ends, employees' official personnel files are to be withdrawn from the active files area. The inactive files are then to be transmitted to the State Records Center in accordance with the Retention Schedules for State Government Records. These Schedules may be found at the Secretary of State's website: sos.ga.gov/

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

603 A1 Documents to be Retained in Official Personnel Files



**Georgia Department of Human Services
Human Resources Policy #603 A1**

Documents to be Retained in Official Personnel Files

This list is not all inclusive but provides guidance regarding the types of documents to be placed and retained in official personnel files.

Requests for Personnel/Payroll Action and supporting documentation, including:

- Documents confirming appointments, promotions, transfers, demotions, etc. (Documents must include at a minimum the effective date, salary, and classified/unclassified status)
- Family and Medical Leave requests and approvals
- Documents requesting and approving leaves of absence without pay
- Correspondence regarding military leave, kidney donation leave, disaster volunteer leave, etc.
- Suspensions
- Notice of resignation or retirement

Appointment Packet material, including:

- Applications for Employment
- Security Questionnaire / Loyalty Oath forms
- Tax forms
- Designations for Outstanding Wage Payments
- Acknowledgements of Workers' Compensation Treatment
- Retirement forms
- Understanding Concerning the Use of FLSA Compensatory Time
- Drug-Free Workplace Notices
- Proof of Selective Service Registration (if applicable)
- Acknowledgements of Unclassified Position (if applicable)
- Employee Handbook Acknowledgement forms

Performance-related documents

- Letters of commendation
- Written reprimands
- Adverse actions
- Separation letters and Separation Notices (Form DOL-800)

Other Documents

- Licenses/Certificates/Registrations and proof of renewal
- Special Requests for Other Employment and approvals/denials

603 A2 Documents to be Maintained Separately from Official Personnel Files



Georgia Department of Human Services Human Resources Policy #603 A2

Documents to be Maintained Separately from Official Personnel Files

This list is not all inclusive but provides guidance regarding the types of documents to be maintained separately from official personnel files.

DHS Employee Grievances (unless employees specifically request in writing that grievance materials be placed in their official personnel files)

Unlawful Discrimination Complaints filed through any of the following:

- DHS Unlawful Discrimination Complaint Procedure
- Georgia Commission on Equal Opportunity
- Equal Employment Opportunity Commission

Medical Information

- ADA related information
- Alcohol/Drug testing laboratory results
- Specific medical information which supports absence due to Family and Medical Leave
- Medical and Physical Examination Program forms

Investigative reports from the Office of Inspector General

Garnishments, bankruptcies, levies

Information received as a result of criminal history records investigations

Leave donation records

Employment Eligibility Verification (INS Form I-9)

603 A3 Purged Records Notification