

HUMAN RESOURCES

AP 7145 PERSONNEL FILES

References:

Education Code Section 87031;
Labor Code Section 1198.5

Personnel files are subject to the provisions in the applicable collective bargaining agreement or employee handbooks. Procedures governing personnel files for employees represented by an exclusive bargaining representative, such as the Palomar Faculty Federation (PFF) and the Council of Classified Employees (CCE/AFT), are contained in the appropriate collective bargaining agreement, and nothing herein applies to such employees.

Personnel records are private, accurate, complete, and permanent. All personnel files shall be kept in locked cabinets with access limited to appropriate Human Resource Services personnel serving legitimate District purposes. To ensure privacy, files shall not be left open or unattended in unlocked office areas. Inspection of personnel files by authorized individuals shall occur within the Office of Human Resource Services in the presence of the Vice President for Human Resources or designee. A signed release form from the employee is required prior to any third party file access.

Every employee has the right to inspect personnel records pursuant to the Labor Code.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to enter and have his/her own comments attached to any derogatory statement. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect personnel records at a time when the employee is actually required to render services to the District.

Nothing in this procedure shall entitle an employee to review ratings, reports, or records that (a) were obtained prior to the employment of the person involved, (b) were prepared by identifiable examination committee members, or (c) were obtained in connection with a promotional examination or interview.

See BP/AP 3310 titled Records Retention and Destruction

Office of Primary Responsibility: Human Resource Services