

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS

DBA
(LEGAL)

**Access to Employee
Records**

With regard to public access to information in personnel records, custodians of such records shall adhere to the requirements of the Texas Public Information Act (PIA). [See GCA] *Gov't Code 552*

Information is excepted from the requirements of the PIA if it is information in a personnel file, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Each employee of a governmental body, including a college district, and each former employee of a governmental body shall choose whether to allow public access to the information in the custody of the governmental body that relates to the person's home address, home telephone number, emergency contact information, or social security number, or that reveals whether the person has family members.

Gov't Code 552.024(a), .102(a)

Employee Right of
Access

All information in the personnel file of an employee of a governmental body is to be made available to that employee or the employee's designated representative as public information is made available under Government Code Chapter 552 (PIA).

A person or a person's authorized representative has a special right of access, beyond the right of the general public, to information held by a governmental body that relates to the person and that is protected from public disclosure by laws intended to protect that person's privacy interests. A governmental body may not deny access to information to the person, or the person's representative, to whom the information relates on the grounds that the information is considered confidential by privacy principles under the PIA but may assert as grounds for denial of access other provisions of the PIA or other law that are not intended to protect the person's privacy interests.

If a governmental body determines that information subject to a special right of access under Government Code 552.023 is exempt from disclosure under an exception of Government Code Chapter 552, Subchapter C, other than an exception intended to protect the privacy interest of the requestor or the person whom the requestor is authorized to represent, the governmental body shall, before disclosing the information, submit a written request for a decision to the attorney general under the procedures of Government Code Chapter 552, Subchapter G. If a decision is not requested, the governmental body shall release the information to the person with special right of access not later than the tenth business day after the request for information is received.

Gov't Code 552.023, .102(a), .307

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**Confidentiality
Guidelines**

Each state agency, including each college district, shall develop and implement guidelines regarding confidentiality of AIDS- and HIV-related medical information for employees of the agency. The confidentiality guidelines shall be consistent with guidelines published by the Texas Department of State Health Services (DSHS) and with state and federal law and regulations. [See DBB] *Health and Safety Code 85.115(a), (c)*