

CITY OF CORNELIUS

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The City of Cornelius maintains a personnel record for each employee or volunteer, and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, performance counseling notices, correspondence, and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee to whom the file applies.

Your personnel file is available for review by making advance arrangements with the Human Resources Manager. We will provide copies of personnel records or files as required by law, but you may be asked to reimburse us for the reasonable cost of providing copies.

Employees also may review their medical records, which are kept in a separate locked file. Although all medical information is confidential, the City of Cornelius complies with the Health Insurance Portability Administration Act (HIPAA) when allowing access to employee medical records. All requests must be made in writing and signed and dated by the employee wishing to review their own medical file.

Change in Personal Data

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, it is your responsibility to notify the Human Resources Manager:

- Name
- Marital status
- Address
- Telephone number/email
- Dependents
- Person to be notified in case of emergency
- Job related physical or other limitations that impact employment
- Changes in status of driver's license or CDL if required to drive for the City
- Changes in job related professional licenses
- Other information having a bearing on your employment

All changes in personal information must be made in writing and signed/dated by the employee who the changes affect.

SEPARATION FROM EMPLOYMENT

Separation from employment with the City of Cornelius occurs when you voluntarily resign, or you are laid off or discharged by the City.

Resignation

For non-represented employees, employment with the city is “at-will” which means you are free to resign at any time, with or without notice. However, in order to achieve an orderly transition, we would appreciate receiving notification of intent to resign at least ten working days before departure, and 30 days before departure for Department Heads. In order to resign in good standing with the City, employees should submit written notice of intended resignation at least two weeks prior to the effective date. Employees who resign in good standing shall be eligible for rehire.

Retirement

In order to achieve an orderly transition, the City requires notification of intent to retire at least ten working days before departure, and 90 days before departure for Department Heads.

Job Elimination, Reduction in Work Hours or Staff

Our desire is to avoid circumstances that require a reduction in hours or staff, but we also recognize that situations may arise where such reductions would be necessary. Depending upon the circumstances, we may respond in a variety of ways, including offering a voluntary reduction in hours or days of work, reducing your work hours or days of work, giving you the opportunity to accept a part-time, seasonal or temporary position if available and appropriate, reducing the workforce, or reducing expenses by other means. Among the factors we will consider in selecting employees for any reduced hours or reduction in force are:

- Provisions under applicable collective bargaining agreements;
- Your department, location, or job;
- Your job knowledge, skills, and ability to do the required work;
- Your performance, attendance, and safety and corrective action history and records;
- Your possession of licenses, registrations, and certifications required by the job;
- Your creativity and teamwork skills, if required for the job;
- Your demonstrated willingness to go the extra mile for the City, co-workers, and citizens; and,
- The efficiency of our operation.

With the exception of provisions under applicable collective bargaining agreements, evaluation of these factors is at our discretion. When we conclude that all the factors are substantially equal, we will reduce the hours of or lay off the employee with the least length of service. The immediate supervisor/manager will personally notify employees of a layoff. After explaining the layoff procedure, you will be given a letter describing the conditions of the layoff, such as the effects on benefits, and any outplacement services.

If practicable at the time of lay-off, we will provide limited re-employment rights to any employee laid off. Though you are not rehired during that period you will be separated from employment. The order of recall will be determined using the above factors. An offer of re-employment may be made orally or in writing to the last address reflected in your personnel records. It is your obligation to keep us informed of any changes in your telephone number and address. The offer will identify the available job and the date you are to report to work. If you decline re-employment or fail to report on the date specified, you will be deemed to have waived any re-employment privileges and will be treated as a voluntary termination.

Discharge

Our philosophy and general practice is to provide employees who have completed the initial Introductory/probationary period of employment with an opportunity to correct minor performance and conduct problems before discharge is implemented. No employee shall be discharged without first consulting with the Human Resource Manager or designee.

The City of Cornelius has a corrective action policy found contained in this Manual that describes action management may take to correct performance infractions prior to discharging employees.

