

City of Red Bluff
Administrative Policies & Procedures – Personnel Manual

Subject: Expectations of Privacy		Number: 22-13
		Effective Date: 10/17/2023
Departments Affected: All		Supersedes (Number/Date):
Authority: Section 2.82-A. Red Bluff City Code	File References:	
	Approved: Approved by City Council on: 10/17/2023	

Overview: The California Constitution identifies certain inalienable rights for citizens, including various statutes that protect their privacy.

Applicable to: All employees

Guidelines: **City Property**

The City maintains control over all City owned, City leased, or City supplied vehicles, offices and workspaces, storage facilities, desks, furnishings, lockers, file cabinets, and files. The City reserves the right to have access to these areas and to such property at any time, without advanced notice to any employee. Therefore, employees should not expect that such property will be treated as private and personal to the employee. An employee has no reasonable expectation of privacy with regard to those City owned or City leased places or items.

Likewise, electronic mail and voice mail are also City property and are to be used for business purposes. The City reserves the right to inspect, monitor, and have access to City computers, electronic mail, voice mail messages, and internet connections.

With regards to public safety employees as defined in the Peace Officer's Bill of Rights and the Firefighter Bill of Rights, City supervisors or managers shall have access to a locker or other storage space assigned to a public safety employee only in the presence of the employee, or with their consent, or when a valid search warrant has been obtained, or where the employee has been notified with reasonable advance notice that a search would be conducted. If the search occurs on the employee's day off, they may be compensated for the time to be present for the search.

Personal Property

City employees have a reasonable expectation of privacy as to their own personal property and effects, such as their purses, briefcases, lunch boxes, or other personal items the employee may bring to the workplace. However, the City assumes no liability whatsoever for the damage, loss, or theft caused by third parties to the personal property of staff members.

City of Red Bluff
AP&P 22-13 Expectations of Privacy

Disclosure of Employee Information

The City prohibits access to, or disclosure of, any employee information collected by the City for personnel administration purposes except as provided by law and these Rules. (Refer to AP&P 22-10: Employee Responsibility to Maintain Confidentiality.)

Video Surveillance

To promote the safety of employees and visitors, as well as the security of facilities, the City reserves the right to conduct video surveillance of any portion of its premises at any time. Cameras will be positioned in appropriate places within and around City buildings. The only exceptions to this policy include private areas of restrooms, showers, locker rooms, and lactation rooms. Employees must be notified if surveillance systems record audio in addition to video.

To protect the privacy of employees and clients, video surveillance may not be viewed, or the content discussed by anyone who is not specifically authorized to do so. Should a need arise (suspected crime, discipline) for unauthorized persons to view surveillance, permission must be granted by Human Resources and the City Manager. If the video is viewed as part of an investigation, the reason the video was viewed, and who viewed it will be included in the documentation of the investigation.

Audio & Video Recording

Other than surveillance systems, an employee may not record another person without consent, unless otherwise authorized by law. A person who intentionally and without the consent of all parties records a confidential communication is in violation of state law. A confidential communication means any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the included parties. This excludes a communication made in a public gathering or training presentation.

References: Americans with Disabilities Act; Genetic Information Nondiscrimination Act; Family and Medical Leave Act; Health Insurance Portability and Accountability Act; Penal Code 632.