

PERSONNEL RECORDS FOR STAFF AND ADMINISTRATIVE EMPLOYEES

POLICY STATEMENT

The University maintains personnel information for each Staff or Administrative employee in order to have a complete, accurate and current record of documents related to their job and employment status. The file serves as the historical record of information pertaining to a staff or administrative employee from the date of hire to separation.

REASON FOR THE POLICY

This policy guides the establishment, use and maintenance of personnel files for Staff and Administrative employees. State and federal regulations require that certain types of information be protected, including medical information and personal information such as social security numbers. The policy outlines the process It provides safeguards for confidentiality of information contained in the files, and mechanisms for access as appropriate.

Employers should keep all job-related documentation such as hiring records, performance reviews, disciplinary actions and job descriptions in an employee's general personnel file. Consider whether the document would be relevant to a supervisor who may review this file when making employment decisions. Is it related to the employee's performance, knowledge, skills, abilities or behavior? If so, then the document should be included in the employee's general personnel file.

Medical records must be maintained separate from the personnel file. The Americans with Disabilities Act (ADA) prohibits employers from including medical information in an employee's general personnel file. Employers should create a separate file for employee medical information that includes records related to medical leave, reasonable accommodations, workers' compensation claims, etc. Employers who are required to invite applicants and employees to self-identify as an individual with a disability under Section 503 of the Rehabilitation Act must maintain these self-identification forms separate from all other records, including other medical records.

There are also records that should not be accessible to managers and supervisors due to the sensitive nature of the information. These include documents that contain information such as date of birth, marital status, dependent information, Social Security number, immigration status, national origin, race, gender, religion, sexual orientation and criminal history. It is common for employers to have a "confidential" or "other" file that contains these records.

POLICY

Personnel records for all Staff and Administrators shall be maintained in the Department of Human Resources.

All employee records maintained in the Department of Human Resources are kept in folders which are identified as Personnel, Benefits and Worker's Compensation Files. Basically, the Personnel File contains the original Application for Employment, Employee Evaluation, Employee Warning

Reports, Employee Requisition and Change Request Forms.

Benefits and Workers' Compensation Files generally may contain information related to benefits enrollments; leaves of absence related documents, and workers' compensation claims, which are kept separate from Personnel Files.

Departmental personnel files maintained by individual area deans and directors shall contain only those records which are appropriate in conducting the business of that unit. Each dean or director shall be responsible for maintaining those files in a secure fashion, under lock and key. Upon termination of employment of an individual, all such departmental files on that individual shall be sent to the Department of Human Resources.

Establishment and Maintenance

The Department of Human Resources shall be solely responsible for the establishment, maintenance and security of Personnel, Benefits and Workers' Compensation Case Files as defined, above.

Documents to be included in the Personnel, Benefits and/or Workers' Compensation Files shall be forwarded by individual departments to the Department of Human Resources.

All Personnel, Benefits and Workers' Compensation files shall be secured in locked files in the Department of Human Resources.

Personnel, Benefits and Workers' Compensation Files shall be retained by the University as required by law. An outdated file will be destroyed in such a manner as to protect the privacy of the former employee.

Confidentiality and Access

The official personnel file shall be maintained in confidence and will be available for confidential access as outlined in this section.

Except as stated in this section, no official or employee of the University may divulge to another person, any information contained in the personnel records of another University employee.

Employees may contact the Department of Human Resources to schedule an appointment to review the contents of their own personnel files. Employees are entitled to one photocopy of any document contained in their personnel files which bears the employees' signatures. Employees may, with the approval of the Vice President of Human Resources, enter a written document into their Personnel File in the case of dispute or clarification with any of the contents of his/her Personnel File. Employees may not remove, alter, augment, deface or eradicate any documents maintained in their personnel files.

Authorized Chapman University Administrative personnel who have a "need to know" may review the contents of the Personnel Files of employees assigned to their areas of responsibility, upon securing approval from the Vice President of Human Resources.

Supervisors may review the files of employees who work within their areas of authority upon securing approval from the Vice President of Human Resources.

For a valid reason, and with the approval of the Vice President of Human Resources, the employee may authorize in writing access to their file by a person not indicated above.

For the purpose of telephone verification of employment for financial or related reasons, Human Resources will supply only dates of employment and title of the employee in question. This information will be given only upon the written approval of the employee.

Upon the approval of the Vice President of Human Resources, the University may permit access to and copying from personnel files pursuant to subpoena, or lawful requests from a federal, state or local government agency when such request is relevant to investigations, hearings or other proceedings pending before such agencies or the courts.

Employment References for Current or Former Chapman Employees

University employees and officials may provide employment references for current or former Chapman Employees.

When providing employment references, Chapman employees/officials are to limit their comments to "job-related" information. This means that they are to comment only about the job responsibilities and qualifications of the current or former Chapman employee in relation to the job responsibilities and qualifications of the prospective employer. In no case may the Chapman employee or official divulge personal or non-job-related information even if asked.

Mishandling of employment references may give rise to legal liability. Therefore, Chapman employees and officials who are asked to provide employment references should contact Human Resources for advice and assistance before providing such information.

Records Retention

Records are maintained in accordance with the campus Record Retention Policy and Matrix.

OFFICE RESPONSIBLE FOR POLICY

Human Resources

Contact information for questions about this policy:

Michael Nee, nee@chapman.edu , (714) 997-6924

WEBSITE ADDRESS FOR THIS POLICY

https://www.chapman.edu/faculty-staff/human-resources/_files/policies/personnel-records-policy.pdf

APPROVAL AND PUBLICATION DATES

Effective: (Date of publication)

This policy was published in June 1998 as part of the Staff and Administrative Handbook, sections of which were amended in March 2017. In March 2021 the sections of the handbook were separated into policies, with no substantive change in content.

RELATED MATERIALS

N/A