



**DEPARTMENT OF MANAGEMENT SERVICES  
DIVISION OF STATE HUMAN RESOURCE MANAGEMENT  
POLICY GUIDELINE**

STATE PERSONNEL SYSTEM	
<b>SUBJECT:</b> <i>Agency Administration of Public Record Exemptions Indicators in People First</i>	
<b>POLICY GUIDELINE:</b> <i>HRM #2018-011</i>	<b>EFFECTIVE DATE:</b> <i>Revised July 18, 2024 Revised: April 25, 2023 (Original issued August 3, 2018)</i>
<b>SUPERSEDES:</b> <i>Program Guideline: Agency Administration of Public Record Exemptions Applicable to Personnel Information and Other Personal Information dated August 3, 2015</i>	
<b>STATUTES/RULES/REGULATIONS/LAWS:</b> <i>Section 119.071, Florida Statutes (F.S.), General exemptions from inspection or copying of public records Section 741.401, F.S., Legislative findings; purpose Section 741.402, F.S., Definitions Section 741.403, F.S., Address confidentiality program; application; certification Section 741.404, F.S., Certification cancellation Section 741.405, F.S., Agency use of designated address Section 744.21031, F.S., Public records exemption</i>	
<b>FORMS:</b> <a href="#"><i>Public Records Exemption Request Form</i></a>	
<b>ADDITIONAL REFERENCE MATERIALS:</b> <a href="#"><i>Public Records Request: Employee Data – People First Public Records Request Policy</i></a>	

**SCOPE AND PURPOSE:**

This document is intended as a reference tool on the distinct operational function of each privacy indicator in the People First system.

**POLICIES:**

For purposes of the Public Records law, the Department of Management Services (as the functional owner of the People First system) is the custodian of those agency personnel records maintained in the system.

As such, there are four privacy indicators in the system that agencies should use appropriately (as described in this document) to ensure all applicable records are protected as provided by the law.

**DEFINITIONS:**

**Exemption** – pursuant to section 119.011, F.S., means a provision of general law which provides that a specified record or meeting, or portion thereof, is not subject to the access requirements of

section 119.07(1), F.S., or section 24, Article I of the State Constitution.

**Home Addresses** – under section 119.071(4)(d)1.a., F.S., means the dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates, and any other descriptive property information that may reveal the home address.

**Telephone Numbers** – under section 119.071(4)(d)1.b., F.S., includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

## **PROCEDURE:**

The following chart describes the four privacy indicators in the People First system and the conditions under which each indicator may be used. In the event that the employee is known to meet more than one of these conditions for exemption, all applicable indicators may be used.

**Note:** Agencies are not required to release records that are designated by statute as Exempt but may be released if there is a statutory or substantial policy reason for such release. Records designated as Exempt and Confidential are not subject to public inspection and may be released only to those persons and entities designated in statute.

### **A. Human Resource Practitioners**

#### Job Specific Exemptions (position exemptions)

Agencies are responsible for identifying and marking in People First positions with duties and responsibilities exempt from public records disclosure of the position incumbent's personal information pursuant to section 119.071, F.S. Within three (3) business days of marking the position in People First, the agency completes the [Class/Job Specific Public Records Exemption Request Form](#), which includes having the form notarized and completing the applicable appendices (Appendix B and C) for each job classification (Class) and/or OPS position within the agency that gives the employee a job-specific exemption. A [Class/Job Specific Public Records Exemption Request Form](#) and applicable appendix only need to be completed and submitted if adding a job classification (Class) and/or OPS position that is not already captured on the form on file with the People First team.

The agency submits a copy of the notarized Class/Job Specific Public Records Exemption Request Form (PDF version) and the completed applicable appendix (Word or Excel version) to the People First team at [PeopleFirstPRRExemption@dms.fl.gov](mailto:PeopleFirstPRRExemption@dms.fl.gov). The agency retains the notarized Class/Job Specific Public Records Exemption Request Form for their records.

