

SHERIFF OF GARFIELD COUNTY

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GARFIELD COUNTY SHERIFF'S OFFICE POLICY / PROCEDURE GENERAL

SUBJECT: PERSONNEL RECORDS

EFFECTIVE DATE: January 01, 2024

POLICY:

It is the policy of the Sheriff's Office to maintain a personnel file on each employee. The Office shall make provisions whereby an employee's personnel file is protected and reviewed in a structured and controlled manner and not indiscriminately viewed for non-official purposes.

PURPOSE:

To provide guidance on access and control of an employee's personnel record.

DEFINITIONS:

Employee: A paid member of the Garfield County Sheriff's Office, OR a Volunteer with an authorized GCSO volunteer program.

METHOD:

A personnel file will be created and maintained for each employee by Human Resources. Personnel files are the property of the Garfield County Sheriff's Office and must be treated confidentially. The records in the personnel files are the only official personnel records with the exception of Internal Affairs files.

Location of Records:

The official central depository of personnel records for all Sheriff's Office employees will be maintained by the Sheriff's Office Human Resources Office. Internal Affairs files are kept separately in the Sheriff's Office.

Access and Review of Records:

Internal access to personnel records will be restricted to persons with a "need to know" basis. This shall be limited to: employees who wish to view their personnel records; the employee's supervisors, Human Resources, Professional Standards, Undersheriff, Sheriff and the County Attorney, or his/her designee.

External access to the official personnel files or portions of the official personnel files of an employee will be restricted to those portions and procedures identified in the State of Colorado Open Records Act or the Criminal Justice Records Act. In most circumstances, documents in the official personnel files are confidential, including records of discipline and are not subject to public access.

In response to requests to release information *not* protected in the State of Colorado Open Records Act or the Criminal Justice Records Act, the GCSO will release information from an employee's official personnel records only after receiving a written request, identifying the exact files within the personnel record that are being requested to be released and providing the address where the records are to be mailed. The time period to retrieve and copy the file will be in accordance with the State of Colorado Open Records Act or the Criminal Justice Records Act sections as applicable. Payment of all associated costs, if any, are the responsibility of the requestor. Records will not be released until any necessary payment has been received. (See *GCSO Release of Records Policy & Procedure*)

Central files of records on all employees are maintained during an employee's employment with the Garfield County Sheriff's Office and for ten years after termination of employment.

An employee may, upon request, review his/her own official personnel file during regular business hours at the location in which they are housed for the Sheriff's Office. An employee who is terminating his/her employment may request a complete copy of his/her official personnel file upon termination. In either situation, information in the file may be photocopied; but original documents may not be removed.

Official personnel file duplication, in part or in whole, will be done by no other persons than GCSO Human Resources staff members.

In accordance with CRS 24-33.5-115, Potential law enforcement employers of current/former GCSO Deputies must obtain a written waiver from that employee to request employment verification and personnel records information from the Garfield County Sheriff's Office. Records will not be mailed or electronically disseminated. The requesting agency may review the files at the GCSO Human Resources office during normal business hours. The hiring law enforcement agency representative **MUST** provide a copy of the signed waiver by the employee authorizing the GCSO to release official personnel file information before access to the records will be allowed. Photocopies of certain files will be provided upon request. However, photocopies of Internal Affairs files will not be allowed.

Personal References: Former employees, or employees seeking employment elsewhere, will oftentimes list a co-worker or supervisor as a personal reference, or request a letter of reference. GCSO employees will **NOT** provide any information that is in any way work/performance related. All requests for such information shall be directed to HR.

Accuracy of Records: An employee who wishes to challenge information in his/her personnel file will notify their supervisor by memorandum through the chain of command. The supervisor shall notify Human Resources to arrange a meeting regarding the challenge. The Human Resources Administrator shall determine the validity of the challenge. If requested by either the employee or the Human Resources Administrator, the Sheriff will review the findings of the Human Resources Administrator and make a final determination.

Required Update Information: In addition to the required 48 hour notice of change of address and/or phone number as described in the “Administrative Matters” Policy and Procedure, employees must submit additional changes in status to Human Resources as soon as possible after the change. These include, but are not limited to: emergency contact information, beneficiary information, benefits’ plan changes, performance evaluations, corrective action communications, and other information maintained because of the employer-employee relationship.

Other Employee Files: Internal Affairs files are the property of the Sheriff, NOT the employee and are kept separate from personnel files and are not available to employees, but are subject to inspection by other law enforcement agencies seeking to hire current/former sworn Deputies in accordance with CRS 24-33.5-115.