

CITY OF KIMBALL
MUNICIPAL POLICY NUMBER 01-2015
POLICY ENSURING THE SECURITY OF NOT PUBLIC DATA

DATE COUNCIL APPROVED: September 1, 2015

Legal Requirement

The adoption of this policy by the City of Kimball (herein "City") satisfies the requirement in Minnesota State Statute §13.05 Subd. 5 to establish procedures ensuring appropriate access to not public data. By incorporating employee access to not public data in the City's Data Inventory (required by Minnesota State Statute §13.025 Subd. 1), in the individual employee's position description or both, the City's policy limits access to not public data to employees whose work assignment reasonably requires access.

Please direct all questions regarding this policy to the City of Kimball's Data Practices Compliance Official (DPCO):

Nicole Pilarski

cityofkimball@meltel.net

Phone: (320)398-2725

Fax: (320)398-2720

P.O. Box 238, 1 Main St N

Kimball, MN 55353

Procedures Implementing This Policy

Data Inventory

Under the requirement in Minnesota State Statute §13.025 Subd. 1 the City has prepared a Data Inventory which identifies and describes all not public data on individuals maintained by the City. To comply with the requirement in Minnesota State Statute §13.05 Subd. 5, the City has also modified its Data Inventory to represent the employees who have access to not public data.

In the event of a temporary duty as assigned by a manager or supervisor, an employee may access certain not public data, for as long as the work is assigned to the employee.

In addition to the employees listed in the City's Data Inventory, the Responsible Authority, the Data Practices Compliance Official (DPCO), the City's Senior Leadership Team and the City's General Counsel may have access to all not public data maintained by the City if necessary for specified duties. Any access to not public data will be strictly limited to the data necessary to complete the work assignment.

Employee Position Descriptions

Position descriptions may contain provisions identifying any not public data accessible to the employee when a work assignment reasonably requires access.

Data Sharing With Authorized Entities or Individuals

State or federal law may authorize the sharing of not public data in specific circumstances. Not public data may be shared with another entity if a federal or state law allows or mandates it. Individuals will have notice of any sharing in applicable Tennessee warnings (see Minnesota State Statute §13.04) or the City will obtain the individual's informed consent. Any sharing of not public data will be strictly limited to the data necessary or required to comply with the applicable law.

Ensuring That Not Public Data Are Not Accessed Without a Work Assignment

Within the City, divisions may assign tasks by employee or by job classification. If a division maintains not public data that all employees within its division do not have a work assignment allowing access to the data, the division will ensure that the not public data are secure. This policy also applies to divisions that share workspaces with other divisions within the City where not public data are maintained.

Recommended actions for ensuring appropriate access include:

- Assigning appropriate security roles, limiting access to appropriate shared network drives and implementing password protections for not public electronic data
- Password protecting employee computers and locking computers before leaving workstations
- Securing not public data within locked work spaces and in locked file cabinets
- Shredding not public documents before disposing of them

Penalties for Unlawfully Accessing Not Public Data

The City will utilize the penalties for unlawful access to not public data as provided for in Minnesota State Statute §13.09, if necessary. Penalties include suspension, dismissal or referring the matter to the appropriate prosecutorial authority who may pursue a criminal misdemeanor charge.

This policy shall be formally approved and adopted by the City Council.

**Data on Individuals
Maintained by the City of Kimball
August 2015**

This document identifies the name, title, and address of the Responsible Authority for the City of Kimball and describes private or confidential data on individuals maintained by the City of Kimball (see Minn. Stat. 13.05 and Minn. Rules 1205.1200).

This document is also part of the City of Kimball's procedures for ensuring that not public data are only accessible to individuals whose work assignment reasonably requires access (see Minn. Stat. 13.05, subd. 5). In addition to the employees listed, the City's Responsible Authority, Data Practices Compliance Official, and Data Practices Designee(s) will also have access to all not public data on an as needed basis as part of a specific work assignment.

City of Kimball's Responsible Authority is:

Nicole Pilarski, City Clerk/Treasurer

P.O. Box 238, 1 Main St N
Kimball, MN 55353

Direct all questions about this document to the City of Kimball's Data Practices Compliance Official:

Nicole Pilarski, City Clerk/Treasurer

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Kimball, MN 55353

Phone: (320)398-2725

Fax: (320)398-2720

e-mail: cityofkimball@meltel.net

Data Maintained by the City of Kimball

The following data are maintained by the City of Kimball

Name of Record, File, Process, Form or Data Type	Description (Understandable to General Public)	Data Classification	Citation for Classification	Employee Work Access
Applicant Records	Completed assessments and results, related documentation, and application forms	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Attorney Data	Data related to attorney work product or data protected by attorney-client privilege	Private	MS 13.393	Certain employees on an as needed basis as part of specific work assignments
Benefits Enrollment Forms	Employees' medical, dental, deferred compensation, etc. election forms	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Building Permit Applications	Data received from individuals during the process of applying for building permits	Public Non-Public	MS 13.37	Certain employees on an as needed basis as part of specific work assignments
City Council Member Data	Data pertaining to City Council members	Public Private Confidential	MS 13.601	Certain employees on an as needed basis as part of specific work assignments
Claims	Claims filed by or against the city	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Complaints by Citizens	The identity of individuals who register complaints with government entities concerning violations of state laws or local ordinances concerning the use of real property.	Confidential; the data becomes public when submitted to a court-appointed condemnation commissioner or the data is presented in court for a condemnation proceeding	MS 13.44	Certain employees on an as needed basis as part of specific work assignments
Continuity of Operations	Personal home contact information used to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of operation of a government entity.	Private	MS 13.43, subd 17	Certain employees on an as needed basis as part of specific work assignments
Correspondence	Letters and electronic correspondence	Public Private Confidential	Various	Certain employees on an as needed basis as part of specific work assignments
Data on Individuals	Data that would identify an individual reporting a violation, suspected violation, or	Private	MS 181.932, subd 2	Certain employees on an as needed basis as part of specific work assignments

Policy for Ensuring the Security of Not Public Data

Name of Record, File, Process, Form or Data Type	Description (Understandable to General Public)	Data Classification	Citation for Classification	Employee Work Access
	planned violation of any federal or state law or common law or rule adopted pursuant to law to an employer or to any governmental body or law enforcement official			
Deferment Application	Information collected on individuals for the purpose of processing a deferment application	Private Non-Public	MS 13.51, subd 2 MS 13.52	Certain employees on an as needed basis as part of specific work assignments
Drug and Alcohol Testing Results	Employees' test results	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Employee Expense Reports	Expense reimbursement requests	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Employment Eligibility Verification/I-9 Form	I-9 Forms submitted by employees	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Examination File	Completed exams administered to applicants & promotional exams administered to employees	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Family Medical Leave Documents	Data on employees regarding FMLA	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Garnishments	Data collected on employees relating to child support and/or spousal maintenance	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Government Services Transactions Data	Credit card, charge card, debit card and other electronic transactions	Private	MS 16A.626	Certain employees on an as needed basis as part of specific work assignments
Grievance Files	Formal written employee grievance and/or complaint filed under a labor agreement or personnel rules, and received by the City.	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Internal Audit Data	Data created, collected, and maintained for the purpose of performing audits and/or relating to an audit or investigation; working papers gathered or generated until the final report is published or audit becomes inactive.	Public Private Confidential	MS 13.392 MS 13.43 MS 13.37	City Clerk/Treasurer City Auditor
Medical Data	Medical data of employees disclosed for the purpose of administering claims	Private	MS 13.384 subd, 3	Certain employees on an as needed basis as part of specific work assignments
Personal Contact and Online Account Information	Telephone number, email address and usernames and passwords collected, maintained, or received by a government entity for notification purposes or as part of a subscription list for an entity's electronic	Private	MS 13.356	Certain employees on an as needed basis as part of specific work assignments

Policy for Ensuring the Security of Not Public Data

Name of Record, File, Process, Form or Data Type	Description (Understandable to General Public)	Data Classification	Citation for Classification	Employee Work Access
	periodic publications as requested by the individual.			
Personnel Data	Data about employees, applicants, volunteers and independent contractors; labor relations information	Public Private Confidential	MS 13.43 179A.03, subd 4	Certain employees on an as needed basis as part of specific work assignments
Reprimands/Disciplinary Action	Data collected on employees regarding reprimands and/or disciplinary action	Public Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Response to Data Requests	Data collected by Data Practices Compliance Official in responding to requests for data	Public Private	Various	Responsible Authority Data Practices Compliance Official/Designee(s)
Responses to Requests for Proposal	Responses submitted are private until the responses are opened. All other data on individuals are private until completion of the evaluation process. If all responses are rejected prior to completion of the evaluation process, all data, other than that made public at the opening, are private until resolicitation or abandonment of the project.	Private Public	MS 13.599	Certain employees on an as needed basis as part of specific work assignments
Responses to Requests for Proposals (RFPs) and Requests for Bids	Responses to Requests for Proposals (RFPs) and requests for bids	Public Private	MS 13.591	Certain employees on an as needed basis as part of specific work assignments
Responses to Requests for Proposals (RFPs) and Requests for Bids	Trade secret data in response to Requests for Proposals (RFPs) and requests for bids	Private	MS 13.37	Certain employees on an as needed basis as part of specific work assignments
Social Security Numbers	Social Security numbers assigned to individuals	Private	MS 13.355	Certain employees on an as needed basis as part of specific work assignments
Travel Expense/Per Diem Reports for Council, Commission and Board Members	Travel expense reimbursement requests	Public Private	MS 13.601 MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Unemployment Compensation Billings	Records of billings from DEED for employee unemployment compensation	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments
Workers Compensation Billings and Information	Records of billings for employees who receive workers compensation benefits	Private	MS 13.43	Certain employees on an as needed basis as part of specific work assignments