The decision to discharge employees is based not only on the seriousness of the current performance infraction but also on the individual's overall performance record and length of service.

We also believe that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal dispute resolution procedure found in this Manual for that purpose. You are encouraged to use the procedure to resolve any issues you may have that cannot be resolved by consulting with your supervisor.

Exit Interview

An exit interview will be arranged to give you an opportunity to address unresolved issues before leaving the City and allow us to solicit your opinions about our City and any suggestions for improvement. We encourage all employees to participate in an exit interview when they separate from employment, and we value all opinions and suggestions we receive in the process. Exit interviews are conducted by the Human Resource Manager or City Manager, but not a supervisor or another employee.

At the exit interview session, you will be given any information such as your benefit continuation rights and responsibilities and your final paycheck.

Return of City of Cornelius Property

Upon separation from your employment, either voluntarily or otherwise, you must return all City property in your possession by your last day of employment. City property includes credit cards, City vehicles, keys, ID cards, pagers, tools, software, computer disks, uniforms, this Manual, and any other items in your possession that belong to the City.

CITY OF HILLSBORO

Departing Employee Records Guidelines

These guidelines define the roles and responsibilities of supervisors and employees regarding the management and protection of records and information when an employee permanently leaves the City **or** transfers to a new position within the City. An employee includes full-time, part-time, temporary or seasonal workers and interns.

Supervisors have custodial responsibility for the records and City resources under the control of their subordinates. Supervisors are responsible for ensuring City records are returned upon an employee's departure whether or not the departing employee is available to participate.

Any intentional destruction or removal of records may lead to a criminal conviction under Oregon law. Although City records may not be removed, departing employees may request copies of records under Oregon's public records law through the City's public records request procedures. Occurrences of unauthorized records destruction or removal from departmental custody without appropriate approval should be reported immediately to the departing employee's supervisor and the city recorder's office, as well as to the city attorney.

Employee responsibilities

The departing employee (if available) will ensure:

- Timely notification of impending departure to his/her supervisor
- The protection of public records in his/her custody through succession planning with appropriate staff
- That all City public records are turned over as soon as practicable upon termination of employment (this includes the return of any records stored on home computers, portable devices, or portable media , whether owned by the employee or the City)

Supervisor responsibilities

The supervisor, with the assistance from the departing employee (if available) and knowledgeable program and administrative staff, as well as the city recorder's office, will ensure:

- Timely notification of Human Resources of impending departure and use of the Termination Checklist for Supervisor Use, which includes the **required** Records Checklist for Departing Employees
- The identification, review and inventory of the departing employee's records for location, content and disposition
- The collection, transfer and reassignment of all paper and electronic records, including email, and the termination of the departing employee's network access (with assistance from Information Services staff)
- The removal of materials by the departing employee is limited to personal papers and preapproved copies (otherwise document any unauthorized removal, loss or destruction of records)
- The assignment of active records to other staff, transference of inactive records to storage in Archives or the City's electronic records management system or to destruction if:
 - ❖ The records have satisfied the City's records retention schedule requirements, and
 - ❖ There is no pending litigation or conditional hold, and
 - ❖ The records destruction request form has been completed and approved.

Additional information

For policy information, please see *9.2 Records Management* in the personnel policy manual.

Date Received by HR:

Records Checklist for Departing Employees

Departing Employee Name: _____ Departure Date: _____

Public record means any information that is prepared, owned, used or retained by a state agency or political subdivision; relates to an activity, transaction or function of a state agency or political subdivision; and is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision (ORS 192.005)

An employee who destroys, alters or withholds public records may be found guilty of tampering with a public record (ORS 162.305), which is a Class A misdemeanor punishable with up to a year in prison and a \$6,250 fine.

Records Inventory

The following inventory is to be completed by the departing employee's supervisor and, when possible, the departing employee. Each step is sequential. If you have questions, contact the city recorder's office.

