

Policy Title:	Access to and Maintenance of Administrative Personnel Files
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Governing Body:	State of Oregon Southern Oregon University	Policy Number:	FAD.002
Policy Contact:	Director for Human Resource Services	Date Revised:	August 2013
Custodial Office:	Finance and Administration	Date Approved:	9/17/2005
Approved By:	President	Next Review:	August 2015
Related Policy:	ORS 351.070; OAR 166-475-0095; OAR 573-001-0075		

A. Purpose

This policy describes the types of files that contain employment records for administrators, the type of record and information typically contained in each file, who has access to files, conditions for release of information, and record retention.

B. Definitions

1. Department Personnel Files: Department personnel files are kept and maintained in an employee’s department and contain employment-related records that may duplicate and/or augment records in the official personnel file. In addition to records filed in the official personnel file, a department personnel file may include records such as time sheets, leave requests, anecdotal notes, letters of instruction, performance plans, summaries of professional development activity, and committee participation. An employee or a supervisor may submit documents for the department file.
2. Direct Line Supervisor: The employee’s immediate supervisor and department/University administrator to whom the immediate supervisor is accountable, e.g. supervisor, manager, assistant director, associate director, director, dean, vice president, and president.
3. Medical Records and Files: Medical information about an employee such as health status, medical condition, or medical history is considered confidential and is not retained in the official or department personnel file, but in a separate and secure file maintained by Human Resource Services.
4. Official Personnel Files: Official personnel files are maintained by Human Resource Services and contain employment-related documents such as resumes, employment applications, appointment letters and forms, transcripts, performance evaluations, commendation letters, training and professional development records, disciplinary action, salary records, changes in appointment status (i.e. promotion, transfer, FTE, etc.), and information pertaining to separation of employment. Human Resource Service, an employee or an employee’s supervisor may submit documents for the official personnel file.

C. Policy Statement

1. Employees are responsible for ensuring that personal and professional information in their official and department files pertaining to their employment is accurate and up-to-date.

2. Employees may ask that materials relevant to their employment be included in their official and/or department file.
3. Human Resource Services is responsible for the confidentiality and security of records placed in the official personnel file and medical file and for determining the information to be placed in such files.
4. Supervisors are responsible for maintaining the confidentiality and security of records and information in the department personnel file and for determining the information to be placed in such file.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval.

D. Policy Consultation

Provost Advisory Council, Business Affairs Council, Cabinet, OUS Legal

E. Associated Procedures or Other Information

1. Information Not Required for Personnel Files

Employees are not required to give, but may voluntarily provide, information as to race, religion, sex, sexual orientation, political affiliation or preferences, except where such information may be required by state statute, federal law or valid federal rules, regulations or orders. Where the employee is asked for such self-designation for any purpose (including federal requests for information), the request shall state the purpose of the inquiry and inform the individual of the right to decline to respond.

2. Access to Files

a. Access to Files by Employees

i. Employees have access to their official and department personnel files and medical files. To inspect the official personnel file or medical file, an employee must schedule an appointment with Human Resource Services. To inspect a department personnel file, the employee must make arrangements with the supervisor.

ii. Upon request, Human Resource Services or the supervisor provides an employee a copy of any requested document from the employee's file. The cost of additional copies are paid by the employee at the current rate established by the University.

iii. An employee has the right to submit a rebuttal, an explanation, or comments regarding any document in the official personnel file and/or department personnel file pertaining to evaluation, appointment, disciplinary action, promotion, or change in status.

b. Access to Personnel Files by Supervisors and Professional Administrators

i. Direct-line supervisors have access to an employee's official personnel file. All other supervisors and employees have access on a need-to-know basis under the supervision of Human Resource Services.

ii. Direct-line supervisors and Human Resource Services have access to an employee's department personnel file.

c. Access to Medical Files

Confidential medical records are not accessible to anyone other than the employee without the employee's written consent or upon the University's receipt of a valid subpoena or other court order or process; or as required by State statute, federal law; or valid federal or State rules, regulations, or orders.

3. Release of Information in Official and Department Personnel Files

a. Information contained in an employee's official and department files may be provided on request to individuals, other than supervisors and employees, as described above without the employee's consent. Except as otherwise limited by law, such information is limited to:

i. Directory information that is generally needed to identify or locate an employee at the University that is readily found in the University directory or catalog.

ii. Salary information and documents containing terms and conditions of employment e.g. appointment letters and notices, employment agreements, and resumes.

b. All information in the employee's personal file, apart from Section 1 above, is considered personal and subject to restricted access pursuant to State law and the Oregon University System's administrative rules.

c. Confidential records and information in an employee's official or department personnel file may not be released to any person without the employee's written consent, except upon the University's receipt of a valid subpoena or other court order or process; or as required by State statute, federal law; or valid federal or state rules, regulations, or orders.

4. Record Retention

Personnel files are retained in accordance with the Oregon University System's retention schedule. The Office of the Vice President for Finance and Administration oversees the retention and disposal of records for the University.

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.