



# State Personnel Board Rules

Georgia Department of Administrative Services

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## 478-1-.09 Records.

- (1) **Introduction.** Employment records are to be maintained and accessed in accordance with the provisions of this Rule.
  - (a) For the purposes of this Rule, the following terms and definitions apply in addition to those in 478-1-.02 (Terms and Definitions):
    1. "Records" means all documents, papers, letters, maps, books (except books in Formally organized libraries), microfilm, magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by any agency.
    2. "Retention schedule" means a set of disposition instructions prescribing how long, where, and in what form a record series shall be kept.
- (2) **Public Records.** Unless specifically exempted by federal law, state law or by an order of the court, all documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar materials prepared, maintained, or received in the course of operations are public records that may be inspected by any individual at a reasonable time and place.
- (3) **Employment Records.** Each agency maintains an employment record for each employee that includes information such as the employee's job application, resume, training records, performance-related documentation, salary history, and other employment-related information. Employment records are the property of the employing agency and are subject to the Open Records Act.
- (4) **Confidentiality of Information.** The Open Records Act exempts certain confidential information from disclosure. Agencies strive to ensure that:
  - (a) All employment records are securely maintained;
  - (b) All personal and job-related information is accurate, complete, and relevant for its intended purpose; and
  - (c) All personal and job-related information is handled in a confidential, appropriate manner.
  - (d) In collecting, maintaining, and disclosing employment information, agencies make every effort to protect every employee's privacy rights and interests and to prevent inappropriate or unnecessary disclosures.



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- (e) Agencies collect and retain personal information only to the extent necessary to effectively conduct business and administer employment and benefit programs. Wherever possible, if additional personal information is needed, agencies notify affected employees and provide them an opportunity to supply the requested data.
  - (f) The Commissioner, agencies, and human resources officers may access agency employment records and any other records of the State Personnel Board and State Personnel Administration to the extent necessary to perform their duties. Such access will not be construed as impairing the confidential nature of human resources records or permitting disclosure of information protected by employees' privacy rights.
- (5) **Employee Access.** Employees are entitled to review their employment records upon request. The review must take place in the presence of a member of the agency human resources office. An employee cannot remove any contents of the file, but photocopies will be provided within a reasonable time after the employee's review of the file and at the employee's expense, pursuant to the Open Records Act.
- (6) **Accuracy of Information.** Employees are required to provide their employing agency with accurate, up-to-date personal information to include, but not limited to name, home address, telephone numbers, tax withholding information, marital status, number of dependents, beneficiary designations, and emergency contacts.

Authority O.C.G.A. Secs. 45-20-3, 45-20-3.1, 45-20-4.

**History.** Original Rule entitled "Appointments" adopted. F. July 31, 1985; eff. July 1, 1985, as specified by the Board.

**Amended:** F. Jan. 22, 1988; eff. Nov. 12, 1987, as specified by the Board.

**Amended:** F. Aug. 2, 1988; eff. July 8, 1988, as specified by the Board.

**Amended:** F. Feb. 14, 1991; eff. Jan. 4, 1991, as specified by the Board.

**Amended:** F. Mar. 10, 1992; eff. Feb. 12, 1992, as specified by the Board.

**Amended:** F. Sept. 3, 1992; eff. Aug. 6, 1992, as specified by the Board.

**Amended:** F. Dec. 30, 1993; eff. Dec. 20, 1993, as specified by the Board.

**Amended:** F. Mar. 9; 1994; eff. Mar. 3, 1994, as specified by the Board.

**Amended:** F. Oct. 17, 1994; eff. Oct. 6, 1994, as specified by the Board.

**Amended:** F. Nov. 15, 1994; eff. Nov. 3, 1994, as specified by the Board.

**Amended:** F. July 11, 1995; eff. June 30, 1995, as specified by the Board.

**Amended:** F. May 2, 1996; eff. Apr. 15, 1996, as specified by the Board.

**Repealed:** F. Dec. 31, 1996; eff. Sept. 20, 1996, as specified by the Board.



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**Amended:** New Rule entitled "Substance Abuse Testing" adopted. F. July 22, 1998; eff. July 7, 1998, as specified by the Board.

**Amended:** F. July 31, 2000; eff. July 14, 2000, as specified by the Board.

**Amended:** F. June 12, 2002; eff. May 21, 2002, as specified by the Board.

**Repealed:** New Rule entitled "Records" adopted. F. Dec. 23, 2008; eff. Dec. 17, 2008.

**Amended:** F. Oct. 28, 2009; eff. Aug. 27, 2009, as specified by the Board.