- Workstation – includes desk, file cabinets, lockers, mailbox, other storage
Email – includes Inbox, Sent Items, Deleted Items, Archives and all other mail folders
Network – includes any information in folders in private or shared drives
Hard drive – includes the C drive, CDs and other digital media storage
Internet Storage – includes Cloud-based storage and internet email accounts

Table with 6 columns: Steps, Workstation, Email, Network, Hard Drive, Internet Storage. It contains five rows of tasks with corresponding checkboxes for each category.

The signing parties certify all records belonging to the City were returned by the departing employee. The supervisor has read the Departing Employee Records Guidelines and fully understands his or her role regarding records management.

Supervisor Signature: _____ Printed Name: _____ Date: _____

Employee Signature: _____ Printed Name: _____ Date: _____

METRO



METRO RECORDS AND INFORMATION MANAGEMENT (RIM) POLICY AND PROCEDURES FOR DEPARTING EMPLOYEES Executive Summary

The Problem

Currently, Metro does not have a comprehensive policy that clearly defines the roles and responsibilities of supervisors and employees relating to the management and protection of records and information when an employee permanently leaves Metro or transfers to a new position within the agency. In addition, even though Information Services has a set of procedures that are followed when an employee leaves the agency, personnel responsible for executing the procedures have identified problems of process and follow through on the part of supervisors. Additionally, procedures in Human Resources that initiate employee separation actions do not address records and information management responsibilities, nor do they formally address the disposition of other Metro-issued assets. In essence, there is an absence of a comprehensive policy; a lack of depth and coordination in existing procedures; and no formalized approach to staff training.

As described, the absence of departing employee policy and procedures that adequately inform agency staff about their RIM responsibilities has significant implications for Metro in the following areas:

- Asset management and control
- Security
- Business continuity
- Disaster recovery
- Compliance
- Preservation of corporate memory

Output and Outcomes

The records and information management (RIM) Policy and Procedures for Departing Employees will mitigate the risks as described by formalizing the process. Success will depend on a well-defined implementation and evaluation plan.

Contribution to Metro Council Goals and Objectives

Implementing the (RIM) Policy and Procedures regarding Departing Employees will support Metro Council's goals as follows:

- Assets and Risks Managed Prudently
- Compliance With All Applicable Laws
- Consistent Policy Making Processes
- Transparency in Government

Metro | *Policies and procedures*

Subject Records and Information Management (RIM) Policy for Departing Employees
Section Executive Order 91: Records and Information Management (RIM) Policy
Subsection NA
Approved by Scott Robinson, Deputy Chief Operating Officer, July 1, 2009

POLICY

The purpose of this policy is to clearly define the roles and responsibilities of supervisors and employees relating to the management and protection of records and information when an employee permanently leaves Metro or transfers to a new position within the agency. Compliance with this policy is consistent with Metro's commitment to responsible stewardship of its records and information assets as articulated in [Executive Order 91](#). Failure to adhere to this policy may constitute a violation of [ORS 162.305 Tampering With Public Records](#)

Depending on the terms of departure, the supervisor shall make every effort to work with the departing employee to identify agency records in their custody. Supervisors must require terminated employees to turn over all public records to Metro immediately upon termination. Access to Metro public records and computer systems must cease immediately upon termination of the employment relationship. The Records Checklist For Departing Employees must be completed and signed by the departing employee's supervisor to verify that Metro records (regardless of format) have been identified and transferred to a records management custodian or reassigned to an appropriate (e.g. knowledgeable) employee.

Records may not be removed from Metro's custody or destroyed in a manner inconsistent with the procedures established in [Metro's Records and Information Management \(RIM\) Program Policies and Procedures Manual](#). Any intentional destruction or removal of records may lead to a criminal conviction under Oregon law. Although agency records may not be removed, departing employees may request copies of records under Oregon's public records law through Metro's Public Records Requests procedures. Occurrences of unauthorized records destruction or removal from departmental custody without appropriate approval should be reported immediately to the departing employee's supervisor and the Metro Records Officer, as well as the Office of the Metro Attorney.

Applicable to

All Metro employees. Employees shall be given a copy of this policy for review with the understanding that adherence is consistent with Metro's commitment to responsible stewardship of its records and information assets.

