

Office of Human Resources

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

2025-06-10

Table of Contents

Section A: Public Records	1
Section B: Not Considered Public Records	1
Section C: Time Limits	2
Section D: Responding to Open Records Request	2
Section E: Fees	3
Section F: Penalty	3



**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.