

**NORTH GEORGIA HEALTH DISTRICT**  
**County Board of Health Personnel Policy #602**  
Cherokee, Fannin, Gilmer, Murray, Pickens, Whitfield

**ACCESS TO PERSONNEL-RELATED PUBLIC RECORDS**  
**BASED ON THE GEORGIA OPEN RECORDS ACT**

**EFFECTIVE DATE:** August 1, 2010

**RELEASE DATE:** August 1, 2010

**REFERENCE:** State Law (O.C.G.A. §50-18-70, *et seq.* - Georgia Open Records Act)  
CBH Human Resource/Personnel Policy #601 – Employment Information  
CBH Human Resource/Personnel Policy #603 – Official Personnel Files

The Georgia Open Records Act provides that all records are subject to disclosure to the public, unless specifically exempted for reasons such as an order by a Georgia court or by law. Employees of the County Board of Health (CBH) will review and respond to all requests for access to public records in a timely manner. This policy governs only requests for personnel-related public records. Requests for access to other types of records should be addressed to the District Health Director.

**PUBLIC RECORDS**

Public records include:

1. All documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar material prepared and maintained or received in the course of the operation of CBH;

**NOTE: Drafts and other unfinished documents not specifically exempted from disclosure are also considered public records.**

2. Items received or maintained by a private person or entity on behalf of CBH; and,
3. Records received or maintained by a private person, firm, corporation, or other private entity in the performance of a service or function for or on behalf of CBH to the same extent that such records would be subject to disclosure if received or maintained by CBH.

**NOT CONSIDERED PUBLIC RECORDS**

Public records do not include:

1. Records which by order of a Georgia court or by law are prohibited or specifically exempted from being open to public inspection.
2. Certain personal information about employees is not subject to disclosure, and will only be released to authorized officials. This information includes: an employee's social security number,

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mother's birth name, debit and credit card information, other banking/financial information, insurance and medical information and birth day/month.

3. Preparation of reports, summaries or compilations not in existence at the time of the request. If a document does not currently exist, one should not be created.
4. Records pertaining to the subject of a pending administrative proceeding without the prior approval of the presiding administrative law judge.

**TIME LIMITS**

1. The Georgia Open Records Act requires CBH to make public records available for inspection or copying within **three (3) work days** of receiving a verbal or written request for access. Whenever possible, requests should be obtained in writing from requesters. The *GEORGIA OPEN RECORDS ACT - REQUEST FORM (Attachment #1)* may be submitted by requesters or used by CBH officials to record verbal requests.

**NOTE: The three (3) work day time limit begins at 12:01 a.m. on the first work day after the request is received. Weekends and holidays are not counted in the three (3) work days.**

2. If a requested public record cannot be made available within three (3) work days, a written description of the record and the time that it will be available for inspection or copying must be provided to the requester within the three (3) work day time limit.

**NOTE: Requested records should be made available within three (3) work days unless extraordinary circumstances prevent availability.**

**RESPONDING  
TO OPEN  
RECORDS  
REQUEST**

1. Due to the short time frame for complying with an Open Records request, the District Personnel Office must be **immediately** contacted when a personnel-related public records request is received.
2. The District Personnel Office will work with the CBH work unit and a member of the management team to determine if the requested record is subject to disclosure.
3. If it is determined that the record is subject to disclosure, the District Personnel Office is to respond to the requester. This response must be issued within three (3) work days of receipt of the request. The response must include notification of any cost for

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assembling and/or copying the requested information. The District Personnel Office is required to use the most economical means available for providing copies of public records.

4. Records maintained on computer are to be made available electronically when requested and when possible. Necessary security should be considered prior to making computer records available electronically via the Internet, etc.
5. If it is determined that a record is not subject to disclosure, a response must be sent to the requester which specifies the legal authority which exempts the record from disclosure. This response must be issued within three (3) work days of receipt of the request.

**FEES**

1. Unless otherwise specified in law, a copying fee of 25¢ per page is to be charged.
2. The actual cost of a computer disk, audio tape, etc. used to provide a requested record may be charged.
3. If determined appropriate, a reasonable fee may also be charged for search, retrieval and other direct administrative costs for complying with a request. No fee is charged for the first quarter hour.
4. Fees charged must not exceed the salary of the lowest paid full-time employee who, in the discretion of the custodian of the record, has the necessary skill and training to perform the request.

**PENALTY**

Any employee who knowingly and/or willfully violates the Georgia Open Records Act by failing or refusing to provide access to public records in a timely manner may be charged with a **misdemeanor** punishable by a fine not to exceed \$100.00. In addition, disciplinary action up to and including separation from employment may be taken.

For additional information or assistance, please contact the District Personnel Office at 706/272-2342.

Attachment #1 – GEORGIA OPEN RECORDS ACT – REQUEST FORM