

COUNTY ORDINANCE NO. 14-06

A BILL ENTITLED

AN ACT CONCERNING Access to Personnel Files of County Employees;

FOR THE PURPOSE of limiting the persons authorized to examine the personnel files of County employees;

BY AMENDING Section 27-120 of Chapter 27. Human Resources of the Code of Public Local Laws of Queen Anne’s County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND that Section 27-120 of the Code of Public Local Laws be amended to read as follows:

Chapter 27. HUMAN RESOURCES

Article XIV. Personnel Records

§27-120. Confidential information.

All information contained in a County employee’s personnel file, other than the information listed in §27-118 of this article, will be maintained as confidential in accordance with the requirements of the Maryland Public Information Law and shall be open to inspection only in the following instances:

- A. The employee ~~or his or her duly authorized agent~~ may examine all portions of the employee’s personnel file, except letters of reference solicited prior to employment;**
- B. A licensed physician designated, in writing, by the employee may examine the employee’s medical record;**
- C. A County employee having supervisory authority over the employee may examine all material in the employee’s personnel file;**
- D. By order of a court of competent jurisdiction, any person may examine such portion of an employee’s personnel file as may be ordered by the court; and**

- E. An official of any agency of the state or federal government, or any political subdivision of the state, may inspect any portion of the personnel file when such inspection is deemed by the official having custody of such records to be necessary and essential to the pursuance of proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employee's tax liability without an order of the court.**

SECTION II

BE IT FURTHER ENACTED that this ordinance shall take effect on the forty-sixth (46th) day following its adoption.

INTRODUCED BY: Commissioner Moran

DATE: February 25, 2014

PUBLIC HEARING HELD: March 11, 2014 @ 10:50 am

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: March 25, 2014

EFFECTIVE DATE: May 10, 2014