

## **DHHS POLICIES AND PROCEDURES**

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<b>Section V:</b>	<b>Human Resources</b>
<b>Title:</b>	<b>Employee Relations</b>
<b>Chapter:</b>	<b>Appendix C, Guidelines for Release of Employee Information</b>
<b>Current Effective Date:</b>	<b>4/1/04</b>
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### **G.S. 126-23 Public Information**

Upon request you must release the following employee information without asking why:

1. Name
2. Age
3. Entered on Duty (EOD) employment date
4. Current position and title
5. Current salary and date of most recent change in salary
6. Date of most recent promotion, transfer, reallocation, disciplinary suspension, demotion or separation
7. Where assigned

### **G.S. 126-22 Confidential Information**

Except for the above "public information", whatever is defined as "personnel file" regardless of location. Specifically, it is information gathered by the Department of Health and Human Services (DHHS) or any unit thereof which relates to an employee's:

1. Application
2. Selection or non-selection to a position
3. Promotions
4. Transfers
5. Leave
6. Salary
7. Performance management system documentation
8. Disciplinary actions (warnings, disciplinary suspensions, demotions, dismissals)
9. Termination of employment

### **G.S. 126-24 You May Release Confidential Information Only To**

1. The employee whose file it is or whomever the employee gives written authorization as agent to access the information, but letters of reference solicited prior to employment may not be released.

2. Those in the chain of command above the employee.
3. Members of the General Assembly.
4. Anyone authorized by court order.
5. Anyone authorized by the DHHS Secretary when the Secretary deems it in the best interest of the department. This includes information the DHHS Hearing Officer deems relevant in the consideration of Step 3 personnel grievance appeals.

## **G.S. 126-27 Penalty for Unauthorized Release and Examination of Confidential Information**

Conviction of Class 3 misdemeanor and fine up to \$500.00

\*Requests for references should always be referred to the Personnel Office, because the Personnel Manager is the legal custodian of the personnel files. Before releasing any information, check to see if there is a settlement agreement or order from a court or the State Personnel Commission that governs the release of information concerning the employee in question. If so, abide by the agreement or order.

\*If you believe there is good reason for releasing and/or examining certain employee information and are not sure whether the information is public or confidential or you believe there is good reason for releasing and/or examining certain confidential information, please contact the DHHS Employee Relations Section at 919-733-2660.

*For questions or clarification on any of the information contained in this policy, please contact [Human Resources](#). For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).*