



CITY OF CERRITOS CONFIDENTIALITY POLICY

Current Version Adoption Date: 04/28/2022 (v.1, Resolution No. 2022-20)

Prior Version Adoption Date: n/a

Original Policy Adoption Date: 04/28/2022 (v.1, Resolution No. 2022-20)

1.03.010 PURPOSE

Information security, confidentiality, and copyright protection are matters of concern for employees and all other persons who have access to City files and information assets, or for those whose information is contained within such files and assets. The City maintains a variety of sensitive and confidential information in the form of computerized and paper records and information assets for City Departments, City Employees, and City Officials, as well as for certain outside entities. As such, the City is obligated to prevent any and all unauthorized disclosure or use of these files and information assets.

1.03.020 DEFINITIONS

- A. City Employee: City Employee means a current full-time, part-time seasonal or temporary employee of the City, or an independent contract or volunteer acting on behalf of the City in an employee-like position.
- B. City Official: City Official means a currently elected member of the City Council and/or an appointed member of a Commission or Committee of the City.
- C. Confidential City Information: Confidential City Information means personnel records (including work history and personal financial, health and contact information) as well as any information gleaned from internal meetings, e-mail communications, written correspondence, telephone conversations, City applications, City records, or reports, which is neither readily available nor common knowledge among City employees, City Officials or members of the General Public.
- D. General Public: General Public means any former City Employee, City Official, consultant, or contractor who is no longer affiliated with the City in an official business capacity. General Public also includes residents, business owners, property owners, project applicants, prospective developers or members of the media.

1.03.030 POLICY

Department Directors and supervisors are responsible for and entrusted with all confidential information that is maintained by their respective departments, or routed through their departments. Confidential information includes, but is not limited to, personnel records maintained by the Human Resources Division (including employee work history and employee's personal financial, health and contact information). Confidential information must be maintained in secured files at all times when not in use, and may not be duplicated, shared, or distributed without prior written authorization from the assigned supervisor or Department Director, except where expressly provided for in City policy or written departmental rules or procedures.

City Officials and/or City Employees shall refrain from disclosing matters discussed during closed sessions, private meetings, work incidents, or other confidential information, with members of the General Public, including former employees, consultants and/or contractors, who are no longer affiliated with the City in an official business capacity. Confidential information relative to City business and/or operations may be shared with a City Official and/or City Employee only for legitimate and official business purposes. However, prior to sharing confidential City information, the subject City Official and/or City Employee shall obtain authorization from the City Attorney, or Council colleagues; and, respective supervisor, Department Director, or the City Manager. Any request for confidential City information made by a member of the General Public shall be referred to the City Clerk's Office for processing and ensuring compliance with the California Public Records Act and/or any applicable State or Federal law, court order, or subpoena.

Violation of this policy may result in disciplinary action up to and including termination.

1.03.040 RESPONSIBILITIES

- A. A position of trust has been conferred upon every authorized City Official and/or City Employee who, as part of their responsibility or job function, comes in contact with Confidential City Information to keep this information secure and private. City Officials and City Employees are obligated to recognize and adhere to these responsibilities while on or off the job. Therefore, a City Official and/or City employee authorized to access City data files and information is required to do the following:
1. Maintain confidentiality of customers' or City Employees' confidential information (such as social security number, driver's license number, and credit card data or account information);
 2. Maintain confidentiality of credit card data in full compliance of the current Payment Card Industry (PCI) Data Security Standards;
 3. Maintain confidentiality of health information (such as an individual's diagnosis or treatment) as protected by Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy and security rules;
 4. Do not engage in or permit unauthorized use of any information in files or programs maintained by the City;
 5. Do not copy, alter, modify, disassemble, reverse engineer or decompile any intellectual property. Intellectual property that is created for the City by its employees, vendors, consultants and others is property of the City unless otherwise agreed upon by means of third party agreements or contracts;
 6. Do not remove or cause to be removed copies of any official record or report from any file from the office where it is kept except in the performance of his/her duties;
 7. Treat all passwords as Confidential information;
 8. Do not aid, abet, or act in conspiracy with another to violate this Policy; and
 9. Report any violation of this policy by anyone to his/her supervisor immediately.

