

**Human Resources**

**AP 7145 PERSONNEL FILES**

**References:**

Education Code Section 87031;  
Labor Code Section 1198.5

**LOCATION OF PERSONNEL FILES**

An employee has only one official personnel file. Personnel files are located in the Diversity and Human Resources Department at 450 E. Alessandro Blvd., Riverside, CA 92508. All personnel files are secured from any unauthorized access (see Access to Personnel Files) and are kept under lock and key. Keys for all personnel files are maintained by the Diversity and Human Resources Office.

**INSPECTION OF PERSONNEL FILES**

Pursuant to the Labor Code and Education Code sections referenced above, every employee shall have the right to reasonably request to inspect his or her personnel file, including any medical files, and shall be released from duty for this purpose when his/her department can reasonably accommodate the request. This right to inspect also applies to employees on leaves of absence.

Non-current employees who may view a personnel file include the following:

- Employees on leaves of absence
- Employees who voluntarily left the District, were terminated, or laid off
- Former employees who have potential legal claims against the District involving their employment relationship
- A Collective Bargaining Association representative who is specifically identified and has written authorization from the employee

Other District and non-District personnel are granted access to personnel files as long as they have a legitimate business reason. Access is limited to a “need to know” basis. All access to personnel files must be approved by the Director, Diversity and Human Resources, or designee. All files are handled by a Diversity and Human Resources employee. Others who may be approved access to records are:

- Diversity and Human Resources staff
- Supervisors (may only view documents based on business necessity)

- Law enforcement agencies (Only for current or former employees applying to be a peace officer. The request is generally accompanied by a signed waiver from the employee or former employee)
- Courts (court order or subpoena for records)

Diversity and Human Resources does not release personnel files to a third party (other than those listed above) unless there is a court order or subpoena, or a waiver or release signed by the employee.

For further information as to the content of classified employee personnel files and inspection of these files please refer to the collective bargaining agreement between the District and the classified employees (CSEA), Article XIII.

For further information as to the content of classified-confidential employee personnel files and inspection of these files, please refer to the Confidential-Classified Employees Handbook.

For further information regarding content of faculty personnel files and inspection of these files, please refer to the collective bargaining agreement between the faculty (CTA) and the District, Article XII.

For further information regarding content of management personnel files and inspection of these files, please refer to the Management Handbook under Personnel Matters.

Employees should make an appointment in advance to review their file. All personnel files are available for inspection during regular office hours each business day. The office hours are: Monday – Thursday, 7:30 a.m. to 5:00 p.m., and Friday, 7:30 a.m. to 4:30 p.m.

## DOCUMENTS CONTAINED IN PERSONNEL FILES

Personnel files include any document related to the employment relationship, such as, but not limited to:

- Any document used to determine an employee's qualifications for employment, promotion, or additional compensation (employment applications, payroll authorization forms, hiring agreements, evaluations, letters of commendation, etc.) and
- Any document used to discipline or discharge an employee

## MEDICAL RECORDS

Medical records are kept in a file separate from the employee's personnel file and are in a separate, secured location.

Medical records files may contain, but are not limited to, medical documents related to: workers' compensation, off work/return to work notices, FMLA leave requests, fitness for duty exams and pre-employment physical exams.

## RETENTION OF PERSONNEL FILES

All personnel records, whether for current or former employees, are kept indefinitely. However, depending on the age of the records, they may be in archival storage, which would require a reasonable amount of time to retrieve the records for inspection.

*Office of Primary Responsibility:* Vice Chancellor, Diversity and Human Resources

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Administrative Approval: September 28, 2009