

**A. GENERAL:**

1. Effective personnel administration requires the gathering and use of information concerning employees. Personnel records shall be established and maintained in a manner designed to reasonably protect the privacy of all concerned.
2. In an effort to prevent wrongful disclosure of records pertaining to either current employees or former employees, all inquiries for information should be referred to the Superior Court Personnel Office.

**B. PERSONNEL RECORDS:**

1. The official personnel records shall be maintained by the Court Administrator's Office and are the property of the Superior Court.
2. The official employee master personnel file should contain at least the following information:
  - a. The job application/resume for the employee's current position.
  - b. Copies of required forms, i.e., Loyalty Oath, acceptance of employment form, insurance records, identification documents pertaining to employee name, social security number, employee emergency information, position description, financial records to include W-4, state withholding forms.
  - c. Copies of personnel action forms or other source documents and supporting documentation authorizing changes in employment status, position, classification, pay or leave status.
  - d. Copies of Arizona State Retirement benefit plan enrollment form; application for return of contributions form; and/or change of beneficiary designation form.
  - e. Copies of performance appraisal reports.
  - f. Copies of commendations or disciplinary actions or objections filed thereto; relevant background information and documentation of all formal disciplinary and grievance actions.
  - g. Education and training records.

- C. SEPARATE FILE:** Separate from the official personnel master file, the Court Administrator shall maintain files involving discrimination or harassment claims, complaints, or charges, investigation matters (civil or criminal), and immigration matters.
- D. PERSONNEL ACTION FORMS:** The Court Administrator shall prescribe personnel documents and action forms and procedures which shall be used to report personnel actions and status changes. The Court Administrator shall inform the divisions as to which actions and status changes must be reported.
- E. ACCESS TO PERSONNEL RECORDS:**
1. Personnel files shall be protected from access by persons other than the following:
    - a. The Presiding Judge for employment related reasons;
    - b. The Court Administrator and staff of the Court Administrator for employment related reasons;
    - c. The employee or the employee's designated representative who has written authorization from the employee;
    - d. The Division Head or designee for employment related reasons;
    - e. Law enforcement and investigative organizations' staff in the course of their duty, when required, and only after presentation of proper identification and a release signed by the employee, or a subpoena calling for release of the records;
    - f. Legal representatives of the Arizona Attorney General's Office and/or the Mohave County Attorney's Office or a member of a law firm hired by or on behalf of the Court in a matter involving the Court or Mohave County;
    - g. Internal, State, and Federal Auditors in the course of their duty, when required, and only after presentation of proper identification and notification of an audit;
    - h. Employees of Mohave County as approved by the Presiding Judge for employment related reasons.
  2. The Court Administrator may provide access to persons other than those cited in this policy if the Court Administrator determines that such persons in the course of their

official duties have a valid need-to-know or are operating under authority of a proper request for public records as determined by the Court's legal counsel.

3. The Court Administrator shall require reasonable identification of individuals requesting information to assure that records are disclosed only to the proper persons.
4. Civil subpoenas for any personnel records will be responded to in a timely manner as follows:
  - a. Notify the affected employee, and
  - b. Seek, through the Attorney General's Office, a protective order restricting dissemination to only such materials as are necessary and proper.
5. Each employee and/or their authorized representative has, with reasonable notice, the right to review the employee's personnel record at the Court Administrator level or the Division level in the presence of authorized staff.
6. Employees will be provided copies of individual personnel records and may be charged a nominal fee.
7. Personnel records may only be removed from the Court Administrator's Office by the Presiding Judge or Court Administrator.
8. Disclosure: The following information may be released to requesting individuals subject to verification of the identity of such individuals:
  - a. Verification of employment.
  - b. Employee's classification title.
  - c. Current salary.
  - d. Employee's home address and worksite (to be given only to commissioned law enforcement officers on official duty whether in person or over the telephone after verification of the requesting parties identification).
9. Nondisclosure: Certain information is considered confidential and not subject to disclosure; nor is it accessible under Rule 105(E)(1) above. Confidential information includes, but is not limited to, employment reference or referral information, medical information (unless written authorization is given by the

employee), drug/ alcohol test results (unless written authorization is given by the employee), and materials contained in separate files.

10. Employees may prepare a written response to any document in their personnel file and have such response included in the personnel file.
11. No information or documents are to be removed from the personnel file except upon approval of the Presiding Judge. Similarly, no documents contained therein are to be altered.

**F. PERSONNEL DATA CHANGES:**

1. Employees shall promptly notify the Court Administrator of changes in personnel data. Personal mailing addresses, telephone numbers, names of dependents, individuals to be contacted in case of emergency, educational accomplishments and other such status reports should be accurate and current at all times.