#### Employee Specific Exemptions (personal exemptions)

Additionally, agencies are also responsible for marking in People First those employees who have requested an employee-specific public records exemption. When marking a new public records exemption indicator in People First, the agency human resource practitioner will be required to certify (certification statement presented on the Personal Info screen) that the agency has received the notarized Public Records Exemption Request Form and will retain the form as part of the employee's record. (For further assistance with this step please see [Public Records Exemption Process](#) provided by People First).

After determining that an employee is eligible for an applicable exemption in Florida Statutes, the employing agency will activate and maintain the appropriate indicators, based on the following:

Indicator Name	Location of Checkbox in the People First System	Description (When to Use)
<b>Sworn/Certified</b>	<p><u>Position Side (Org Management):</u> Position Attributes screen checkbox titled <i>Sworn/Certified</i></p> <p><u>Employee Side (Personal Info):</u> Personal Info screen checkbox titled <i>Sworn/Certified</i></p> <p><b><i>Always reference the actual statutory language in determining whether an exemption is still applicable.</i></b></p>	<p><u>Position Side:</u> Use this checkbox if the duties of the position must be carried out by someone who is sworn and/or certified and involves law enforcement, corrections, or firefighting, as described in a subparagraph of section 119.071(4)(d)2., F.S.</p> <p><u>Employee Side:</u> Upon appointment (via the PAR process) into a position that has been flagged <i>Sworn/Certified</i> on the position side, the system will auto populate the <i>Sworn/Certified</i> indicator on the (Employee) Personal Info screen.</p> <p>In addition, use this checkbox if an employee self identifies as a <b>former</b> holder of a sworn/certified position in the areas of <b>law enforcement, corrections, or firefighting</b>. In these cases, the <i>Sworn/Certified</i> indicator on the (Employee) Personal Info screen must be manually updated after the PAR has been completed. (This will not affect the position side.)</p> <p><b><i>Note: Once this indicator has been activated on the employee side, it will follow the employee to other positions in the People First system. This is because, pursuant to Chapter 119, F.S., individuals who are current or former holders of a sworn/certified position in law enforcement, corrections, or firefighting, are permanently eligible for this exemption, even if they are no longer active in such positions.</i></b></p>
Indicator Name	Location of Checkbox in the People First System	Description (When to Use)
<b>Restricted Position/ Restricted Employee</b>	<p><u>Position Side:</u> Position Attributes screen checkbox titled <i>Restricted Position</i></p> <p><u>Employee Side:</u> Personal Info screen checkbox titled <i>Restricted Employee</i></p>	<p><u>Position Side:</u> Use this checkbox if the duties of the position are not sworn/certified but do involve any of the various duties described in a subparagraph of section 119.071(4)(d)2., F.S.</p> <p><u>Employee Side:</u> Upon appointment (via the PAR process) into a position for which the <i>Restricted Position</i> indicator has been flagged on the position side, the system will auto populate the</p>

