

FY 2023-2024 BUDGET QUESTION
Response to Request for Information

DEPARTMENT(S): Human Resources Department, Austin Police Department

CBQ NO.: 168

REQUESTED BY: Alter (D5)

DATE REQUESTED: 07/31/2023

DATE POSTED: 08/04/2023

REQUEST: Is the information currently stored with the HR department related to APD personnel protected under LGC 143.089(g)? If the proposed 25.5 HR positions are moved into APD, will information that is currently disclosable to the public be subject to the protections of LGC 143.089(g)?

RESPONSE:

A memo was sent to Mayor and Council regarding this on August 1, 2023. An excerpt from the memo is below:

The Human Resources Director has the designation of Civil Service Director. As such, the Civil Service Director maintains a personnel file on each firefighter and police officer.

Local Government Code (LGC) 143.089.a. requires the Civil Service Director to maintain a personnel file, commonly referred to as “Civil Service File” or “A File” for each firefighter and police officer. The personnel file contains commendations, discipline, and evaluations for each firefighter or police officer.

Transferring the APD Human Resources function back to the Austin Police Department does not change the state law related to the personnel file, and all personnel files referred to in 143.089.a. remain within the custody of the Civil Service Director. There is no change in the processing of open records requests related to releasing the personnel file.