	EMPLOYEE RECORDS	Human Resource Manual
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RELEASE OF INFORMATION

PURPOSE

1. Personnel records are maintained for all Government employees. This information is held in the form of personnel files and on the Government of Nunavut's human resource information system. Any personal employee information retained by the Government is held in confidence consistent with the *Nunavut Access to Information and Protection of Privacy Act*.

APPLICATION

2. These guidelines apply to all employees.

DEFINITIONS


3. **Personnel Files** are the official record containing personal information, on each employee, held by the Department of Human Resources and the Department of Finance or the Personnel Section of an authorized department, board or agency.

PROVISIONS

4. All third party requests for employee information should be forwarded to the Department of Human Resources, or the Department of Finance, Compensation and Benefits Division. The identity of the third party will be checked and will be required to produce evidence of the employee's consent to release of the information.
5. The employee's consent is not needed if disclosure of information is required by law. (e.g. a search warrant).
6. Most requests for employee information come from banks and credit bureaus. The requests may be by phone, facsimile or mail. When receiving a request of this nature, the human resource practitioner may:
 - state an employee's position title, date of hire and date of termination (if applicable);
 - confirm whether the employee resides in government staff housing;
 - confirm whether or not the salary estimate provided by the bank or credit bureau is close to the real salary.



- The human resource practitioner does not give out any exact salary information without the employee's written authorization and does not disclose the amount of rent deductions or the employee's address without the employee's written authorization.
7. If an inquiry is received requesting the address of a terminated employee, the individual should be referred to the post office. The Government does not give out forwarding addresses.
 8. The RCMP may request information regarding an employee. When the request is supported by a search warrant or subpoena, the human resource practitioner has a legal requirement to release the information to the RCMP. Without this supporting documentation, information is not to be released without the employee's authorization.
 9. When inquiries are received pursuant to court proceedings, the human resource practitioner will:
 - provide information if the GN, is compelled to do so by court order;
 - provide salary information to the Legal Services Board with respect to the employee, upon the production of a release executed by the employee for that purpose;
 - release salary information to a lawyer representing the employee, but only if the request is in writing and contains the written authorization of the employee to do so.
- If a former employee is involved in legal action against the Government, the request for information should come through the employee's legal counsel and be forwarded to the Government's legal counsel for response. The Government does not release information to any other lawyer or investigator.
10. Inquiries made by Revenue Canada and Human Resources Development Canada (HRDC) must be in the form of a written request (facsimiles are acceptable). Requests are not handled over the phone. In reply to a written request, the human resource practitioner may:
 - release salary information to Revenue Canada and HRDC;
 - release information about performance or attendance when requested on the standard employment insurance form.


	
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11. Inquiries for the release of information may also originate from within the GN. When such an inquiry is received, the human resource practitioner will:

- allow the employee, the supervisor, and the Department Head to look at the employee's personnel file. The file must be signed out and in. The human resource practitioner or an officer must be present during the examination;
- allow an employee's union representative to view the file only if the employee is present or has provided written authorization;
- allow the employee or the Department Head to have copies of any documents or correspondence on the file. The human resource practitioner or officer must make the copies;
- allow the employee's supervisor and Department Head to have copies of an employee's last performance appraisal;
- allow Employee Relations Consultants to have copies of any documents pertaining to matters relevant to grievance or arbitration proceedings;
- with the consent of the employee, allow Staffing Consultants to review the file of an employee being considered for a new position. This review is limited to information pertaining to employment matters only, i.e., no personal information that would not be available from an applicant from outside of the government;
- allow an employee, supervisor, or Department Head to put on the file material relevant to his/her employment. All such documents should show evidence that the supervisor and employee have seen them;
- both active and terminated employees may view their files and put material on their file.

The human resource practitioner does not:

- allow any other employees, except those specified, to view or remove files;
- allow any document/correspondence to be removed from a personnel file without the Director, Employee Relations' approval of an employee's written request;
- allow employees to open the envelopes containing interview-rating forms.

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When uncertain as to whether information should be released, advice should be sought from either the Regional Directors of Human Resources in the region or Director, Employee Relations in Iqaluit.

AUTHORITIES AND REFERENCES

- 12. Main Collective Agreement with the NEU
Article 33, Employee Performance Review and Employee Files
- 13. Main Collective Agreement with the NTA
Article 21, Employee Files
- 14. Excluded Employees' Handbook
Performance Evaluation

CONTACTS

- 15. For clarification or further information, please contact:

Director, Employee Relations
Department of Human Resources
Iqaluit, Nunavut
975-6211

Director, Compensation & Benefits
Department of Finance
Iqaluit, Nunavut
975-5881

or

Regional Directors
Department of Human Resources:

Igloolik	934-2024
Cambridge Bay	983-4060
Rankin Inlet	645-2954