

ARTICLE 11

PERSONNEL FILE

- 11.1 One (1) official personnel file shall be maintained for each employee in an office designated by the President for that purpose and in a format designated by the President. The term "personnel file" as used in this Agreement shall refer to the one (1) official personnel file used in personnel actions. A log (including, but not limited to, name, date and purpose) shall be maintained to record all access to an employee's personnel file by any non-Human Resources employee or by a Human Resources employee for the purpose of making a personnel decision/recommendation. An employee shall normally be sent a copy of any material to be placed in the personnel file at the time of placement. An employee shall be provided with a copy of material which could lead to an adverse personnel action no later than fourteen (14) days after the placement of such material in their personnel file. Where the file is maintained in an electronic format, the data shall be maintained on a password protected secure system.
- 11.2 An employee shall have the right of access to reports, documents, correspondence, and other material officially maintained in their campus personnel file.
- 11.3 An employee may request an appointment for the purpose of inspecting their personnel file. Such requested appointments shall be scheduled during normal business hours. The manner of inspection shall be subject to reasonable conditions.
- 11.4 An employee may be accompanied by a person of their choice when inspecting their personnel file.
- 11.5 Following receipt of an employee's written request, the campus shall, within a reasonable period of time established by the campus, provide a copy of all requested material. The employee shall bear the cost of duplicating such materials, except as provided for in Article 10, Grievance Procedure, or Article 18, Evaluation, or when such materials have bearing on disciplinary action or corrective action matters.
- 11.6 If, after examination of their records, an employee does not agree with the contents of any material in the file, the employee may submit a written rebuttal. This written rebuttal shall become part of the employee's personnel file.
- 11.7 If, after examination of their records, an employee believes that any portion of the material is not accurate, relevant, or complete, the employee may request, in writing, correction of the record. Within twenty-one (21) days of an employee's request for

correction of the record, the President shall notify the employee in writing of their decision regarding the request. If the President denies the request, the President shall state the reason(s) for denial in writing, and this statement shall be sent to the employee. If the President grants the request for correction of the record, the record shall be corrected. The employee shall be sent a copy of the corrected record and a written statement that the incorrect record in question has been permanently removed from the employee's personnel file.

- 11.8 Final personnel decisions relating to promotion, retention, permanency for permanent or probationary employees shall be based primarily on material contained in the employee's personnel file and open to the employee's inspection. Final personnel decisions relating to disciplinary actions shall be based primarily on material contained in the employee's personnel file and open to the employee's inspection.
- 11.9 If a personnel decision as referenced in provision 11.8 above must be based on information not contained in the employee's personnel file, that information shall be committed to writing and this written statement shall be a part of the employee's personnel file. An employee may request the effective date of any pending personnel action based on such information be extended by the appropriate administrator to allow the employee to utilize procedures outlined in provisions 11.6 and 11.7 of this Article. The appropriate administrator shall respond in writing. Such a request shall not be unreasonably denied.
- 11.10 Materials submitted by an employee during a performance evaluation shall be deemed incorporated by reference in the official personnel file, but need not be physically placed in the file. An index of such materials shall be prepared by the employee and submitted with the materials. Such an index shall be permanently placed in the personnel file. Materials incorporated by reference in this manner shall be considered part of the personnel file for the actions set forth in provision 11.8 of this Article. Upon the completion of a performance evaluation, indexed materials may be returned to the employee.
- 11.11 No one shall have access to pre-employment materials in the personnel file, except when such access is required pursuant to the Information Practices Act of 1977 or when such material may have an effect on a personnel action under consideration.
- 11.12 Attendance and payroll records maintained separately from the personnel file may be reviewed by the employee within a reasonable period of time after the request is made. Such attendance and payroll records shall be excluded from provisions of Article 11, Personnel File.

- 11.13 Upon the employee's request, a reprimand in the personnel file shall be permanently removed three (3) years from its effective date, unless such reprimand is related to workplace violence, discrimination, harassment or retaliation as determined by Human Resources or other appropriate department. If a notice of disciplinary action has been served on the employee and such a reprimand is related to the disciplinary action, this provision shall not be implemented.
- 11.14 Employees' personnel files shall be held in confidence and shall be subject to inspection only by persons with official business.
- 11.15 The classification/reclassification of a position to which an employee is assigned shall not be considered a personnel decision as defined in provision 11.8 above.