

Staff Personnel Records

October 2018

I. Summary

Local procedures for Personnel Policies for Staff Members (PPSM)-80: Staff Personnel Records are to ensure department records are maintained with accuracy, completeness, and are appropriately and reasonably safeguarded to ensure security and confidentiality. The information contained in this document will provide guidance to departments, managers, supervisors, and HR business partners on when and how to maintain staff personnel records.

II. Related Policies and References

- A.** UC Personnel Policies for Staff Members 80 – <http://policy.ucop.edu/doc/4010419/PPSM-80>
- B.** UC Records Retention Schedule - <http://recordsretention.ucop.edu>
- C.** RMP – 9, Guidelines for Access to University Personnel Records by Governmental Agencies - <http://policy.ucop.edu/doc/4000383/CompDisclosure>
- D.** UC Public Disclosure of Compensation Information - <http://policy.ucop.edu/doc/4000383/CompDisclosure>

III. Procedures

A. Access to Information in Staff Personnel Records

Personnel files contain confidential information and departments are responsible for restricting access to them to those individuals who have a business need.

The employee's department/organizational unit shall be the "office of record" for maintenance, security and confidentiality of employee personnel files. Personnel and related files (e.g., medical, historical I-9) should be kept in a locked cabinet in a secure location. Upon request, an employee has the right to review his/her own personnel file(s).

B. Release of Records

1. Employee Access

An employee may request a copy of his/her own personnel records and the department will provide a copy of the records within thirty (30) calendar days of his/her request. Former and current employees will not be charged for the first copy. Fees may be charged for subsequent copies.

2. Access to Records by the Public

Request should be made to the UCR Office of Campus Counsel. Human Resources will coordinate with the office of record to provide copies of staff personnel records in accordance with the Public Records Act and Information Practices Act. For a public record or information practices request(s), send an email to PublicRecords@ucr.edu.

3. Intercampus Transfer & Access

Once an employee is selected as a finalist for a position within the university, the prospective hiring department has a right to review the personnel file of the individual prior to making the final offer.

- › The prospective hiring department should inform the employee of their intent to review the personnel file.
- › Security measures should be taken in all cases where personnel files are physically moved or transferred to ensure that the file's contents remain confidential.

When an employee changes departments, the employee's personnel records, including documents related to permanent restrictions, or accommodation plans in place at the time of transfer should all be transferred to the new department. Departmental time and attendance records and other medical files must be retained in the department where the work was performed.

IV. File Maintenance

A. Required File Content

1. For each employee an application for employment, position description, evidence of completed reference checks, State Oath of Allegiance, Patent Agreement; W-4.
2. Emergency contact information.
3. Performance Appraisals
4. Notice Regarding Overtime Compensation (non-exempt employees only).

B. Additional File Content

1. Honors and awards received by the employee.
2. Corrective Action/Disciplinary Actions.
 - Copies of any such documents to be placed in the personnel file should also be provided to the employee with a [Proof of Service form](#).
 - An employee may request removal of corrective action/disciplinary actions provided there have been no similar incidents in the period of time specified in the applicable contract/policy. (Consult with Employee & Labor Relations for guidance.)

C. Prohibited File Content

The following documents should not be placed in the employee's personnel file; rather they should be stored/maintained as indicated below.

1. Medical

- Documents related to an employee's medical condition, or a medical condition of the employee's dependents, must be stored separately from the employee's personnel file.
- Confidential medical information includes, but is not limited to:
 - › FML forms and supporting documentation
 - › Work-related injury or illness forms and supporting documentation
 - › Disability-related documentation, including any requests for accommodation

2. Grievances

- The Employee & Labor Relations department is the "office of record" for formal grievances and related materials.
- Any department copies of formal grievances and related records should be kept in a separate file from the employee's personnel file.

3. Documents

- Form I-9s that were completed prior to the University's transition to Tracker I-9 Complete (Tracker) on October 1, 2018, must be kept in a separate file (not the personnel file). Historical Form I-9s may need to be entered into Tracker in the future.

V. Period of Retention

Personnel records of an employee will be maintained according to the University of California Records Retention Schedule, which can be found at <http://recordsretention.ucop.edu/>.

VI. Periodic Reviews

Types of Personnel File Audits

Department/Organizational units are responsible for conducting internal audits of their unit's personnel files to confirm that required documents are present and valid in the files of all employees.

- Examples:
 - › Performance Appraisal forms for all employees who have completed their probationary period.
 - › Employee Application forms for all new hires.
 - › Current job description.
 - › Required professional licenses

VII. Responsibilities

A. Implementation of the Local Procedure

The Associate Vice Chancellor of Human Resources is the responsible officer for this local procedure and has the authority to implement and revise procedure when appropriate.

B. Department Responsibility

1. Maintain the completeness and the accuracy of personnel files.
2. Ensure security of files and contents.
3. Periodically review or audit files to ensure that the necessary documents have been completed and filed, and date-sensitive documents have not expired.

VIII. Frequently Asked Questions

1. What are some examples of staff personnel records?

Staff personnel records may include but are not limited to the following examples – whether or not the records are maintained in paper or electronic form, together or separately, or in a specifically created file folder:

- employment records, such as the application for employment and letters or statements of reference
- compensation and benefits forms
- training, education, honors, and awards records
- duties and job classification
- performance management records
- records of corrective action and discipline

- employee separation actions
- counseling letters, and
- attendance records.

2. How should the records related to an employee's formal complaints be maintained?

An employee's personnel file must not contain records related to formal complaints filed by that employee. The department should maintain any records related to formal complaints filed by the employee separate from any personnel file. Records related to formal complaints should be accessible to those responsible for administering grievance or complaint resolution process in Employee and Labor Relations and will be maintained in accordance with the University of California Records Retention Schedule.

3. Where and for how long will records of corrective actions be maintained?

Records of corrective actions will be maintained by the employee's department in accordance with the University of California Records Retention Schedule. For Professional & Support Staff, see also PPSM 62-Corrective Action and for represented employees, see applicable Collective Bargaining Agreements.

4. Should an employee be notified if a disclosure is granted to a public records request to view or copy his/her personnel records?

Though not legally required, a courtesy notification may be issued to the employee.

5. When an employee transfers from one UC location to another, do the personnel records also transfer?

When an employee transfers from one UC location to another, the hiring location should request and receive the personnel records of the newly hired applicant. The recipient location becomes the office of record and the responsible owner for the management of those personnel records.