

CLARK ATLANTA UNIVERSITY

Policy 9.1.8: Personnel Files



CLARK ATLANTA UNIVERSITY		
POLICY and PROCEDURE	Subject: Personnel Files	
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1.0 Policy Statement

Clark Atlanta University (CAU/the University) maintains personnel files on every staff member. All files are maintained in a safe and secure location.

2.0 Procedure Narrative

Personnel files are a historical body of information from the date of hire to the present. These files contain documentation such as an employee's length of service with the University, performance appraisals, beneficiary designation forms, disciplinary warning notices, and letters of commendation, etc.

If an employee is interested in reviewing his/her file, he or she may contact the Office of Human Resources to schedule an appointment. A member of the Office of Human Resources reviews the file prior to the appointment to ensure the file does not contain documents or information the employee is not permitted to see such as letters of reference. Neither a member of the Office of Human Resources nor the employee can make copies of the entire file; however, an employee is permitted to copy those documents they should have such as a performance appraisal or disciplinary action paperwork.

Academic credentials, sexual harassment documentation, whistleblower documentation and background information are not kept in employee personnel files. All of these files are kept in a separate and secure location in Human Resources. Supervisors may maintain unofficial notes on their employees. The supervisor's working file is a confidential file that is kept in a secure area near the employee's immediate supervisor. The contents of a working file should be shredded at the direction of the supervisor once the information is no longer necessary. The official file of record is that which is housed in the Office of Human Resources

Under the Health Insurance Portability and Accountability Act (HIPAA), federal law requires employers to protect medical records as confidential information that is kept separate and apart from other business records. Medical information may not be retained in a personnel file. The Americans with Disabilities Act (ADA) also imposes very strict rules for handling information obtained through post-offer medical examinations and inquiries. Compliance with the ADA requires that information related to medical disabilities be handled in a confidential manner.

Medical information may be revealed only in very limited circumstances, such as to safety and first aid workers if necessary to treat an employee; to public safety officials to protect the employee or others from a serious and imminent threat to health or safety; to mandated reporters to law enforcement to report child, elder or dependent abuse; to the employee's supervisor, if appropriate under applicable law and the employee's disability requires restricted duties or a reasonable accommodation; and to University officials as required by law for the purposes of defending the University in judicial or administrative proceedings; or for purposes of compliance with worker's compensation programs. Medical files are kept in a separate and secure location in Human Resources. Under no circumstance is medical information (including doctors' notes) to be kept in a supervisor's file.

The only people with a right to inspect, copy, or challenge the contents of a personnel file relating to an individual other than themselves is a supervisor or member of senior management with a justifiable reason. All such requests must be approved by Human Resources prior to reviewing the file.

No individual, private, or public agency external to the University is permitted access to any individual's personnel file except for federal and state agencies when: the agency has jurisdiction to make an inquiry and/or the information being sought is obtainable by subpoena. The appropriate University officials must be satisfied that the information being requested is pertinent to the agency's inquiry. All requests from outside the University to review a personnel file must come through Human Resources.

Employees should either call the Office of Human Resources or update their information on the CAU website for the following information: changes in name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievement, the individuals to notify in case of an emergency, and so forth. Employees are apprised of documents sent to their personnel file upon their request.

The Office of Human Resources maintains personnel files on-site for three (3) years after which the files are stored off-site. In most cases, the personnel files must be retained for a total of seven (7) years or as long as required by the terms of the funding source. Files are kept on applicants who were not hired for one (1) Fiscal Year after which such files are maintained in accordance with applicable law and then shredded.

Personnel files are the exclusive property of the University.

3.0 Entities Affected By This Policy

All Staff of the University

4.0 Definitions

Personnel File - Personnel file means the current official file or files regardless of location, relating to an employee of the university, which contains documents and data recorded in the usual course of official university business relating specifically to the individual's employment qualifications, working assignments, promotions, compensation, job performance, personnel evaluations, disciplinary proceedings, and participation in university insurance and benefits programs.

5.0 Desktop Procedures

Employee Review of Personnel File

Step	Action
1	Employee contacts HR to schedule an appointment
2	Designated HR employee reviews employee file to ensure file contains only information permissible for employee review
3	HR employee schedules anointment with employee
4	Employee reviews file in the presence of the HR employee
5	HR employee makes a copy of paperwork as long as that paperwork is approved to be copied
6	HR employee returns file to original location after employee leaves

Employee Challenges)

Step	Action
1	Employee identifies what they believe to be inaccurate information in their personnel file
2	Employee puts challenge in writing to Human Resources
3	Human Resources researches the issue
4	Human Resources responds to the challenge in writing