Not applicable to

NA

Definitions

Definitions of records and information terminology, as well as roles and responsibilities can be found on Metro's RIM Program web site.

Guidelines

This policy pertains to all public records residing on servers, hard drives, e-mail systems, on any digital media and in paper filing systems. Public records are defined under Oregon law as "any writing that contains information relating to the conduct of the public's business..." It applies to all Metro officials, permanent and temporary employees (including interns and seasonal staff), volunteers, contractors, and consultants.

Authority

Metro will comply with all applicable laws and regulations that relate to records and information management, including but not limited to:

- Executive Order 91: Records and Information Management (RIM) Policy
- ORS 162.305 Tampering With Public Records

Responsibilities

EMPLOYEE

The departing employee (if available) shall ensure:

- Timely notification of impending departure to his/her supervisor
- The protection of public records in his/her custody through succession planning with appropriate staff (e.g. program supervisor, knowledgeable staff, and administrative or records personnel)
- That all Metro public records are turned over as soon as practicable upon termination of employment. This includes the return of any records stored on home computers, portable devices, or portable media, whether owned by the employee or Metro

SUPERVISOR

The employee's program supervisor, with assistance from the departing employee (when possible), knowledgeable program and administrative staff, or records staff shall ensure:

- Timely notification of Human Resources, Information Services, and appropriately designated staff of the employee's departure
- That the departing employee's records are identified, reviewed, and inventoried for location, content, and disposition
- The transfer and reassignment of all electronic records, including email, and the termination of the departing employee's network access
- The departing employee turns over all Metro public records as soon as practicable upon termination of employment. This includes the return of any records stored on home computers, portable devices, or portable media, whether owned by the employee or Metro
- That removal of materials is limited to personal papers and pre-approved copies
- The Records Checklist For Departing Employees is completed and signed to verify that all records have been identified and reassigned to another employee
- Any unauthorized removal, loss, or destruction of records is documented by attaching a list to the Records Checklist For Departing Employees reported to the Metro Records Officer
- That the completed Records Checklist For Departing Employees is forwarded to Human Resources for inclusion in the employee's file

INFORMATION SERVICES (IS)

IS staff will work with the departing employee's supervisor to assist with:

- The transfer of the departing employee's electronic records, including email, to the program supervisor or designated staff
- The termination of the employee's access to computer files and servers

KNOWLEDGEABLE PROGRAM WORKERS AND ADMINISTRATIVE STAFF

Supervisors may involve program staff as necessary to ensure that:

- Active records are reassigned to another employee(s)
- Inactive records are processed for either off-site storage or entered into TRIM
- Permanent records are prepared for microfilming and off-site storage
- Records are destroyed only if:
 - they have satisfied retention requirements, and
 - there is no pending litigation or conditional hold, and
 - the Metro Destruction Notice has been completed and approved
- Information regarding unauthorized destruction or loss of records is communicated to the supervisor and the Metro Records Officer

RECORDS AND INFORMATION MANAGEMENT (RIM) PROGRAM STAFF

RIM Program staff will consult and provide guidance to supervisors and employees regarding the implementation and use of *Departing Employees RIM* policy and procedures

References

The following documents are related to this policy:

- Executive Order 91
- Departing Employee Procedures and Checklist
- Unauthorized Record Loss or Destruction Procedure
- Metro Records Retention Schedule
- Metro Records and Information Management (RIM) Policies and Procedures Manual

Additional Information

Additional guidance and relevant information are provided on Metro's [Records and Information Management \(RIM\) Program](#) web site. Please contact the Metro Records Officer or records management program staff for further information.

Metro | *Policies and procedures*

Subject Records and Information Management (RIM) Procedures for Departing Employees

Approved by Scott Robinson, Deputy Chief Operating Officer, July 1, 2009

PROCEDURES

All supervisors have custodial responsibility for the records under the control of their subordinates. The policy and procedures regarding departing employees address the specific roles and responsibilities that attend the termination or transfer of an employee's employment at Metro. Supervisors are responsible for following the procedures below (including completing the *Records Checklist For Departing Employees*) whether or not the departing employee is available to participate and regardless of the departing employee's status (e.g., full-time, temporary, intern, seasonal, other).