	<p><b><i>Always reference the actual statutory language in determining whether an exemption is still applicable.</i></b></p>	<p><b><i>Restricted Employee</i></b> indicator on the (Employee) Personal Info screen.</p> <p>In addition, use this checkbox if an employee self identifies as a <b>former</b> holder of a position to which the exemption still applies, are certain current and former military personnel and their spouses and dependents as defined in section 119.071(5)(k), F.S., or are requesting exemption as a current or former public guardian or an employee with fiduciary responsibility as defined in section 744.21031, F.S.</p> <p>The <b><i>Restricted Employee</i></b> indicator on the (Employee) Personal Info screen must be manually updated after the PAR has been completed. (This will not affect the position side.)</p> <p><b><i>This also applies to individuals who are current or former holders of specified positions defined in section 744.21031, F.S., who have requested this exemption. If this indicator has been activated on the employee side, it will follow the employee to other positions.</i></b></p>
<b>Restricted Relative</b>	<p><u>Position Side:</u> N/A</p> <p><u>Employee Side:</u> Personal Info screen checkbox titled <b><i>Restricted Relative</i></b></p>	<p><u>Positions Side:</u> N/A</p> <p><u>Employee Side:</u> Use this checkbox if an employee self identifies as the spouse or child of a person who is exempted under a subparagraph of section 119.071(4)(d)(2), F.S., or as the spouse or child of a person exempted under section 744.21031, F.S.</p> <p><b><i>Note: Eligibility for this indicator may change in cases of divorce or dependency. This indicator does not automatically follow employees who move to other positions. It should be re-activated only if still valid.</i></b></p>
<b>Indicator Name</b>	<b>Location of Checkbox in the People First System</b>	<b>Description (When To Use)</b>
<b>Protected Identity</b>	<p><u>Position Side:</u> N/A</p> <p><u>Employee Side:</u> Personal Info screen checkbox titled <b><i>Protected Identity</i></b></p>	<p><u>Position Side:</u> N/A</p> <p><u>Employee Side:</u> Use this checkbox if any employee documents their legal right (substantiated in the form of a court-issued restraint order or other legal document) to have their home and work address information exempted from public record requests, due to special circumstances.</p> <p><b><i>Note: Eligibility for this indicator may change in cases where the court order expires. This indicator does not automatically follow employees who move to other positions. It should be re-activated only if still valid.</i></b></p>

**Note: For information on which People First system data elements are redacted when the above-mentioned indicators are used, refer to the People First document at: [Public Records Request Policy](#)**

## **B. Participants in the Address Confidentiality Program (ACP)**

The ACP for victims of domestic violence was created in 1998 to facilitate the ability of victims to have contact information that does not compromise their safety and is used by governmental agencies to respond to public record requests without disclosing the victims' actual addresses. ACP is administered by the Office of the Attorney General (OAG). The law provides a procedure for victims (who meet the specified criteria) to apply for a new mailing address that is assigned by the OAG. (Upon proper application, OAG shall certify such applicants as program participants for four years, unless certification is withdrawn or invalidated. A process is also provided by which certification may be cancelled). Additionally, the law provides that state and local agencies shall accept the OAG assigned mailing address as the participant's official address, unless the agency in question can demonstrate statutory or administrative need for the actual address. Participants may also elect to use the OAG address as their work address.

An employee who is a program participant in ACP will be provided with an OAG-issued address. This substitute address must be accepted by the employing agency as the ACP participant's residential, mailing, and business address. Therefore, even the work location/ mailing addresses on the position side of the People First system should be updated to use the ACP address (in lieu of reflecting the usual position address information).

**The ACP address is not protected from disclosure. Therefore, there is no privacy indicator for certified ACP participants<sup>1</sup>.** In addition, if the ACP participant voluntarily chooses to release his or her actual address information, the agency is not required to keep that information confidential and may be obligated to include such information in any public record request.

If there are questions regarding the ACP or compliance with the ACP law, the agency should contact the following for guidance:

Office of the Attorney General  
Division of Victim Services/ Bureau of Criminal Justice Programs  
Address Confidentiality Program  
PL-01, The Capitol  
Tallahassee, Florida 32399-1050  
Telephone Number: (850) 414-3300 or (800) 226-6667

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## **APPLICABLE STATUTORY AND RULE PROVISIONS:**

**[Section 119.071, F.S., General exemptions from inspection or copying of public records.](#)**

**[Section 741.401, F.S., Legislative findings; purpose](#)**

**[Section 741.402, F.S., Definitions](#)**

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<sup>1</sup> In cases where the Attorney General has determined that an agency has a bona fide or administrative need to use the employee's actual addresses and such agency is required to maintain the confidentiality of such addresses, the "Protected Identity" Indicator may be used.

[Section 741.403, F.S., Address confidentiality program; application; certification](#)

[Section 741.404, F.S., Certification cancellation](#)

[Section 741.405, F.S., Agency use of designated address](#)

[Section 744.21031, F.S., Public records exemption](#)

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