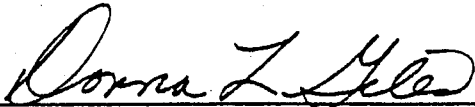


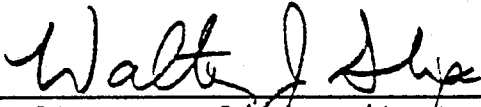
CITY OF SACRAMENTO
PERSONNEL POLICY INSTRUCTIONS

Topic: Giving Employee Reference Checks Effective Date: 12/5/88
From: Personnel Department Supersedes: n/a
To: Department Heads, Division Chiefs Section Number: II-88-1

APPROVED:



Donna L. Giles, Director of Personnel



Walter J. Slips, City Manager

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PERSONNEL POLICY INSTRUCTIONS

1. Purpose

To provide policies and procedures regarding giving employee reference checks to prospective employers.

2. Definition

A reference check is a request for information about a present or former City employee's employment with the City. A reference check occurs as a result of the employee's having listed the City as a reference.

3. Scope

3.1 This policy applies to all employees who are asked for reference checks on present and former City employees by a prospective employer. For example, this policy governs when a supervisor from another city asks a City of Sacramento employee for a reference check on a City employee who is considering working for that city.

3.2 This policy does not apply where a City of Sacramento employee asks another City of Sacramento employee for a reference check on a City employee. However, the information given must be job-related, as explained in 4.2 below.

3.3 This policy does not cover a City of Sacramento employee asking for reference information about a prospective City employee. For example, a City supervisor may check with a current or former employer regarding a candidate for a job under that supervisor. However, the information given must be job-related, as explained in 4.2 below.

3.4 Authorization: Only supervisors and managers are authorized to respond to reference checks. Other employees shall not respond to reference checks.

4. Procedure:

4.1 When another employer seeks a reference check, the employer must provide a City of Sacramento release form signed by the City of Sacramento employee. The release form is attached. To expedite the process, the contents of the form may be read over the phone so that the employer can type it, but it must still be received by the City prior to information being given.

4.2 Only job-related information about the employee is to be given. As a guide, such information includes: the knowledges, skills, and abilities the employee displayed on the job; performance;

attendance; whether the supervisor would re-hire the employee (and if not, why); and, starting and finishing dates of employment, position held, and salary range. Supervisors and managers are cautioned not to respond to non-job-related questions such as ones relating to an employee's personal life.

4.3 Supervisors and managers shall notify their employees of this procedure and shall provide a supply of release forms for employees seeking other employment and wishing to use the City as a reference.

4.4 Completed release forms are to be sent to the Employee Services Division, where they will be microfilmed for the employee's records. It is essential that the forms are sent to Employee Services, in order to help limit the City's liability.

5. Confidential Inquiries Where City not a Reference:

Occasionally a confidential inquiry will be made by a prospective employer regarding an employee who did not list the City as a reference. This typically occurs with management positions. For example, the chief executive officer of another jurisdiction may ask a City exempt management employee for information on a City employee who is being considered for a management position. The City exempt management employee whose opinion is being sought may or may not have supervised the employee under consideration. The officer of the other jurisdiction may be making a series of background calls, and to preserve the confidentiality of the process may not want the applicant to know about them. When this situation occurs, a release form is not needed. However, the information given must still be job-related, as described in 4.2 above, and only exempt management personnel are authorized to respond. City employees who are not exempt management are to refer such inquiries to an appropriate exempt management employee.

AGREEMENT OF RELEASE AND INDEMNIFICATION

I. RECITALS:

This agreement of release and indemnification is given in view of the following facts and circumstances:

(1) The undersigned, hereafter referred to as "employee" (without regard to whether the undersigned is, as of the date of execution of this agreement, still in the employ of the City), is seeking employment or other position with a person, company or entity other than the City;

(2) Employee desires City or a City employee to furnish a person, company or entity with a reference check, as that term is defined in Personnel Policy II-88-1;

(3) Employee is aware that it is the City's policy not to furnish a reference check without execution of this document.

II. AGREEMENT:

In consideration of the City's agreement to furnish a reference check, and with the understanding that there is no guarantee that a reference check response will be of a positive nature, employee agrees to the following:

(1) The City is authorized to release to an inquiring person, company or entity any and all information it has about employee, whether such information is public, private, personal or confidential. Said information shall be given solely for the purpose of aiding the person, company or entity in evaluating employee's qualifications.

(2) Employee is not entitled to know the contents of responses to requests for reference checks, and agrees that such responses, whether oral or written, are confidential and privileged, and are the sole property of the City.

(3) Employee, for herself/himself and employee's heirs, administrators and assigns, hereby releases and agrees to hold harmless the City, its officers, employees and agents from any and all liability of any sort or nature, whether contingent or absolute, present or future, known or unknown, arising out of or in any way related to furnishing reference check information in written or oral form, whether the information furnished is accurate or inaccurate and without regard to the degree of culpability, if any, of the person furnishing the information. Employee is aware of and hereby waives the benefit of Civil Code Section 1542m, which provides that a general release, such as this one, does not extend to claims which employee does not know or suspect to exist at the time this release is signed, and which if known would materially affect the decision to give this release.

Dated: _____

Employee: _____