The purpose of these procedures is to preserve the integrity of Metro's records and information. Following them is necessary for the continuity of the work performed by the departing employee's Program.

The employee's program supervisor (with assistance from the departing employee, knowledgeable staff, IS, and records staff) will:

- Notify Human Resources, Information Services (IS), and appropriately designated staff of the employee's departure
- Work with IS staff to take custody of the departing employee's electronic records, including email, and appropriately reassign them, and terminate network access upon departure
- Identify, review, and inventory the departing employee's hardcopy and electronic records for location, content, and disposition¹
- Confirm that the departing employee has returned any records stored on home computers, portable devices, or portable media, whether owned by the employee or Metro
- Complete and sign the Records Checklist For Departing Employees to verify that all records have been identified and reassigned to appropriate staff
- Limit removal of materials by the departing employee to personal papers and copies that have been pre-approved for removal and document as per instructions on the Records Checklist For Departing Employees
- Document and report any unauthorized removal, destruction or loss of records to the Metro Records Officer
- Forward the completed Records Checklist For Departing Employees to Human Resources for inclusion in the employee's file

Knowledgeable Program Workers will:

- Assist with the reassignment of active records to another employee(s)
- Review the retention requirements of the records
- Inform supervisor regarding unauthorized destruction or loss of records

¹ Disposition may include any of the following: transferring records to another staff member and/or processing records into TRIM; transferring records to off-site storage; processing permanent records for microfilming and long-term storage; or destroying records that have met retention requirements.

Administrative Staff will:

- Process inactive records for either off-site storage or entry into TRIM (as directed)
- Prepare permanent records for microfilming and off-site storage (as directed)
- Prepare records for destruction when:
 - ✓ they have satisfied retention requirements, and
 - ✓ there is no pending litigation or conditional hold, and
 - ✓ the Metro Destruction Notice has been completed and approved

Records and Information Management (RIM) Program staff will:

- Assist the supervisor in identifying, reviewing, and inventorying the departing employee's hardcopy and electronic records
- Provide assistance to the supervisor, as appropriate, in the reassignment of active records to another employee
- Reassign e-records in TRIM (where applicable) for which the departing employee was the contact

References

Records and Information Management (RIM) Policy for Departing Employees

Attachments

Records Checklist for Departing Employees Form



RECORDS CHECKLIST FOR DEPARTING EMPLOYEES

Date Received by HR

◆ Read and Complete Boxes 1 – 6

◆ When completed forward to Human Resources

(1) Departing Employee's Last Name	(2) Departing Employee's First Name	(3) Departure Date

(4) Records Management

- I. A public record "includes, but is not limited to, a document, book, paper, photograph, file, sound recording or machine readable electronic record, regardless of physical form or characteristics, made, received, filed or recorded in pursuance of law or in connection with the transaction of public business, whether or not confidential or restricted in use" (ORS 192.005). Exceptions include: extra copies for convenience or reference, stock publications, and voice messages.

- II. If you have created, received, filed or recorded a record, regardless of its physical form and in pursuance of law or in connection with the transaction of public business, you have a public record. Even if you do all your work on a computer and never print or sign anything your electronic creations are subject to Public Records law no matter where they are stored. [See page 4 for help determining if you have a public record](#)

- III. A public employee's failure to follow the records retention schedules, whether out of ignorance, negligence, or contempt can be considered a crime. Metro sets a high value on the management of and access to public records. An employee who destroys, alters, or withholds public records may be found guilty of "Tampering with a Public Record" (ORS 162.305), punishable by a year in prison and \$5,000 fine.

