**HR CONFIDENTIALITY AGREEMENT**

# HR CONFIDENTIALITY/SECURITY AGREEMENT

In addition to completing an HR System Access form, all employees that wish to receive a CMS-PeopleSoft HRSA system log in/user ID/account will be required to sign an HR Confidentiality Form. As appropriate, other employees may also be required to sign the HR Confidentiality Form before HR data can be released. Everyone utilizing/accessing the CMS-PeopleSoft HRSA system and HR data shares the responsibility for the security, integrity and confidentiality of information. A copy of the signed HR Confidentiality Form will be retained in the individual’s official personnel file.

# STORAGE AND DISPOSAL OF CONFIDENTIAL INFORMATION

Employees should use caution in storing or disposing of confidential information. This includes shredding any paper that contains information described herein as personal or confidential. In addition, any personal or confidential data contained on computer media must be erased before disposing of the tape, diskette, CD-ROM, zip disk, or other type of medium. Questions regarding storage or disposal of faculty employee and/or faculty applicant confidential information should be directed to the Associate Vice President for Academic Personnel. For staff employee and /or staff applicant confidential information, questions should be directed to the Director of Staff Personnel Services.

## Attachment A – Summary Information Practices Act of 1977

# Article 1: General Provisions and Legislative Findings

**Section 1798.1 The** Legislature declares that the right to privacy is a personal and fundamental right protected by Section 1 of Article I of the Constitution of California and by the United States Constitution and that all individuals have a right to privacy in information pertaining to them. The Legislature further makes the following findings:

* 1. The right to privacy is being threatened by the indiscriminate collection, maintenance and dissemination of personal information and the lack of effective laws and legal remedies.
  2. The increasing use of computers and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.
  3. To protect the privacy of individuals, it is necessary that the maintenance and dissemination of personal information be subject to strict limits.

# Article 2: Definitions

**Section 1798.3 As used in this chapter:**

1. The term “personal information” means any information that is maintained by an agency that identifies or describes an individual including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. It includes statements made by, or attributed to, the individual.
2. …
3. The term ‘disclose’ means to disclose, release, transfer, disseminate, or otherwise communicate all or any part of any record orally, in writing, or by electronic or any other means to any person or entity.

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# Article 5: Agency Requirements

**Section 1798.14.** Each agency shall maintain in its records only personal information which is relevant and necessary to accomplish a purpose of the agency required or authorized by the California Constitution or statute or mandated by the federal government.

**Section 1798.18** Each agency shall maintain all records, to the maximum extent possible, with accuracy, relevance, timeliness and completeness…

**Section 1798.20** Each agency shall establish rules of conduct for persons involved in the design, development, operation, disclosure or maintenance of records containing personal information and instruct each such person with respect to rules and the requirements of this chapter, including any other rules and procedures adopted pursuant to this chapter and the remedies and penalties for noncompliance.

**Section 1798.21** Each agency shall establish appropriate and reasonable administrative, technical and physical safeguards to ensure compliance with the provisions of this chapter, to ensure the security and confidentiality of records and to protect against anticipated threats or hazards to their security or integrity which could result in any injury.

**Section 1798.22** Each agency shall designate an agency employee to be responsible for ensuring that the agency complies with all of the provisions of this chapter.

# Article 6: Conditions of Disclosure

**Section 1798.24 No** agency may disclose any personal information in a manner that would link the information disclosed to the individual to whom it pertains.

**Section 1798.55** The intentional violation of any provision of this chapter or any rules or regulations adopted thereunder, by an officer or employee of any agency shall constitute a cause for discipline, including termination of employment.

**Section 1798.56** Any person who willfully requests or obtains any record containing personal information from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than five thousand dollars ($5,000), or imprisoned not more than one year, or both.

## Attachment B – California Code of Regulations

**Section 42396.2 Principles of Personal Information Management.** The following principles of personal information management shall be implemented within The California State University:

1. There should be no personal information system the existence of which is secret.
2. Personal information should not be collected unless the need for it has been clearly established in advance.
3. Personal information should be appropriate and relevant to the purpose for which it has been collected.
4. Personal information should not be transferred outside of The California State University unless the transfer is compatible with the disclosed purpose for which it was collected.
5. Personal information should be used as a basis for a decision only when it is accurate and relevant.
6. There should be procedures established by which a person may learn what personal information about him or her has been retained by The California State University and where lawful, have those records disclosed to him or her, pursuant to the provisions of this Article.
7. There should be established within The California State University procedures by which a person may request in writing addition to or deletion of personal information about himself or herself which does not meet the principles of this section. Such requests should be honored within a reasonable length of time or the person should be permitted to file a concise statement of dispute regarding the personal information which shall become a permanent part of the record, or, the disputed personal information should be destroyed.
8. Precautions should be taken to prevent the unauthorized access to or use of personal information retained by The California State University.

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| **Signature** |  | **Date** |