



Wasatch Front Waste & Recycling District Policy Manual

CHAPTER 14: RECORDS MANAGEMENT

14.1. PURPOSE

It is the intent of the District to comply with recommended standards for management and retention of records. The District will make public records available upon reasonable request, while preventing the disclosure of non-public records, all consistent with applicable portions of GRAMA (Government Records Access and Management Act, U.C.A 363G-1-101).

14.2. EXECUTIVE/CHIEF ADMINISTRATIVE OFFICER

For all purposes under GRAMA, the General Manager shall be considered to be the District's Records Manager. The Executive Assistant shall serve as the Records Officer for the District under the supervision of the Records Officer.

14.3. RETENTION AND CLASSIFICATION OF RECORDS

14.3.1. The District shall adopt a retention schedule that complies with the Utah Municipal General Records Retention Schedule.

14.3.2. The District shall comply with GRAMA regarding standards for classification.

14.3.3. Classification, designation and retention scheduling for the District will be with the approval of the Board as follows:

PUBLIC: Records are considered PUBLIC unless they contain any personal information; i.e., address, age, birthplace, driver license number, race, salary information, telephone number, etc. For a complete list, please see the attached "Classification Worksheet."

PRIVATE: Records are considered PERSONAL if they contain any of the information listed above or any personal data elements listed on the attached "Classification Worksheet."

CONTROLLED: Records are considered CONTROLLED if they contain any information regarding psychiatric or psychological data.

PROTECTED: Records are considered PROTECTED if they contain trade secrets or commercial information; jeopardize the life or safety of an individual; an attorney's work product; donor information; accident reports, or other related reports or personal recommendations that would invade personal privacy; transcripts, or minutes.

14.4. ACCESS TO RECORDS

- 14.1.1. To establish consistency and fairness, all GRAMA requests must be submitted using WFWRD's GRAMA Request Form, available by request, or from the District's website.
- 14.1.2. Requests for District records shall be directed to the Executive Assistant and reviewed with the General Manager.
- 14.1.3. The District's response shall follow those procedures established by GRAMA regarding approval and denial notice, extraordinary circumstances and delay and format.

14.5. FEES

The District shall adopt a uniform fee structure.

14.6. APPEALS TO ADMINISTRATIVE CONTROL BOARD

Consistent with GRAMA section 63G-2-701(4), any person aggrieved regarding records classification, designation, access or decisions of the District may appeal to the General Manager as the Chief Administrative Officer of the District, pursuant to GRAMA section 63G-2-401.

- 14.1.4. Any person aggrieved by the decision of the Chief Administrative Officer shall appeal in writing to the Board within 10 calendar days. Appeals of the decision of the Board shall be filed with the District Court.

WFWRD Records Classification Worksheet

Based on direction by Utah Division of Archives and Records Service

The following records are public (UC 63G-2-301(2)):

- Laws
- Names, gender, gross compensation, job titles, job description, business address and telephone, hours worked per pay period, dates of employment, relevant education, previous employment, similar job qualifications
- Final opinions, orders
- Final interpretations of statutes or rules
- Minutes, transcription of open meeting
- Judicial records
- Records filed with clerks, treasurers, surveyors, zoning commissions, etc., title or encumbrances or restrictions to real property, tax status for real or personal property
- Incorporations, mergers, name changes, and uniform commercial code filings
- Compensation paid to contractor or private provider
- Summary data
- Voter register records excluding driver license number, social security number, or identification number.

The following records are normally public (63G-2-301(3)):

- Staff manuals, instructions, policy statements
- Compliance with terms of a governmental contract or provider
- Contracts
- Records of receipt or expenditure of funds
- Records relating to relocation of business to Utah
- Chronological logs
- Initial contact reports
- Correspondence which states an opinion on the rights of government, the public, or any person
- Empirical data in drafts
- Drafts circulated outside of government
- Drafts used to carry out action or policy
- Original data in a computer program if program not disclosed
- Arrest warrants after issuance
- Search warrants after execution and filing
- Formal charges or disciplinary action if completed and sustained against an employee
- Records relating to mineral production on government lands
- Final audit reports
- Occupational and professional licenses
- Business licenses
- Actions taken against persons regulated by a governmental entity

WFWRD Records Classification Worksheet

Based on direction by Utah Division of Archives and Records Service

The following information must be classified as private (63G-2-302(2)):

- Social Service benefits: unemployment insurance, welfare benefits, etc.
- Medical history records: diagnosis, condition, treatment, evaluation, etc.
- Government employee information: home address, home phone, social security number, insurance coverage, marital status, and payroll deductions
- Federal identification number
- Social Security number
- Driver license number or identification number
- Database of individual information to facilitate online interaction
- Records that “at risk” employees identify to be private (UC 63-2-303)

The following information are private if classified properly (63G-2-302(2)):

- Government employee or applicant information that includes performance evaluations, race, religion, disabilities
- Individual finances
- Data on individuals that disclosure of which would clearly constitute an unwarranted invasion of personal privacy
- Agency financial records if conflict with fiduciary responsibilities
- Shared records if other outside agency has classified them as private

Records classified as protected may contain the following types of information:

- Attorney Work Product (63G-2-305(17))
- Trade secrets (63G-2-305(1))
- Test questions/answers (63G-2-305(5))
- Records which if disclosed would jeopardize the life or safety of an individual (63G-2-305(10))
- Records which if disclosed would jeopardize the security of governmental property, programs, or record-keeping systems (63G-2-305(11))
- Name of a donor or prospective donor to a governmental entity (63G-2-305(37))
- Records which if disclosed would deprive a person to a fair trial or impartial hearing (63G-2-305(9)(c))
- Records prepared solely in anticipation of litigation that are not available under the rules of discovery (63G-2-305(16))
- Records relating to an ongoing or planned audit until the final audit is released (63G-2-305(15))
- Records which may identify a source who is not generally known (63G-2-305(9)(d))
- Unpublished manuscripts, lecture notes or research data (63G-2-305(40))
- Collective bargaining strategies (63G-2-305(23))
- Minutes of closed meetings (63G-2-305(32))
- Settlement negotiations (not including the final settlement) (63G-2-305(33))
- Records which if disclosed could impair governmental procurement proceedings (63G-2-305(6))
- Records which if disclosed could interfere with investigations (63G-2-305(9)(a))
- An individual’s home address, home telephone number, order to comply with a law, ordinance, rule, or order of a government entity (63G-2-305(51))