(5) Records Inventory Table/Checklist

The following table is to be completed by the departing employee's supervisor and, when possible, the departing employee. The steps ensure proper records retention. Each step is sequential, making the records management process easy and consistent. To the right of each step is a check off box. Check off each area as you complete the records review. For areas that do not apply, write **NA** on the line. **Questions? Contact Metro's Records Officer.**

[Definitions of Areas to Review can be found on the next page.](#)

<u>Steps For Supervisor/Employee</u>		<u>Areas to Review For Records</u>				
		Station	Email	Network	Hard Drive	Internet Storage
Step 1	Remove all personal non-work related records as defined in <i>Documenting Your Public Service</i> .	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _
Step 2	Sort records according to their associated project or category.	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _
Step 3	Reassign active records to those assuming the workload of the departing employee. If inactive records remain, continue on to Step 5.	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _
Step 4	Using your program's retention schedule, sort and label inactive records in each area by the following categories (more than one category may apply in each area): a. Records that have not yet met their retention timeline <i>(Do not destroy records until approved by Metro's Records Officer see Step 6)</i> b. Records requiring permanent retention c.. Records due for destruction	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _
Step 5	Supervisor: Submit sorted inactive records to RIM staff for proper handling, which may include storage, processing for permanent retention, or destruction	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _	<input type="checkbox"/> _

Definitions of Areas to Review for Records

Station	An employee's entire workstation: desk, file cabinets, lockers, mailbox, other storage
Email	Includes Inbox, Sent Items, Deleted Items, Archives, and all other mail folders
Network	Includes any information the employee puts in folders whether in private or shared areas.
Hard Drive	Generally the C: drive, but could be others. Include CD's and other digital media storage.
Internet Storage	Includes Cloud-based storage, including internet email accounts.

		YES	NO
I.	Did the departing employee participate in this process?	<input type="checkbox"/>	<input type="checkbox"/>
II.	To the best of your knowledge, is the employee taking any Metro records?	<input type="checkbox"/>	<input type="checkbox"/>
	If Yes, were records personnel and OMA (if applicable), consulted to verify that the documents have been reviewed and approved for removal by the employee? Records that must not be removed include, but are not limited to, any material relating to pending or contemplated civil, criminal, or administrative proceedings or other program information, which if released, would impair or prejudice the outcome of the proceeding or policy determinations, decisions, or other actions. No records may be removed without the approval of Metro's Records Officer.	<input type="checkbox"/>	<input type="checkbox"/>

Additional Comments:

(6) Signatures

Statement: The signing parties certify all property belonging to Metro was returned by the departing employee. All items listed under Boxes 5 were turned over to the appropriate recipients. An inventory of the records in the employee's custody took place on the employee's last working day and the *Records Checklist For Departing Employees* was completed. If the *Records Checklist For Departing Employees* could not be completed on the employee's last day notify Metro's Records Officer.

Acknowledgments: Supervisors have custodial responsibility for the records and Metro resources under the control of their subordinates. Supervisors are responsible for ensuring Metro records are returned upon a subordinate's departure whether or not the departing employee is available to participate. This is regardless of the departing employee's status (e.g., full-time, temporary, intern, seasonal, other).

Supervisors have the responsibility to ensure that while the *Records Checklist For Departing Employees* is completed no unauthorized destruction or loss of work related records occurs. If such an event takes place it is understood that the Agency Records Officer must be contacted immediately. The departing employee (when possible,) will cooperate with the Records Officer to document any unauthorized destruction or loss of records.

The Supervisor has read the Records and Information Management (RIM) Policy for Departing Employees and fully understands his/her role regarding Records and Information Management.

