

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER: 106
EFFECTIVE DATE: 5/6/08
REVISED: 11-17-09
AUTHORITY: BOC
COUNTY MANAGER: PAW

SUBJECT: Disposal of Personal Records

- I. **PURPOSE:** To ensure proper disposal of any records containing employee personal or financial information. A disposition schedule identifies the minimum time period the records must be retained, per NRS 239.080 or NAC 239; NSLA-Records Management-Local Government Records Retention Schedules, disposition must not occur before this time period expires. (<http://dmla.clan.lib.nv.us/docs/nsla/records>).
- II. **POLICY:**
11. NRS 239B.030 states that government agencies shall ensure that personal information, defined as social security numbers, driver's license numbers, or bank account numbers, required to be maintained by state or federal statute and received after January 1, 2007, be maintained in a confidential manner.
- If the agency has records containing personal information which is not required by specific state or federal statute and the information was received prior to January 1, 2007, the information must be obliterated or removed from documents and computer systems on or before January 1, 2017.
12. To be in compliance with the Fair and Accurate Credit Transactions (FACT) Act Disposal Rule dated June 1, 2005, **employer** shall dispose of sensitive information derived from consumer reports to ensure there will be no unauthorized access to – or use of – any confidential information. “Consumer Reports” are defined as reports which contain information from a consumer reporting company, such as reports obtained from third party agencies who conduct employment background checks on behalf of the **employer**.
13. Sensitive information includes any and all documents containing employee information, which can include:
- z. Employee name
 - aa. Social security number
 - bb. Driver's license number
 - cc. Phone number
 - dd. Physical address
 - ee. Email address
 - ff. Any other personal identifiers
- In addition, any identifying personal information, such as that described above, which is stored on electronic files, shall be destroyed or erased so that the information cannot be read or reconstructed.

14. *Method of disposal.* The **employer** shall dispose of sensitive information by shredding or burning any and all documents which contain personal information. Although the law specifically applies to consumer reports and the information derived from consumer reports, the **employer** shall, in accordance with good personnel practices, properly dispose of **any** records containing employee personal or financial information. An electronic record must be destroyed in accordance with the applicable schedule in a manner that ensures the information cannot be retrieved or reconstructed, including, without limitation, overwriting, degaussing and the physical destruction of the storage media.

15. The **employer** will determine whether the disposal of consumer report documents will take place by utilizing an internal process and equipment or by procuring the services of a document destruction contractor to dispose of material that is specifically identified as consumer report information. The **employer** will exercise due diligence to ensure that a contractor disposes of documents as required by law. Due diligence may consist of requiring that the disposal company be certified by a recognized trade association to ensure the disposal company complies with the disposal rule requirements.

RESPONSIBILITY FOR REVIEW: The County Personnel Director and/or Administrative Officer will review this policy every 5 years or sooner as necessary.