

### INFORMATION REQUESTS ABOUT CURRENT/FORMER EMPLOYEES

The intent of this procedure is to insure that prospective employers of present or former employees of the District are provided with truthful and accurate information in response to official inquiries for references by persons having a bona fide need to know the information. This is tempered by the legal consideration involved for the responsible person giving references, requiring that any negative or derogatory information be imparted in a manner that does not expose the employer to a suit for defamation by the applicant.

Derogatory information concerning an employee of the District may only be released with the express approval of the Chancellor. Internal requests for such release should only be made by the college presidents or business managers when 1) the information affects an important interest of the Employer; and 2) giving the information to a third party helps the Employer protect that interest. "Important interest" is one involving the duty to speak, whether legal or moral, including, but not limited to, defending one's own reputation, warning others about an individual's misconduct, protecting one's business against unfair competition, taking steps to expose mismanagement or an employee's misconduct and protecting the interests of a third person.

1. All routine requests for classified employee references should be routed through the office of the college business manager or the Chief Human Resources Officer. For academic employees, references should be routed through the College President.
2. Ascertain whether or not the employee has signed a district form consenting to the release of information upon his/her separation from employment with the District.
3. Ask any inquirer if he/she has the applicant/employee's express permission to contact the District; and, if yes, the limits, based upon the release, of what can be discussed. (In absence of express release, the informant should limit information to employment dates, salary history and promotions).
4. Verify that the person making the inquiry is indeed who he/she claims to be. Call the inquiring company/agency to verify the person's position.
5. Respond only to questions asked by the inquirer. Do not volunteer information not responsive to third party's inquiry, nor beyond inquirer's need to know. Be careful to give a full and accurate account of the factual basis of the information provided. (Note: matters within a file that have been disputed by the employee may not be "factual." Seek advice from the Chief Human Resources Officer in this area.)
6. Written references should be marked "confidential," "personal," or "to be opened by addressee only." In giving telephone references, ask if the other party is alone or if the conversation is being heard over a speaker telephone or recorded.
7. Be wary of giving information to inquirers who are only considering the employee for possible employment in the indefinite future, or who want the information only for background or future reference. Be wary of volunteering information not asked for.

Upon the severing of employment with the District the employee should be advised that if he/she uses the District as a reference, it will respond truthfully and accurately to any inquiries. The separating employee may wish to sign a release or provide a specific release on an ad hoc basis for a specific prospective employer in the future.