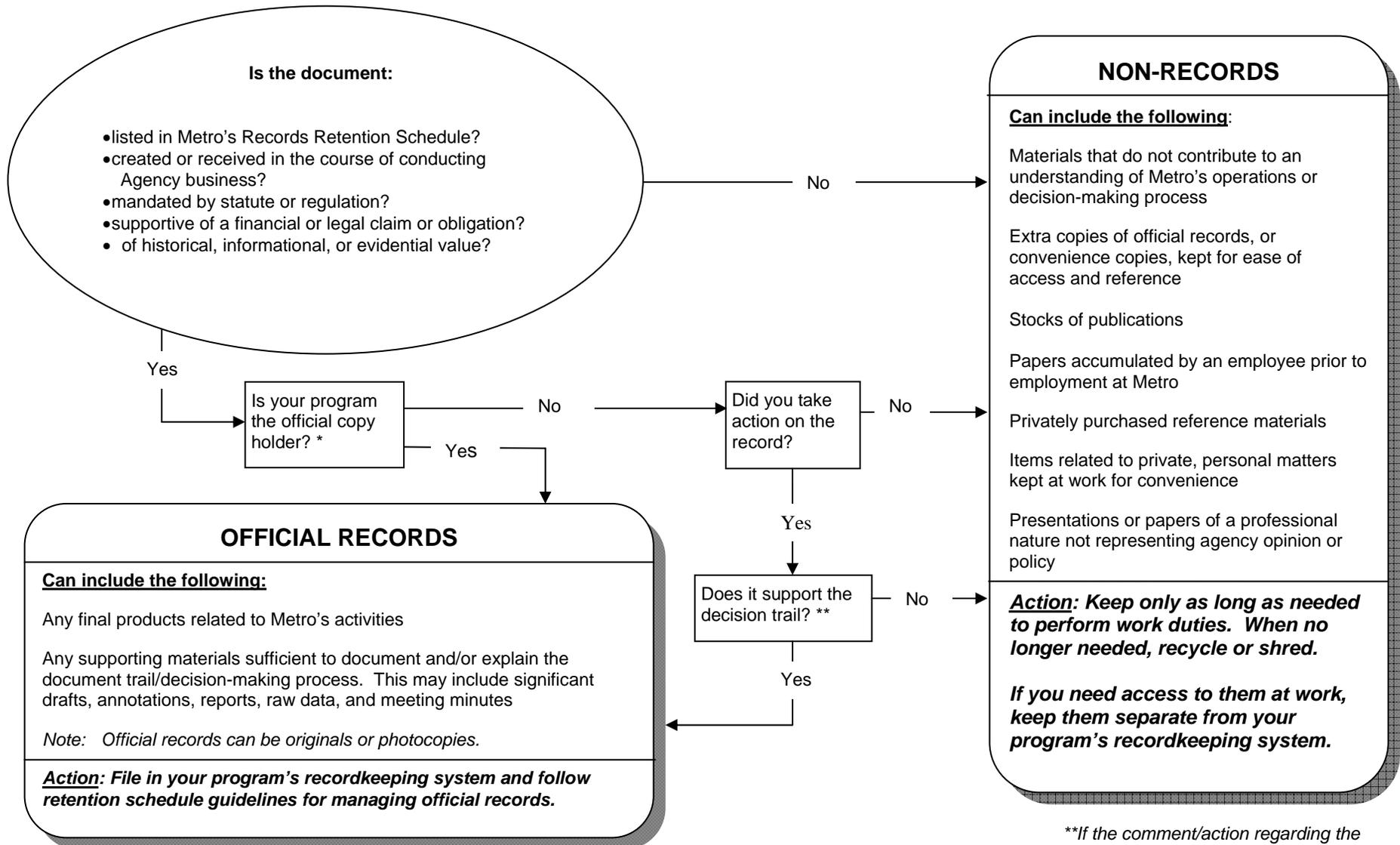
Non-compliance with the *Records Checklist For Departing Employees* and all related procedures threatens the preservation of Metro's corporate memory. It is a violation of the Secretary of State's Records and Retention Policies and may also violate ORS 162.305 *Tampering With Public Records*.

