

DEPARTMENT OF HUMAN SERVICES
INTEROFFICE COMMUNICATION

TO: Administrative Order Recipients

FROM: Michele K. Gull
Commissioner

DATE: February 22, 2000

SUBJECT: Administrative Order 3:10, Electronic Recording

The purpose of this Order is to establish policy that prohibits employees from secretly recording work-related activities, conversations or discussions within the Department of Human Services. However, it does not negate the Department's right to make recordings during the operation of a security surveillance system, for the documentation of administrative hearings, or for investigative purposes. In addition, it allows for recording, as needed, for official minutes or other business necessities, or as a reasonable accommodation under the Americans with Disabilities Act.

This Order is being forwarded for your review, action if necessary, distribution to staff as appropriate, and retention in your Administrative Order manual. Please be advised that each recipient of this Order is responsible for being familiar with its content and ensuring that all affected Department personnel adhere to it.

Thank you for your cooperation in this matter.

MKG:4

Attachment

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: December 14, 1999 DATE ISSUED: February 22, 2000

SUBJECT: Electronic Recording

I. PURPOSE

The purpose of this Order is to establish policy that prohibits employees from secretly recording work-related activities, conversations or discussions within the Department of Human Services (Department).

II. SCOPE

This order has Department-wide applicability.

III. DEFINITION

The following term, when used in this Order, has the meaning indicated:

Electronic recording (recording) means a recording made for replaying of sound information. In an electronic recorder sound is picked up by a microphone and stored for recovery.

III. POLICY

- A. The secret electronic recording of work-related activities, conversations or discussions between Department employees is prohibited.
- B. Electronic recording of a meeting, conversation or discussion is allowed where official minutes are required by law, the recording is needed by one or more of the participants as a reasonable accommodation under the Americans with Disabilities Act (ADA), business necessity dictates or discussions of substantive issues of policy require a complete record for subsequent review. The electronic recording shall provide evidence of the oral notification of and verification by all those in attendance that the gathering is being electronically recorded.
- C. Nothing in this Order shall negate the Department's right to make recordings during the operation of a security surveillance system, for the documentation of administrative hearings or for investigative purposes.

- D. Anyone in violation of this policy shall be subject to disciplinary action in accordance with Administrative Order 4:08.
- E. Any Department employee who knows, suspects, or has reason to believe that another employee(s) is in violation of any provision of this policy shall notify his/her supervisor.



Michele K. Guhl
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Commissioner