

RESOLUTION #4-2018

A RESOLUTION ESTABLISHING A PERSONNEL RECORDS POLICY

WHEREAS, “It is declared to be the public policy of this state that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them.” Section 19.31, Wis. Stats.

WHEREAS, This policy is intended to supplement the provisions of Chapter 2 of the Municipal Code of the Town of Delavan establishing a policy for the maintenance and release of the personnel records of Town of Delavan employees consistent with the requirements of the law and the rights of Town employees.

THEREFORE, BE IT RESOLVED, that the Town Board establishes the following policy:

1. Custodian

- A. The Town Administrator shall serve as the custodian of the Town’s personnel records.
- B. The custodian shall safely keep and preserve all public records over which he is custodian.
- C. The custodian shall receive and respond to requests to inspect and copy public records of which he is custodian as soon as practicable and without delay.
- D. The custodian shall provide such notices to record subjects as may be required by law.
- E. The custodian shall not disclose information contained in personnel files of Town employees unless such disclosure complies with the requirements of this policy and applicable statutes.

2. Record retention

- A. The custodian shall maintain the records in a secure location at the Delavan Town Hall, Town of Delavan Police Department or other secure Town owned or leased facility.
- B. Any personnel records in electronic format shall be password protected or otherwise secured to prevent unauthorized access.

3. Access

- A. Employee
 1. The custodian shall provide to any employee access to his or her personnel file.
 2. The custodian shall grant such access with seven days of the request
 3. An employee’s right to inspect includes the right to obtain a copy of materials included in the file.

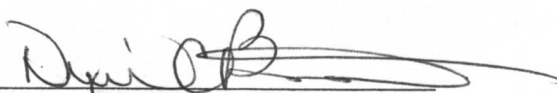
B. Public

1. The custodian must balance the strong public interest in disclosure of the record against the public interest favoring nondisclosure.
2. When release of the record might raise privacy or reputational concerns, the custodian shall give the record subject notice of intended release and an opportunity to oppose the release as provided in section 19.356, Wis. Stats.
3. Custodian shall not provide:
 - a. Information maintained, prepared, or provided by the Town concerning the home address, home electronic mail address, home telephone number, or social security number of an employee, unless the employee authorizes the authority to provide access to such information.
 - b. Information relating to the current investigation of a possible criminal offense or possible misconduct connected with employment by an employee prior to disposition of the investigation.
 - c. Information pertaining to an employee's employment examination, except an examination score if access to that score is not otherwise prohibited.
 - d. Information relating to one or more specific employees that is used by the Town for staff management planning, including performance evaluations, judgments, or recommendations concerning future salary adjustments or other wage treatments, management bonus plans, promotions, job assignments, letters of reference, or other comments or ratings relating to employees.
 - e. Personally identifiable information that contains an individual's account or customer number with a financial institution, including credit card numbers, debit card numbers, checking account numbers, or draft account numbers, unless specifically required by law.

Dated this 20th day of February, 2018


Ryan Simons, Town Chair

Ayes 5 Noes 0

Attest: 
Dixie C. Bernstein, Town Clerk

TOWN OF DELAVAN PUBLIC RECORDS NOTICE

The Town of Delavan is a body corporate and politic organized pursuant to the provisions of Chapter 60 of the Wisconsin Statutes and has charge of the affairs of the Township of Delavan not committed by law to another body or officer.

The Town has designated the Town Clerk as Custodian of all Public Records for the Town except for personnel records and has designated the Town Administrator as Custodian of personnel records in order to meet its obligations under State public records laws. Members of the public may obtain access to the Town records, or obtain copies of these records, by making a request of the appropriate Custodian during the Town's office hours of Monday through Friday, 8:30 a.m. to 4:30 p.m. Such requests should be made to:

Town of Delavan
5621 Town Hall Road
Delavan, WI 53115

The Town may bill requestors \$0.25 for each photocopied page provided. The Town may bill \$0.25/page for content scanned and provided on a CD or DVD. If pre-existing files need only be copied onto CDs or DVDs, \$1.00 per CD or DVD may be charged. If content must be converted from one electronic format to another, \$1.00 per CD or DVD may be charged plus staff time and other actual costs to the Town. The actual cost of postage, courier, or delivery services may be charged. There will be an additional charge for specialized documents and photographs. The cost of locating responsive records may be charged if it exceeds \$50.00 and will be calculated as hourly pay rate (including fringe benefits) of person locating records multiplied by actual time expended to locate records. Requests which exceed a total cost of \$5.00 may require prepayment. All requests will be processed as soon as practicable and without delay.