

## Chapter 21 Personnel Files and Records

### 21.02 Open Records

The Department of Employment Relations Bulletin #MRS-19 (Appendix 21-A) was issued to interpret the Open Records Law (Chapter 339, Laws of 1981), effective 1/1/83. The bulleting clarifies which documents in the personnel file are open to the public and which may be closed. Please note exceptions in Chapter 339 (6) (a-g).

The Law requires the posting on department bulletin and official notice boards of a notice providing certain information to the public concerning access to the University's records (see Appendix 21-B).

You may not refuse to grant a request to inspect your unit's records either because the requestor is unwilling to be identified or state the purpose of the request, or based upon the identity of the requester or the purpose of the request, if known.

If you believe that there may be some valid reason to deny access, before refusing to allow access to your unit's records, you should confer with John Dowling, Administrative Legal Services, at 263-7400. While some University records may be treated as confidential under the Open Records Law and the exceptions to the Wisconsin Open Meetings law, the Law's general intent is that state records be open to the maximum extent possible. In view of this intent, we are concerned that access be denied only in proper cases. Moreover, because the Law contains some explicit requirements regarding the denial of access, it is important that the denial not only be permissible but properly communicated to the requestor.

The Law requires that we either fill the request or notify the requestor of our denial of the request as soon as practicable and without delay. What this means will vary with the nature and extent of the request. In the event the request cannot be promptly complied with, contact the requestor to discuss a reasonable timetable or to communicate when a response can be reasonably expected.

For more information regarding Search records, see Chapter 3.