

ARTICLE 6 PERSONNEL FILES

A. ACCESS

An accessible personnel file is the official personnel file for employment and personnel actions which do not involve review, evaluation, and assessment activities. Librarians shall have the right of access to all non-confidential reports, documents, correspondence, and other material in their personnel file(s). Librarians shall be entitled to redacted copies of confidential material, if any, in their personnel file(s).

B. RIGHT TO INSPECT

The University shall designate an office in which the personnel file shall be maintained. The University shall also designate an office with overall responsibility for personnel files. The office so designated will be the office to which a librarian would make a request to inspect their file(s). Librarians shall have the right to have a person of their choice accompany them to inspect their files(s) so long as the person chosen is not a supervisor, manager or confidential employee within the meaning of the Higher Education Employer-Employee Relations Act (HEERA). Upon reasonable notice, the librarian, with or without a representative, may examine non-confidential material in the librarian's personnel file(s).

Librarians may give written authorization to a representative to review their file(s) in their absence. The written authorization shall be valid for thirty (30) calendar days from the date of the signature of the authorization or within a written time limit specified by the librarian, whichever is shorter. The representative shall be entitled to examine all non-confidential material; only the librarian may receive any redacted copies of confidential material.

Records protected by recognized legal privilege and records exempted from disclosure by law may be withheld from the librarian and the librarian's representative.

Subject to these exceptions, unsolicited documents shall not be confidential.

C. RIGHT TO COPY MATERIAL

Under normal circumstances, within ten (10) working days of a written request, a librarian shall be given a complete copy of the requested non-confidential items in the personnel file and a listing of the types of confidential material within the file. If a written request for a redacted copy of confidential material in a personnel file is received by the University, the request shall be fulfilled within thirty (30) working days, under normal circumstances. The University will provide the first copy of such material at no cost to the librarian. Subsequent copies will be provided at a cost of ten cents (\$.10) per page.

D. Any non-confidential item placed in a personnel file shall be clearly identified as to its source or originator and its date of receipt by the University.

E. A librarian may request, in writing, corrections or deletions of materials in their personnel file if the librarian believes the material is not accurate, relevant, timely, or complete. The request to the appropriate University official shall include the reason(s) for the correction or deletion. This request shall become part of the librarian's file. Within thirty (30) calendar days, the University shall determine whether the request will be honored and so

inform the librarian in writing. If the request is granted, it shall be redacted so as to remove material that would reveal the nature or substance of the corrected or deleted material. If the request is denied, the reasons shall be included in the written notice.

- F.** Only authorized personnel shall have access to a librarian's personnel file. Such access shall be solely for official University business.
- G.** Confidential material, legal privilege, and records exempted by law from disclosure shall be as defined in the California Evidence Code or by other statutes and relevant case law and shall not be subject to the Grievance and Arbitration procedures of this Agreement.