

Sharing of Public vs. Private Personnel Data

Absent any kind of specific legal authorization to share not-public data, a government entity can only share “personnel data” (i.e. employee information) that is public. See [Minn. Stat. § 13.43](#).¹ Section 13.43, subdivision 2, provides a list of personnel data that is considered public. Some examples of public personnel data include, but are not limited to, the following: an employee’s name, identification number, actual gross salary, salary range, actual gross pension, job title, and job description.²

Employee information that is not on the list of public data is considered private data. Therefore, a government entity could not share an employee’s private data with the pension funds unless there is specific authorization in the law to do so *or* the employee consents to have the employer share that data with the pension funds. An example of personnel data that is considered private is an employee’s date of birth.

Finally, if the pension funds receive private personnel data from a public employer, that data retains its private classification when maintained by the pension funds. See [Minn. Stat. § 13.03, subd. 4\(c\)](#).

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¹ Minnesota Statute, section 13.43 is somewhat unique in that it makes personnel data private by default, unless it is specifically classified as public under that section. This is the opposite of how things usually work under Chapter 13.

² This list is non-exhaustive. For a full list of personnel data that is considered public see [Minn. Stat. § 13.43, subd. 2\(a\)](#).