

## CONFIDENTIALITY OF PERSONNEL RECORDS

- **Municipal employee personnel records** are governed by General Statutes § 160A-168A.
- **County employee personnel records** are governed by General Statutes § 153A-98.
- **Personnel files are defined as** "any information gathered by [the employer] which relates to the individual's application, selection or non selection, promotion, demotion, transfer, leave, salary, suspension, performance evaluation, disciplinary action, or termination of employment wherever located or in whatever form."
- **Information open to the general public:**
  1. employee's name;
  2. employee's age;
  3. date of employee's original employment or appointment;
  4. employee's current position title;
  5. employee's current salary;
  6. date and amount of most recent increase or decrease in employee's salary;
  7. date of employee's most recent promotion, demotion, transfer, suspension, separation, or other change in position classification; and
  8. office or station to which employee is currently assigned.
- **There is an exception to the rule of confidentiality** when the release of additional information is "essential to maintaining public confidence in the administration of [the employer's] services or to maintaining the level and quality of [the employer's] services."
- **All contents of an employee's personnel file are open to the employee except** (i) letters of reference solicited prior to employment, and (ii) medical disabilities that a prudent physician would not disclose to a patient.
- **All contents of an employee's personnel file are open to government officials** (including managers, board members, state and federal officials, supervisors) as long as inspection is deemed "necessary and essential to the pursuance of a proper function" by the keeper of the records.
- **Employers are not required to disclose the names of applicants for positions.**

**Note General Statutes § 1-539.12**, which limits the liability of an employer for defamation when it discloses information to a prospective employer about a current or former employee's job history or job performance. Term "job performance" includes suitability of the employee for reemployment, the employee's skills, abilities, and traits as they relate to suitability for future employment, and in the case of former employees, the reason for separation. Employer may only reveal the above information, however, if one of the criteria for disclosure set forth in the relevant personnel records act is met.