

College Personnel Series—3000

INQUIRIES FOR EMPLOYMENT REFERENCES (INCLUDING STUDENT EMPLOYEES)

Oregon law provides limited civil immunity from liability for supervisors giving information to prospective employers regarding former employees who comply with the practices set forth in this policy and procedure.¹

Supervisors should always be cautious in making references regarding former and current employees. A written release by the former/current employee is highly recommended.

Former Employee References Information Disclosure

Chemeketa Community College supervisors are authorized to provide employment references for former employees when contacted by prospective employers, provided the information disclosed is:

1. Requested by the prospective employer, and¹
2. Truthful and provided in good faith, and¹
3. Job related, and
4. Not considered “protected” information.²

Current Employee Reference Information Disclosure

Oregon law does *not* provide supervisors the same civil immunity for current employee references as it does for former employee references. The college does authorize supervisors to disclose information about current employees using the parameters in 1–4 above.

Student Employee Reference Information Disclosure

Employment records for students who are employed because of their status as a student (e.g., work-study) are protected by the Family Educational Rights and Privacy Act (FERPA).³ Supervisors must obtain a signed student reference release form from the student employee before providing a reference.

March 21, 2007

Adopted College Board of Education

September 15, 2010; June 25, 2014; June 28, 2017;

July 24, 2019

Revised College Board of Education

¹ ORS 30.178 and ORS 659.780–820

² ORS 659A.029 et al Race, color, religion, sex, sexual orientation, national origin, marital status, age, disability, gender identity, family relationship, pregnancy and related conditions, citizenship status, veterans status, tobacco usage during non-working hours, whistle blowing, victim of domestic violence, genetic information.

³ Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)