

(From Virginia Press Association)

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§ 2.2-3705.1. Exclusions to application of chapter; exclusions of general application to public bodies.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Personnel information concerning identifiable individuals that the public body receives or generates for the purpose of (i) determining whether to employ a particular individual; (ii) determining or effectuating a change in the individual's employment status, position, salary, rate of pay or benefits; or (iii) enabling the individual employee to apply for or register with the payroll system, insurance plan, retirement plan or other benefits plan.

Access to such personnel information shall not be denied to the person who is the subject thereof. Any person who is the subject of such information and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, such information shall be disclosed.

Nothing in this subdivision shall be construed to authorize the withholding of:

a. Any contracts between a public body and its officers or employees, other than contracts settling public employee employment disputes, except that the amount of any monetary payment or the value of any benefit required to be conferred under any such contract shall not be withheld;

b. The name, position, job classification, salary or rate of pay, or the allowances or reimbursements for expenses paid or payable to any officer, official, or employee of a public body in connection with his or her service to the public body. The provisions of this subdivision

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b, however, shall not require public access to salaries or rates of pay of public employees whose annual rate of pay is \$10,000 or less;

c. Certificates of training or other evidence of training required as a condition of employment or continued employment;

d. Any resumes or applications submitted by persons who are appointed by the Governor pursuant to § 2.2-106 or 2.2-107; ~~or~~

e. Records of the compensation or benefits paid by any corporation organized by the Virginia Retirement System or its officers or employees; or

f. Records relating to administrative investigations that are required to be released pursuant to the provisions of § 2.2-3705.3. or by other statute.