

<p>Employee Records Policy</p>	<p>BOT Approved: Previously included as part of Human Resources Manual. Board Approved in new policy format June 18, 2019.</p>
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PURPOSE:

The purpose of the policy is to define information to be contained in an employee’s personnel file and monitor who may have access to this information. For purposes of this policy, “employee” is defined as an individual paid through the College payroll system to perform a service for the College with the College making, as appropriate, state and federal withholdings. The relationship of employer and employee exists when the hiring department has the right to control and direct the service provider, not only as to the result to be accomplished by the work but also as to how, when, and where the services will be provided. The service provider is normally provided the tools and facilities to perform the function and is not at risk for profit or loss in this capacity. Examples of employees include faculty, adjunct faculty, hourly employees, support staff, professional staff, administrative staff, and student workers.

POLICY STATEMENT:

Employee records relating to job qualifications, performance and other personnel matters are confidential and will be retained only in the Office of Human Resources as the employee's official personnel file. Due to the confidential nature of employee records, the College will provide reference information only to inquiries that have been authorized in writing by the employee. All requests for information about current, retired and separated employees must be referred to the Office of Human Resources.

PROCEDURES:

PERSONNEL FILES PROCEDURES

Contents of an Employee's Personnel File

The only documents included in an employee's personnel file are:

- Application for College employment
- Employee Data Sheet
- Updates of employee information
- Résumé of prior experience and education
- Academic transcripts (if applicable)
- Certificates of occupational competency (if applicable)
- Documents related to routine personnel actions such as benefits and leave
- Correspondence between the College and the employee marked by the originator for inclusion in the personnel file. The originator is the person who wrote the document and would be one of the following: the Director of Human Resources or designee, the employee, the employee's supervisor or others in the designated chain of command.
- Performance evaluations and reports of supervisory conferences addressed to the employee and originated by the supervisor.
- Appropriate and relevant documents related to employment history and performance such as contracts, compensation agreements, promotion, transfer, letters or other documents of commendation, disciplinary action and termination.
- Reported criminal activity information

Employees' Personnel File Management

Originators wishing to update or add information to a personnel file will forward the materials to the Director of Human Resources for inclusion in the file providing they meet the requirements of the contents described above. Employees will be notified, in writing, when a document outside

of the contents described above has been received for inclusion in the personnel file of an employee. An example of such documentation would include a thank you note from a student or outside entity. No anonymous correspondence will be included in an employee's personnel file.

An employee's personnel file will be available to the employee for examination in the Office of Human Resources with reasonable notice and during normal business hours; a human resources staff member will be present during the examination. The employee may elect to be accompanied by an advisor (provide notification if bringing advisor) at the time of file examination. An employee's personnel file will be available for inspection in the Office of Human Resources by the employee's supervisor and others in the designated chain of command as well as the College attorney, President or authorized designee, the Board of Trustees and employees of the Office of Human Resources. An access sheet will be maintained in each employee's personnel file to record when an individual or group, other than the Office of Human Resources, has examined a particular file. With written permission of the employee or under court order, access to personnel files is available to authorized individuals or agencies outside the College.

Single copies of documents in the personnel file are available to the employee upon request, and with reasonable notice. Multiple copies of documents or a copy of the complete file are available upon request and at the employee's expense.

Employees who feel that irrelevant or unjustified materials have been included in their personnel files may submit a written objection with a petition to the Director of Human Resources for the removal of such material. If agreement cannot be reached, the employee may pursue filing a complaint as specified in the College's Equity Grievance Policy.

The Office of Human Resources shall maintain a separate and confidential medical leave status file for every employee. Human Resources will maintain U.S. Employee Eligibility Verification Forms, or the I-9, files separately from personnel files.

Inquiries for Current and Former Employees

All inquiries made by outside parties such as potential employers and financial institutions with regard to the employment history of present or former employees will be directed to the Office of Human Resources for response unless the current or former employee has provided a signed waiver form authorizing release of additional information beyond dates of employment and job title or by parties other than the Office of Human Resources.

Verification of salary will only be released if the current or former employee has provided a signed consent form requesting and authorizing the release of salary information. In the case of an inquiry for student employee information, requests will be directed to the Director of Financial Aid whose office shall handle the request for information within the College's guidelines for the [Family Educational Rights and Privacy Act](#).

Duty to Report Convictions for Current Employees

The intent of the Reporting Criminal Activity policy is to ensure the safety of the college community and to properly protect Garrett College's resources and reputation.

College employees must report all criminal charges and traffic violations in which they have been charged, (excluding parking violations) occurring anywhere in the world after October 16, 2018. Information reported in accordance with this policy will become part of the employee record.

For more information, please see the "[Reporting Criminal Activity](#)" Policy located on the College website, Policy and Procedures Page.