

## ARTICLE 11

### PERSONNEL FILE

- 11.1 One (1) official personnel file shall be maintained for each employee in the campus Human Resources Office. The term "personnel file" as used in this Agreement shall refer to this one (1) official personnel file.
- 11.2 If a campus decides to convert employee personnel files to an electronic format, it shall ensure that:
- a. 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; and
  - b. The data is maintained on a password-protected, secure system.

#### Employee Access

- 11.3 The contents of an employee's official personnel file, exclusive of pre-employment materials, shall be open to their review and review by a Union Representative when authorized in writing by the employee.
- 11.4 An employee or their Union Representative may request an appointment for the purpose of reviewing the employee's personnel file. Such requested appointments shall be scheduled during normal business hours. Within three (3) working days of a request to Human Resources, an employee and/or a union representative shall be notified when the employee and/or their Union Representative shall have access. The manner of access to the official personnel file shall be subject to reasonable conditions.
- 11.5 Within fourteen (14) days of the employee's written request, the employee shall be provided an exact copy of all or any portion of materials officially maintained in the campus personnel file. The employee shall bear the cost of duplicating such materials, except as provided for in Article 7, Grievance Procedure, Article 8, Complaint Procedure, or when such materials have bearing on disciplinary action or pre-disciplinary matters. The cost of duplicating material shall be the amount provided in Civil Code Section 1798.33, or any substitute or successor provision of that code section (as of January 2018 the amount is ten (10) cents per page).
- 11.6 Personnel recommendations or decisions relating to any personnel action(s) shall be based primarily on material contained in the employee's official personnel file and open to the employee's review. If a personnel recommendation or decision is based on any reasons not contained in the employee's official personnel file, the Appropriate Administrator making the recommendation or decision shall commit

those reasons to writing and the written statement of those reasons shall be placed in the employee's official personnel file.

- 11.7 An employee shall not have access to pre-employment materials in the personnel file, except in instances when such materials are used in personnel actions.
- 11.8 An employee shall be provided with a copy of material which could lead to an adverse personnel action prior to the placement of such material in their personnel file.
- 11.9 Upon request by an employee, attendance and payroll records maintained separately from the personnel file may be reviewed by the employee or a representative when authorized in writing by the employee. Such attendance and payroll records shall be excluded from provisions of Article 11, Personnel File.
- 11.10 Employees may submit commendations, copies of college degrees, certifications and special licenses, and an updated resume to the Appropriate Administrator for placement as soon as possible in the Personnel File.

#### Rebuttal

- 11.11 An employee may submit a rebuttal statement to material in their personnel file which shall be placed in the employee's personnel file.

#### Request for Correction

- 11.12 If, after review of the employee's records, an employee believes that any portion of the material is not accurate, the employee may request in writing to the President correction of the record.
- 11.13 Within twenty-one (21) days of an employee's request for correction of the record, the President shall notify the employee in writing of the President's decision regarding the request.
- a. If the President denies the request, the President shall state the reason(s) for denial in writing, and this written statement shall be sent to the employee.
  - b. 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.