



City of Bowling Green  
Administrative Instruction No. 13

**ACCESS TO CONFIDENTIAL PERSONAL INFORMATION**

This administrative instruction establishes City policy with regard to accessing confidential personal information of City employees that is maintained in the City's Personnel Department. This policy will adhere to the requirements established in Section 1347.05 of the Ohio Revised Code which lists requirements related to personal information systems maintained by state and local agencies.

*Instructions*

As used in the Revised Code, Section 1347.15 and this rule, the following definitions apply:

- (1) "Confidential personal information" means personal information that is not a public record for purposes of Section 149.43 of the Revised Code, Ohio's Public Records Act;
- (2) "Personal" refers to information about a natural person or individual as used in Section 1347.12(A)(2)(b)(5) of the Revised Code;
- (3) "State agency" does not include the courts or any judicial agency, any state-assisted institutions of higher education or any local agency; and
- (4) "Records" has the same meaning as set forth in Revised Code section 149.011(G).

**Criteria for Access to Confidential Personal Information**

Revised Code Section 1347.15(B)(1) requires that every state agency develop criteria for determining which of its employees may have access to confidential personal information, and which supervisors may authorize those employees to have access. For the City, the following criteria shall apply:

- (1) The Mayor, Municipal Administrator, Personnel Director, Assistant Municipal Administrator, and Finance Director may have unlimited access to any and all confidential personal information in the possession of the City.

- (2) By necessity, the Information Technology Manager, whose primary responsibility is for the City's computers and computer forensics may have unlimited access to any and all confidential personal information that is maintained in the City's computer systems;
- (3) The support staff assigned to the Personnel Department, Finance Department, and Information Technology Office, may have access to any confidential personal information provided by complainants and to confidential personal information contained in the City's Payroll System or otherwise in the possession of the City on an unlimited basis;
- (4) Other Department and/or Division Heads, who serve the City, may have access to confidential personal information that is acquired by or in the possess of the City on a need to know basis. The Personnel Director is responsible for authorizing this access.

The City's Personnel Director is directly responsible for the hardcopy records of confidential personal information system relating to City employees. The Personnel Director is responsible for implementing rules that provide for the operation of the system. The Personnel Director will inform appropriate employees about the proper protocols regarding the handling and accessing of confidential personal information by City employees. Employees will be provided copies of this policy and will acknowledge receipt of the copy in writing. Amendments to the policy will be distributed and acknowledged in the same way.

The City's Personnel Director, Finance Director, and Information Technology Manager all share, to some degree, the responsibility for the confidential personnel information that is maintained in the City's computer system. All three will be responsible for implementing rules that provide for security/protection of the information maintained in the system.

Violating this policy will result in disciplinary action to include termination of employment, in accordance with the City's Disciplinary Policy, Administrative Instruction No. 30.


The City will only collect, maintain, and use personal information that is necessary and relevant to the functions of the organization that it is required and authorized to perform. Personal information that is no longer necessary or that is no longer relevant will be eliminated from the system. Employees will be informed if the personal information they provide is legally required or if they may refuse to provide.

Procedures will be established to monitor the accuracy, relevance, timeliness, and completeness of the personal information maintained by the City.

The City will take reasonable precautions to protect personal information in the system from unauthorized modification, destruction, use, or disclosure. Passwords will be used to secure information in the computer system, and locks and keys will be used to secure hardcopy materials.

Employees may access their own personnel files in accordance with the requirements established in the appropriate collective bargaining agreement or City policy. Requests for information from the public will be answered in accordance with the State of Ohio's Public Records Law.

Even though appropriate safeguards are established for protecting confidentiality of personal information, it is possible that a City employee might gain access for invalid access for invalid reasons. Should an incident of invalid access occur, the Personnel Director or his/her designee will advise the individual whose information was invalidly accessed of the breach of confidentiality as soon as reasonably possible. However, if such notice would compromise the outcome of an internal investigation, notice may be provided upon the completion of the investigation but prior to the release of any final report.

  
John B. Quinn      11-16-09  
Mayor                      Date