



STATE OF ALASKA

Confidentiality of Information Acknowledgment

In performing their duties, many employees/contractors have access to confidential personal or financial information concerning state employees or entities that do business with the state. It is important that persons with access to confidential information understand their duty to maintain the confidentiality of that information.

1. I, _____, am an employee / contractor of the Department of _____. I understand that, in performing my duties, I may have access to confidential information about state employees or entities that do business with the state. I agree that I will not discuss, disclose, or cause disclosure of any such confidential information to anyone who does not have a business need and a legal right to know the information.
2. I will handle and store confidential information in accordance with state and department policy.
3. I acknowledge that I could suffer disciplinary action, including discharge from state employment, and, in certain circumstances, face criminal penalties for revealing confidential information to someone who does not have both a business need and a legal right to know the information, or for misusing confidential information. If I do not know whether a person requesting confidential information is entitled to receive the information, I will consult my supervisor.

Examples of confidential information covered by this acknowledgement:

- Personnel information covered by AS 39.25.080 (see page 2), as well as information such as social security numbers, birth dates, home addresses/phone numbers, leave balances, personnel actions, investigations, grievances, applications, appeals, or any other personnel matter, and other state business that is confidential under statute.
- All information that is confidential by law, including but not limited to tax matters and beneficiary programs.
- Information that by its nature must be secured to prevent harm to the state or its business partners, including but not limited to credit card information and vendor tax information.

Certification Statement: *By signing below I acknowledge that I have read and understand the information included in this acknowledgement.*

Printed Name

Signature

Date



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Alaska Statute 39.25.080

Sec. 39.25.080. Personnel records confidential; exceptions.

(a) State personnel records, including employment applications and examination and other assessment materials, are confidential and are not open to public inspection except as provided in this section.

(b) The following information is available for public inspection, subject to reasonable regulations on the time and manner of inspection:

- (1) The names and position titles of all state employees;
- (2) The position held by a state employee;
- (3) Prior positions held by a state employee;
- (4) Whether a state employee is in the classified, partially exempt, or exempt service;
- (5) The dates of appointment and separation of a state employee;
- (6) The compensation authorized for a state employee; and
- (7) Whether a state employee has been dismissed or disciplined for a violation of AS 39.25.160 (l) (interference or failure to cooperate with the Legislative Budget and Audit Committee).

(c) A state employee has the right to examine the employee's own personnel files and may authorize others to examine those files.

(d) An applicant for state employment who appeals an examination score may review written examination questions relating to the examination unless the questions are to be used in future examinations.

(e) In addition to any access to state personnel records authorized under (b) of this section, state personnel records shall promptly be made available to the child support services agency created in AS 25.27.010 or the child support enforcement agency of another state. If the record is prepared or maintained in an electronic data base, it may be supplied by providing the requesting agency with access to the data base or a copy of the information in the data base and a statement certifying its contents. The agency receiving information under this subsection may use the information only for child support purposes authorized under law.

Alaska Statute 39.25.900

Sec. 39.25.900. Penalties.

(a) A person who willfully violates a provision of this chapter or of the personnel rules adopted under this chapter is guilty of a misdemeanor.

(b) A state employee who is convicted of a misdemeanor under this chapter or the personnel rules adopted under this chapter immediately forfeits the employee's office or position.

The Alaska Whistleblower Act

The Alaska Whistleblowers Act (AS 39.90.100 — 39.90.150) prohibits public employers from discharging, threatening, or otherwise discriminating against employees for reporting matters of public concern to a public body. The whistleblower protection extends to those who have made — or are about to make — reports on matters of public concern, as well as those who participate in court actions, investigations, hearings, or inquiries on matters of public concern.

A "matter of public concern" means a violation of state, federal, or municipal law, regulation, or ordinance; a danger to public health or safety; gross mismanagement, substantial waste of funds, or clear abuse of authority; a matter that the office of the ombudsman has accepted for investigation; or interference or failure to cooperate with the Legislative Budget and Audit Committee.

A "public body" means an officer or agency of the federal government, the state, a political subdivision of the state, a public or quasi-public corporation or authority established by state law, or the University of Alaska. Consequently, whistleblower protection could apply to a state employee's report to his or her own employer.

Whistleblower protection applies only when the reporting person reasonably believes that the information reported is or is about to become a matter of public concern and the person reports the matter in good faith. The protection does not apply if the matter of public concern is the result of the reporting person's own conduct, unless the reporting person's employer required that conduct.