**Section 420.1000 Records**

a) Performance Records:

1) Performance records shall constitute all material in an employee's official personnel file, including, but not limited to, personnel transactions and related documents, performance evaluations, attendance records, disciplinary records, correspondence, and commendations, that, in the judgment of the Director of Personnel, is relevant to determining the appropriateness of proposed or recommended personnel transactions.

2) Performance records shall be considered by the Director of Personnel in all cases of promotion, demotion, discharge, layoff, recall, reinstatement, geographical transfer and certification.

b) Public Records: Except as otherwise provided in this Section, the Freedom of Information Act [5 ILCS 140], the Personnel Records Review Act [820 ILCS 40] or other laws, all records of the Department of Personnel, including eligible lists, shall be public records and shall be available for inspection on request submitted to the Director of Personnel.

c) Time and Manner of Inspection:

The records of the Department of Personnel shall be available for inspection during regularly scheduled hours of work. Such records may be inspected only in the presence of an authorized employee of the Department of Personnel.

d) Employee Roster Files: The Director of Personnel shall establish and maintain official personnel files for employees subject to the Code showing the name, gender, county of residence, date of birth, date of original appointment to service, date of promotions, demotions, transfers, and other transactions, present position title, status, salary, and the operating department to which the employee is assigned.

e) Confidential Records: The following records of the Department of Personnel shall be confidential and not available for public inspection:

1) Personal history and the official personnel file of an employee. However, the employee or authorized agent may inspect the employee's personal history and official personnel file.

2) Reports of medical, psychological and psychiatric examinations. However, employees may inspect reports pertaining to themselves.

3) All parts of examinations. However, an employee or applicant may inspect his/her own answer sheet.

4) The identity, complete questionnaire, and other documents related to salary surveys.

5) No records of personnel transactions including requisitions and referrals will be made available until the transactions have been completed. No personal history contained on the transactions shall be available for public inspection.

6) Information concerning criminal convictions of applicants or employees, except as needed for purposes set forth in Section 420.300(l).

7) All documentation in files pertaining to selection and appointment of new employees or movement of current employees to other positions.

f) Attendance Records: Each operating department shall maintain accurate, daily attendance records. Employees shall have the right to review their attendance record on file in their operating department.

g) Undated Forms: No supervisor or other person in a position of authority shall demand or request that an employee sign an undated resignation or any blank form. No employee shall be required to sign a blank form. Any demand to sign an undated resignation or blank form shall entitle the employee to immediate appeal to the Director of Personnel.

h) Incomplete Forms: Any information placed on a form or any modification or alteration of existing information made on a form subsequent to having been signed by an employee shall be null and void insofar as it may affect the employee, the employee's position or condition of employment. Any employee required to sign any form prepared pursuant to this Part shall, upon request, be given a copy of the form after the employee's signature is affixed.

i) Reason for Separation: Employees resigning from employment with the Office of the Secretary of State must set forth their reasons for resignation in writing. The document effecting a resignation shall contain or have attached the basis for the separation, including signature and effective date. Failure to include the basis for separation, however, shall not affect the ability to accept and process the separation request.

(Source: Amended at 32 Ill. Reg. 15017, effective September 8, 2008)