

Treasure Valley Community College

Code: GBL
Adopted: 10/20/98
Readopted: 10/14/09; 2/15/11
Orig. Code: 403-14

Personnel Records

An official personnel file will be established for each person employed by the College and will be maintained in the Human Resources office.

All records containing employee medical condition information such as workers' compensation reports, release/permission to return to work documents, and medical leave eligibility will be kept confidential and in a separate file from personnel records. Such records will be released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

The President will be responsible for establishing regulations regarding the control, use, safety and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints and written disciplinary actions to be placed in their personnel file and may submit a written response to be attached to the file copy.

Personnel Files and Working Files

Personnel files shall be the official repositories of all materials relevant to the employee's employment with the College, including but not limited to letters of intent, payroll changes and authorizations, evaluations, application materials, transcripts, contracts, commendations, written discipline or other materials deemed appropriate by the College. Payroll information such as deductions, benefits costs and membership are maintained in the Business Office. Medical records are maintained in the Human Resources office but separate from the employee's personnel file. The employee will be notified when materials are placed in his/her personnel file.

A working file may be kept by the supervisor. This file should only house materials developed for an employee's annual evaluation (such as goals, objectives, memorandums or letters to the employee) and/or documentation of conversations/counseling the supervisor had with the employee. If used as part of the annual evaluation, the information in the working file will be shared with the employee, and when appropriate, placed in the official personnel file.

Safekeeping

Personnel files shall be kept in a locked filing cabinet in the Human Resources office. Files will be locked at all times and may only be opened by Human Resources staff.

The Director of Human Resources shall be responsible for holding keys to all personnel files. The Dean of Administrative Services will be notified of the door lock code and where the file keys are kept.

The door to the Human Resources office shall be closed and locked when Human Resources personnel are not present. The personnel files shall be available for review or inspection by the employee and such other persons officially designated in writing by the College, who are currently the College attorney, Dean,

President, immediate supervisor and employees of the Human Resources department. The employee may designate, in writing, other persons who may inspect the employee's personnel file. Inspections may only be done in the Human Resources office.

Confidentiality

Confidentiality of personnel files shall be protected in accordance with the directions of the administration and in accordance with requirements of any laws. Contents of personnel files shall not be released to parties other than individuals designated by the College. **Unless** and/or except as follows:

1. The employee has authorized the release; or
2. By order of a court or administrative agency; or
3. If the information requested falls within compliance of the Freedom of Information/Public Disclosure law or State public record laws.

Employment Verification

These procedures apply to all College employees.

All verifications of employment should be forwarded or directed to Human Resources. Verification of employment, employment dates, and job title may be released verbally. Information regarding an employee's address, telephone number, work history, performance, or salary will not be given over the telephone. Requests for salary or other confidential information must be in writing and signed by the employee, authorizing release of specific information. Work reference requests for both present and terminated employees must be in writing and signed by the employee, authorizing release of information.

END OF POLICY

Legal Reference(s):

<http://landru.leg.state.or.us/ors/341.htm>
[IORS 341.290\(2\)](#)

[ORS 652.750](#)

[OAR 589-008-0100\(4\)](#)

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).