Supervisor Signature:	Printed Name:	Date:
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Departing Employee Signature:	Printed Name:	Date:
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RIM Signature:	Printed Name:	Date:
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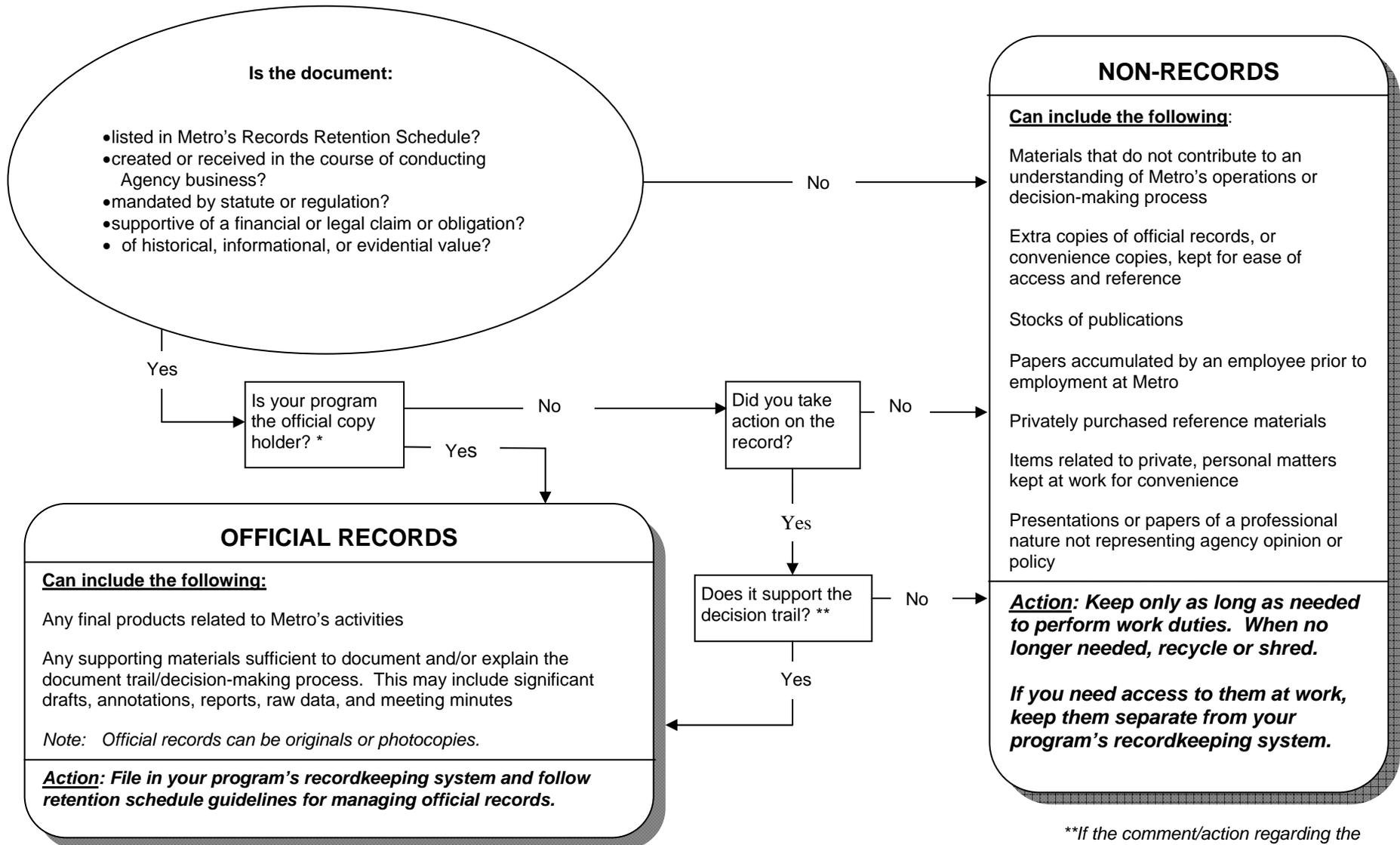
What is a Record?



*Program responsible for maintaining the official copies of the records for the required retention period (e.g. the official copy holder for an invoice is AP)

**If the comment/action regarding the record is summarized or documented elsewhere, it is a non-record.

What is a Record?



*Program responsible for maintaining the official copies of the records for the required retention period (e.g. the official copy holder for an invoice is AP)

**If the comment/action regarding the record is summarized or documented elsewhere, it is a non-record.