

POLICY 18
OFFICIAL PERSONNEL RECORDS

Rule 18.05 - Release of Information to External Parties

Discretion should be exercised in releasing personnel information about any applicant, employee, or former employee, without a clear need, the explicit authorization of such individual, or unless requested in accordance with the provisions of the Freedom of Information Act (5 ILCS 140/1 *et seq.*) or authorized by law.

Regulations

18.051 Requests for Employment Information

Employing units should refer requests for employment information about current or former employees to the campus human resources office. The campus human resources office shall limit information released to outside parties, including prospective employers, to basic directory information only:

- Verification that an individual is or has been employed
- The dates of employment
- The title of position held
- Whether part-time or full-time
- The unit where employed

In order to protect the individual's right to privacy, information such as the following shall not be released without the affected individual's written consent or unless requested in writing and released by the University in accordance with the Freedom of Information Act:

- Salary information
- Performance evaluations
- Attendance
- Information about the work record or work quality
- Reason for termination
- Whether the employee would be rehired
- Social Security number
- Date of birth
- Home address
- Telephone number
- Leave or layoff status, unless pertinent to an inquiry

POLICY 18
OFFICIAL PERSONNEL RECORDS

Rule 18.05 - Release of Information to External Parties

Regulations (Continued)

18.052 Employment References

Members of the University's supervisory staff may be contacted and asked to provide an employment reference for a current or former employee. Staff members are not required to furnish employment references, and may refer such inquiries to the human resources office, which routinely provides basic information consistent with Regulation 18.051. Supervisors who choose to respond to a request should observe the following guidelines.

It is desirable for supervisors to obtain a written request or consent form from an employee prior to releasing employment information to a prospective employer. If the employee has not made a request or provided a consent form, a supervisor should provide only factual information regarding dates of employment, position(s) held, duties, etc.

Supervisors should be careful about expressing opinions about an employee's work performance, and instead communicate fact-based information about the employee's work performance which can be verified by others.

Illinois law provides protection to supervisors who provide truthful information to prospective employers. The Employment Record Disclosure Act (745 ILCS 46/1 *et seq.*) grants protection from civil liability for any employer who provides truthful written or verbal information, or who has a good faith belief in the truthfulness of the information provided, regarding a current or former employee's job performance.

Questions about appropriate reference information to release should be directed to the campus human resources office. The campus office may seek guidance from University counsel. A copy of any written response to such an inquiry should be sent to the campus human resources office for the employee's file.

18.053 Credit Information

Information concerning University employees will be furnished by the campus human resources office or, at the Springfield campus the payroll office, to aid employees in securing credit. However, the information will be limited to Social Security number, occupational classification, percent time of appointment, length of time employed, and salary. Employees will be contacted to sign a release for information needed to secure credit if an advance release has not been provided.

POLICY 18
OFFICIAL PERSONNEL RECORDS

Rule 18.05 - Release of Information to External Parties

Regulations (Continued)

- 18.054 Law Enforcement Inquires
An individual's dates of attendance at work and home address may be released in response to a request by a properly identified law enforcement authority.
- 18.055 Voluntary Disclosure to Law Officials
A voluntary disclosure to law officials may be made to protect the legal interests of the University when it is believed that the actions of the applicant, employee, or former employee violate conditions of employment, threaten damage to University property or physical injury to any person, or that an individual may have been engaged in illegal activities.
- 18.056 Government Agency Requests
Requests for personnel information from government agencies will be satisfied if the employee concerned has signed a form authorizing release of this information, if an agency or agencies are investigating a complaint, or in response to a subpoena for such information. An employee may be informed of this type of request at the discretion of the head of the campus human resources office.
- 18.057 Disciplinary Records
Except when required in a legal action or arbitration, disciplinary reports, letters of warning, or other records of disciplinary action which are more than four (4) years old shall not be released to an outside party.
- 18.058 Union Notification
If required by an agreement with a union, whenever an employee covered by the agreement is given a written warning or reprimand, or is suspended, demoted, or discharged, a copy of the notice of such action, unless otherwise requested in writing by the employee, will be transmitted to the union.
- 18.059 Debt Complaints
Debt complaints from private creditors will be handled in the manner described in the Conduct and Discipline Section (Rule 16.02, Non-University Financial Obligations).