

ARTICLE 8 - PERSONNEL FILES

A. GENERAL PROVISIONS

1. Personnel files will be located in an employee's employing department. It is understood that there shall only be one (1) Official personnel file for each employee. A list of the offices where personnel files can be reviewed will be attached to this Agreement as Appendix C. If the University modifies said list, a copy of said modification shall be provided to the Union within a reasonable period of time.
2. Upon request, an employee and/or his/her representative shall be able to review his/her personnel file within a reasonable period of time in the presence of a representative of the University.

B. REQUEST FOR INSPECTION

Where the University determines that 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 University shall take into account the frequency of such requests and the amount of time the employee is or will be engaged in such activity. Alternatively, an individual may provide the University with a written authorization allowing a designated SETC representative to receive a copy of the employee's personnel file(s) or identified portions thereof. Such written authorization shall be valid for a period of twenty (20) calendar days from the date thereof.

C. REBUTTAL STATEMENTS

An employee may submit a rebuttal statement to material in his/her personnel file. Said rebuttal shall be attached to the material being rebutted and placed in the employee's personnel file.

D. GRIEVANCE FILES

Records involving the processing of an employee's grievance such as the grievance form, step appeals and responses, and settlement documents will be kept in a file separate from the employee's personnel file.

E. PROTECTIONS FROM DISCLOSURE

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.

F. FEES

Fees may be charged for making copies of personnel file information or extracts thereof; however, there shall be no charge for the first copy of the individual employee's own records. When they are requested, copies will be provided within a reasonable period of time.

G. LETTERS IN FILE

Prior to placing a letter of commendation or a derogatory letter in an employee's personnel file, the employee shall be provided with a copy of said letter.

H. COUNSELING MEMORANDA

Counseling memoranda shall be destroyed two (2) years after the date of issuance if, during that time there has been no further counseling or disciplinary action taken against the employee for the same conduct and shall not be relied upon to issue further counseling or discipline for the same conduct.

I. CORRECTION OF FILE

If, after inspection of his/her personnel file, an employee believes that any portion of the material contained therein is not accurate, the employee may make a written request to the appropriate University representative, to have the material corrected. The University shall notify the employee in writing of the correction or of its denial of said request.