B. City Officials and/or City Employees whose responsibilities or job duties include any of the following below, or who otherwise meet the criteria below, are required to complete a Confidentiality Agreement (Attachment 1):

1. Handling credit card transactions;
2. Using any computer or technological system which runs a payment processing application;
3. Having an 'administrator' login to any City application;
4. Having physical access to server rooms or data closets;
5. Working in the Information Technology Division;
6. Having access to the City's merchant or bank account information;
7. Having access to any purchasing card (City issued credit card) information other than related to their own individual account – primarily staff who process or authorize purchasing card statements;
8. Participating in any of the purchasing card handling processes (processing transactions / deposits);
9. Administering or handling any HIPAA or Medical Information;
10. Handling payroll processing, records or databases;
11. Handling personnel records or databases;
12. Handling criminal justice data; and
13. Handling court records.

1.03.050 APPROVAL OF POLICY

This Policy was approved by City Council Resolution No. 2022-20 on April 28, 2022 and became effective immediately thereon.

Signed:

Date:



Chuong Vo, Mayor

5-26-2022

Signed:

Date



Art Gallucci, City Manager

7-5-22

Attachment: 1. City Official and City Employee Confidentiality Agreements



CITY OF CERRITOS
CITY OFFICIAL CONFIDENTIALITY AGREEMENT

This Confidentiality Agreement ("Agreement") is made by and between the City of Cerritos ("City") and _____ ("City Official").

City Official agrees to the following:

1. City Official agrees to comply with the City's Confidentiality Policy and all other relevant policies or procedures when possessing information or having knowledge of Confidential City Information.
2. City Official agrees that upon vacating an elected or appointed office with the City, City Official shall not disclose, use, transfer, copy, or transmit Confidential City Information to any person or entity for any purpose whatsoever without prior written consent of the City Manager or designee.
3. City Official agrees that upon vacating an elected or appointed office with the City, City Official shall return to the City all documents, records, passwords, access codes, manuals, statistics, software, disks, and/or any other materials containing confidential City information.
4. City Official's obligations pursuant to the City's Confidentiality Policy and the terms of this Agreement shall survive the vacation of an elected or appointed office with the City and the termination of said Agreement, and any other arrangement, understanding or agreement between the City and City Official.

_____ City Official Signature	_____ Printed Name	_____ Date
_____ City Manager Signature	_____ Printed Name	_____ Date
_____ City Manager Designee (Received)	_____ Printed Name	_____ Date



CITY OF CERRITOS
CITY EMPLOYEE CONFIDENTIALITY AGREEMENT

This Confidentiality Agreement ("Agreement") is made by and between the City of Cerritos ("City") and _____ ("City Employee").

City Employee agrees to the following:

1. City Employee agrees to comply with the City's Confidentiality Policy and all other relevant policies or procedures when handling Confidential City Information while actively employed with the City.
2. City Employee agrees that upon termination of employment with the City, City Employee shall not disclose, use, transfer, copy, or transmit Confidential City Information to any person or entity for any purpose whatsoever without the express written consent of the City Manager or designee.
3. City Employee agrees that upon termination of employment with the City, City Employee shall return to the City all documents, records, passwords, access codes, manuals, statistics, software, disks, and/or any other materials containing Confidential City Information.
4. City Employee's obligations hereunder shall survive termination of this Agreement and any other agreement or arrangement between the City and the City Employee, and completion of services with the City including termination of employment with the City.

City Employee Signature

Printed Name

Date

Immediate Supervisor

Printed Name

Date

HR/RM Signature (Received)

Printed Name

Date