

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Thomas Robinson/s/		
General Order No: E-500-18	Issued: May 30 th , 2018	Revised:
General Order Title: Personnel Files		

I. POLICY

In addition to City of Reno personnel files, the Reno Police Department maintains files pertaining to internal personnel functions, such as job performance, training and education, disciplinary action, commendations, and on-the-job injury/illness. Members of the Reno Police Department will maintain the confidentiality of these files to the extent permitted by law. Personnel files will be maintained in accordance with applicable records retention schedules.

II. PERSONNEL FILE TYPES

- 1. Master Personnel File** – This file is stored in the Reno Police Department administrative offices and contains employee evaluations, disciplinary actions, Employee Performance Comment and Outcome (EPCO) forms, commendations, etc. Upon separation, the Master Personnel File is archived by the Payroll Clerk.
- 2. Payroll File** – This file is stored in the Reno Police Department payroll unit and contains information about the employee's pay grade, assignment, transfers etc. Upon separation, the Payroll File is archived by the Payroll Clerk.
- 3. Human Resources File** – This file is stored at the City of Reno Human Resources Office and contains employment history information about each employee.
- 4. Internal Affairs File** – This file contains any investigatory documentation created about alleged employee misconduct. The Internal Affairs lieutenant will direct the security and maintenance of Internal Affairs Files in accordance with departmental Internal Affairs policies and procedures.
- 5. Training File** – This file is stored at the Reno Police Department's Training Section Office and on the department's training database. These files contain copies of employee's training records, departmental training certificates and non-departmental police related courses completed that have been submitted by the employee for entry into this file.

The Training Section lieutenant will direct the security and maintenance of employee training files. In addition to the Training File's custodian, authorized access to training files is as follows:

1. Employees may review their training file during the Training Section's office hours or anytime on the Department's training database.
2. An employee's chain of command may review an employee's training file during the Training Section's office hours or anytime on the Department's training database.

6. Medical Files – The Reno Police Department's Workers' Compensation Representative will control access and maintain employee medical files. Access to the locked employee Medical Files will be limited to the Chief of Police/designee. Medical Files include, but are not limited to:

- a. Records pertaining to sworn-employees' NRS-required medical/fitness examination;
- b. Records pertaining to the departmentally-required physical fitness examination;
- c. Non –Workers' Compensation medical information an employee wishes to keep confidential.

7. On-the-Job Injury/Illness Files – This, retained in the locked files of the Reno Police Department's Workers' Compensation Representative, keeps records of an employee's On-the-job injury/illness reports

III. PROCEDURES

A. Confidentiality of Personnel Files

Not all personnel files are confidential records under Nevada law. Upon receipt of a subpoena or a public records request for a personnel file, each document in the file will be evaluated individually in consultation with the City Attorney's Office, in light of laws existing at the time of the request. Every effort will be made to maintain the confidentiality of these files and the documents contained therein in accordance with applicable laws.

The Chief of Police will direct the security and maintenance of the personnel files. Personnel files will be stored securely. Only the Chief of Police/designee and each file's custodian will have general access to personnel files. Personnel file contents may be copied only when authorized by the Chief of Police/designee.

B. Access to Personnel Files

1. Authorized access to personnel files is as follows:
 - a. A file's custodian, the person who is assigned to be directly involved in file security and maintenance, is authorized access for the purpose of file security and maintenance. Employees may review their own personnel file upon request, in the presence of a supervisor or the file's custodian. A supervisor's response to this request will be contingent upon the availability of the file custodian. The custodian of any file containing identifying information of an anonymous complainant shall make every reasonable effort to protect the identity of the anonymous complainant.
 - c. The Master Personnel File and Training File of an employee may be reviewed by their direct supervisor or by a supervisor for the purpose of selection into a Special Assignment.
 - d. Internal Affairs may review employee's personnel files when necessary to complete an internal investigation, to assist other agencies conducting a background check of an

employee when that agency has obtained a signed waiver by the employee or to assist the City Attorney's Office in obtaining documentation, as is necessary in the defense or potential defense of a pending law-suit, or claim against the employee and/or the city, or as ordered by a subpoena.

2. Access Control List

Whenever any personnel file is accessed, viewed and/or temporarily checked-out, the person accessing the file must complete an entry on the file's access control list. An access control list will be maintained in each file and will include:

- a. Date and time signed out/signed in;
- b. Name of individual signing out;
- c. Purpose for signing out.

C. Sealing of Disciplinary Actions

The sealing of disciplinary actions will occur in accordance with the employee's collective bargaining agreement.

Sealed disciplinary actions file will be forwarded to Internal Affairs for storage and will not be opened unless the employee requests unsealing in writing for examination by a person or persons specified by the employee, or at the direction of the Chief of Police/designee who may deem it necessary. The employee is to be notified of the opening of a sealed file and the reason.