

5 CFR § 293.311 - Availability of information.

§ 293.311 Availability of [information](#).

(a) The following [information](#) from both the OPF and [employee performance](#) file system folders, their automated equivalent records, and from other [personnel record](#) files that constitute an [agency record](#) within the meaning of the FOIA and which are under the control of the [Office](#), about most present and former Federal employees, is available to the public:

(1) Name;

(2) Present and past position titles and occupational series;

(3) Present and past grades;

(4) Present and past annual salary rates (**including [performance](#) awards or bonuses, incentive awards, merit pay amount, Meritorious or Distinguished Executive Ranks, and allowances and differentials**); (**Emphasis added.**)

(5) Present and past duty stations (includes room numbers, shop designations, or other identifying [information](#) regarding buildings or places of employment); and

(6) Position descriptions, identification of job elements, and those [performance standards](#) (but not actual [performance appraisals](#)) that the release of which would not interfere with law enforcement programs or severely inhibit [agency](#) effectiveness. [Performance](#) elements and standards (or work expectations) may be withheld when they are so intertwined with [performance appraisals](#) that their disclosure would reveal an [individual's performance appraisal](#).

(b) The [Office](#) or [agency](#) will generally not disclose [information](#) where the data sought is a list of names, present or past position titles, grades, salaries, [performance](#) standards, and/or duty stations of Federal [employees](#) which, as determined by the official responsible for custody of the information:

(1) Is selected in such a way that would reveal more about the [employee](#) on whom [information](#) is sought than the six enumerated items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; or

(2) Would otherwise be protected from mandatory disclosure under an exemption of the FOIA.

(c) In addition to the [information](#) described in [paragraph \(a\)](#) of this section, a Government official may provide other [information](#) from these [records](#) (or automated equivalents) of an [employee](#), to others outside of the [agency](#), under a summons, warrant, subpoena, or other legal process; as provided by the [Privacy Act](#) (5 U.S.C. 552a(b)(4) through (b)(11)), under those [Privacy Act](#) routine uses promulgated by the [Office](#), and as required by the FOIA.