

ARTICLE 29 – PERSONNEL FILES

- A. An employee shall, upon written request to the University, have the opportunity to review his/her personnel file(s) within a reasonable time in the presence of a representative of the University. At the time of such request the supervisor, to the extent he/she is aware of the location(s) of such files, shall inform the employee of the location of the file(s).

- B. Where operational requirements permit, an employee shall be granted a reasonable amount of time in without loss of straight time pay status to review his/her personnel file(s). When granting such requests, the immediate supervisor shall take into account the frequency of such requests and the amount of time the employee is or will be engaged in such activity. An AFSCME representative may accompany, pursuant to H. of Article 9 – Grievance Procedure, the employee when the employee is reviewing his/her personnel file(s). Alternatively, an individual employee may authorize a designated AFSCME representative to review the employee's personnel file(s) on the employee's behalf. Such written authorization shall be valid for a period of thirty (30) calendar days from the date of the signature of the authorization or within a written time limit specified by the employee, whichever is later.

- C. Copies of letters of warning and/or disciplinary action shall, upon being placed in the employee's personnel file(s), be provided to the employee. Employees' written comments, if any, regarding such letters shall be placed in their personnel file(s). Such comments shall not require the University to change or alter the letters or the actions indicated by the letters.

- D. Records protected by recognized legal privilege and records excepted from disclosure by law may be withheld

from the employee and/or the employee's representative. Neither an employee nor his/her representative shall be entitled to review confidential pre-employment information or confidential information relating to transfers or promotions of the employee out of his/her bargaining unit, nor shall the employee or his/her representative be entitled to review documents related to internal University labor relations or personnel policy or Agreement applications.

- E. Pursuant to University procedures, fees may be charged for making copies of personnel file information or extracts thereof; however, there is no charge for the first copy of the individual employee's own records.

- F. At the written request of the employee, record(s) of disciplinary actions shall be removed from an employee's personnel file(s) after two consecutive years during which there has been no further disciplinary action related to the original incident, except that any records of demotion or salary decrease shall remain in the personnel file(s) and shall not be removed. Suspensions for more than ten (10) working days shall remain in the personnel file(s) for a period of five (5) years and after which shall be removed at the written request of the employee.