

RESOLUTION NO. 2016-1596

A RESOLUTION ESTABLISHING A POLICY FOR THE RELEASE OF OFFICIAL PERSONNEL RECORDS AND SUPERSEDING RESOLUTION NO. 99-967

WHEREAS, the City of Farmington is subject to certain state and federal laws concerning the release of public records; and

WHEREAS, the governing body of the City wishes to comply with these laws and, at the same time, respect the rights to privacy and safety of its employees; and

WHEREAS, the following policy is intended to balance the sometimes competing interests between the interest of the public to be informed as to the business of the City and the privacy and safety interests of its present and former employees.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Farmington that the following policy concerning the release of official personnel records is hereby adopted and approved.

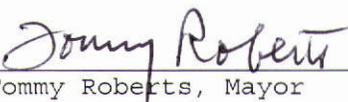
(a) Procedures - Requests for the release or inspection of official personnel records shall be made and responded to in accordance with the provisions of the Inspection of Public Records Act, NMSA 1978 Compilation, Chapter 14, Article 2.

(b) Records Subject to Inspection or Release - Applications, resumes, date(s) of hire, date(s) of termination from employment, position title(s) and job descriptions(s) and date(s) held, and salaries or wages of current or former City employees. The following personal information will be deleted from any materials released: home addresses, personal telephone numbers, social security numbers and emergency contact information.

(c) Records Not Subject to Inspection or Release - (1) Medical records, including medical reports, doctors' opinions, psychological reports, drug testing results and records pertaining to illnesses, injuries, disabilities and sick leave usage; (2) Letters of reference; (3) Documents containing matters of opinion, such as records pertaining to infractions or discipline, performance evaluations, statements as to whether a person would or would not be rehired or reasons a person was not hired; and (4) Records protected by other provisions of law.

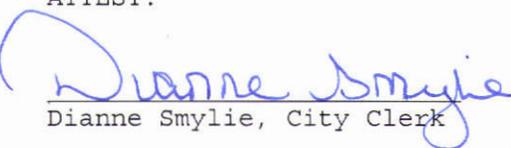
(d) Exceptions - Records not otherwise subject to disclosure shall be released if: (1) the City is provided with a written release signed by the employee or former employee directing that disclosure be made and releasing the City from any liability for such disclosure, or (2) the City or a City official is properly served with a subpoena or other order issued by a court of competent jurisdiction directing such disclosure.

PASSED, SIGNED, APPROVED AND ADOPTED this 9th day of August, 2016.


Tommy Roberts, Mayor

SEAL

ATTEST:


Dianne Smylie, City Clerk