

Personnel Rule 10.2 – Employee Verifications and References

10.2.0 Authority

SMC 4.04.040 and subsequent revisions thereto, Administration

SMC 4.04.050 and subsequent revisions thereto, Rule-making Authority

WAC 162-12-140 and subsequent revisions thereto, Pre-employment Inquiries

49 CFR 382.413 and subsequent revisions thereto, Inquiries For Alcohol and Controlled Substances Information From Previous Employers

RCW 42.17.310 and subsequent revisions thereto, Disclosure—Campaign finances—Lobbying—Records.

10.2.1 Definitions

- A. "Appointing authority" shall mean the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and can be used interchangeably with department head, department director, superintendent, or chief.
- B. "Employee references" shall mean the requested range of employment information about current and former employees that is broader than that of an employment verification. Unlike an employment verification, an employee reference may include documented information such as the subject employee's job performance, attendance, skills and abilities.
- C. "Employment verification" shall mean the limited range of employment information about current and former employees that may be routinely provided in response to the request of another employer or agency.
- D. "Employing unit" shall mean any department of the City and, within the Executive and Legislative Departments, any office created by ordinance.
- E. "Seattle Human Resources Director" shall mean the head of the Seattle Department of Human Resources or his or her designated management representative.
- F. "Regularly appointed employee" shall mean an individual who has a probationary, regular or exempt appointment to a position of City employment.

10.2.2 Application of this Rule

- A. The provisions of this Rule apply to regularly appointed employees.
- B. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this Rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any recognized and established practice relative to the members of the bargaining unit.

- C. This Rule does not apply to individuals who are employed under the terms of a grant that includes employment provisions that conflict with this Rule.
- D. This Rule does not apply to individuals hired by the City on a temporary, intermittent or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract to the City.
- E. Appointing authorities may establish written policies and procedures for the implementation and administration of this Rule to facilitate the management of the personnel system within their employing units, provided that such policies and procedures do not conflict with the provisions of this Rule.

10.2.3 Official Requests for Information

Official requests for information filed by federal, state, or local authorities, including officials and authorized representatives of the courts, law enforcement, and other government agencies shall be routed to the Seattle Human Resources Director or the appointing authority. After determining the legitimacy of the request, the Seattle Human Resources Director or the appointing authority shall provide this information in the form requested by the agency or official and shall reasonably attempt to inform the individual about the disclosure. However, the appointing authority or Seattle Human Resources Director shall not inform current and/or former employees of any government information requests related to an ongoing investigation of the employee's alleged criminal activity.

10.2.4 Employment Verification

In responding to another employer's or agency's request for verification of employment information about a current or former employee, the Seattle Human Resources Director shall provide the individual's:

1. Start and end dates of employment,
2. Title of position(s) held, and
3. Wage or salary information.

10.2.5 Employee References

- A. The appointing authority shall designate a management representative to whom all incoming requests for employment references shall be directed. All requests for employee references, including those submitted by other City of Seattle employing units, shall be routed via the appointing authority or designated management representative. The appointing authority or designated management representative may refer the employee reference request to the current or former employee's current or most recent supervisor or manager, or to the employing unit's Human Resources staff except as provided in Rule 10.2.6.
- B. Except as required by law and/or provided in Personnel Rule 10.2.4, no employee shall respond to a request for employment information unless the individual who is the subject of such request has provided written authorization. Employees who

have been asked to provide personal references regarding their professional relationships with other individuals shall do so at their own risk and shall make clear that they are speaking on behalf of themselves, rather than the City of Seattle.

10.2.6 Commercial Drivers License Information

Requests for information regarding a current or former employee's participation in the Department of Transportation's drug and alcohol testing program shall be referred to the Seattle Human Resources Director.