

Data Practices

Several state and federal statutes aid in protecting your privacy rights and make it easier for you to review data about you. Under the Minnesota Government Practices Act, **Minn. Stat. §13.43**, you have the right to know the following information. Public data can and must be provided to anyone for any reason or no reason at all upon request. Private data is available to you, your written authorized representative, or within the City to the extent needed for work purposes, such as compensation, job duties, investigations, evaluations and related purposes as deemed appropriate by City officials and staff. It is normally not available to other persons unless a federal or state statute or court order permits or requires it.

Under state law, “personnel data” means government data on individuals maintained because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a government entity. The following data is considered public under state law, and the following data may be provided upon request to the City:

- (1) name; employee identification number, which must not be the employee's Social Security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; and the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
- (2) job title and bargaining unit; job description; education and training background; and previous work experience;
- (3) date of first and last employment;
- (4) the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
- (5) the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body*;
- (6) the complete terms of any agreement settling any dispute arising out of an employment relationship, including a buyout agreement as defined in section [123B.143, subdivision 2](#), paragraph (a); except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money;
- (7) work location; a work telephone number; badge number; work-related continuing education; and honors and awards received; and
- (8) payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

The following personnel data on current and former applicants for employment by a government entity is public:

- veteran status;
- relevant test scores;
- rank on eligible list;
- job history;
- education and training; and
- work availability.

All other personnel data is private data on individuals but may be released pursuant to a court order. Data pertaining to an employee's dependents are private data on individuals. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment.

IF YOU HAVE ANY FURTHER QUESTIONS REGARDING THIS POLICY, PLEASE CONTACT:

Human Resources OR City Attorney's Office
(651) 266-6500 (651) 266-8710

* A final disposition occurs when the government entity makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings. Final disposition includes a resignation by an individual when the resignation occurs after the final decision of the government entity, or arbitrator. In the case of arbitration proceedings arising under collective bargaining agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or upon the failure of the employee to elect arbitration within the time provided by the collective bargaining agreement. A disciplinary action does not become public data if an arbitrator sustains a grievance and reverses all aspects of any disciplinary action. Contact Human Resources with questions concerning whether a disciplinary action is in final disposition.