Personnel File Review Guidelines

Bullard-Plawecki Employee Right to Know Act permits employees to review personnel records, provides criteria for the review and prescribes the information which may be contained in personnel records.

A “personnel record”, as defined by this Act, is a record kept by the employer that identifies the employee, to the extent that the record is used or has been used, or may affect or be used relative to that employee's qualifications for employment, promotion, transfer, additional compensation, or disciplinary action.

A personnel record shall not include:

i. employee references supplied to an employer if the identity of the person making the reference would be disclosed;

ii. materials relating to the employer's staff planning with respect to more than one employee, including salary increases, management bonus plans, promotions, and job assignments;

iii. medical reports and records made or obtained by the employer if the records or reports are available to the employee from the doctor or medical facility involved;

iv. information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy;

v. information that is kept separately from other records and that relates to an investigation by the employer into potential criminal activity of an employee;

vi. educational records under the Family Educational Rights and Privacy Act (“FERPA”); and

vii. records kept by an executive, administrative, or professional employee that are kept in the sole possession of the maker of the record, and are not accessible or shared with other persons. However, a record concerning an occurrence or fact about an employee kept pursuant to this subparagraph may be entered into a personnel record if entered not more than 6 months after the date of the occurrence or the date the fact becomes known.

GUIDELINES:
Employees may review their personnel record up to two times per year by making an appointment with an HR Consultant or requesting copies of the following personnel records:

Employment/Compensation	*Payroll Records*
Supervisor File	*Benefit Records*
Workers' Compensation	*Driving Record*

- ✓ An employee may be required to provide verification of their identify before being permitted to review their files.
- ✓ Supervisors may review the Employment/Compensation file of an employee they supervise by scheduling an appointment with an HR Consultant. Hiring managers may also review the Employment/Compensation file of a prospective employee provided any information not to be considered during the hiring process is removed from the files prior to review (documents indicating marital status, age, race, etc.).

As of 5/4/2022

- ✓ The university will disclose information in personnel records to parties outside of the university only in compliance with applicable laws, collective bargaining agreements and university policy.

PROCEDURE:

1. Upon receiving a request to review a personnel record, the HR Consultant will review the Personnel File Review Form with the employee to notify them of what personnel records may exist. Based upon the response of the requestor, the HR Consultant will indicate which files the requestor wishes to review on the Personnel File Review Form and will set up a time to discuss with the requestor. Every attempt will be made to assure the appointment is scheduled in a timely manner.

    - ✓ *If the employee requests to see their Employment/Compensation file, the HR Consultant will make sure to include their performance evaluations from the electronic system.*

    - ✓ *Even though medical records are excluded from the personnel record, an employee may request to review their medical file, when appropriate.*

    - ✓ *If a request is received from an employee who is no longer employed by CMU, the HR Consultant will check with the last supervisor to ensure that Human Resources has the complete supervisor file.*

    - ✓ *If records include confidential information of other individuals (names, addresses, social security numbers), such information must be redacted before records are shared with the employee.*

2. The HR Consultant will review the files prior to providing a copy to the employee to ensure that all documents should be included as part of the personnel file being requested.

3. The HR Consultant will either sit with the person reviewing the files to ensure that nothing is removed/altered or e-mail the employee a copy of the files/documents requested.

4. Since all personnel files are scanned, the HR Consultant will suggest an electronic copy of documents/files instead of producing a paper copy, to save everyone time and expense.

5. If the employee wants Human Resources to make a hard copy of a file/document, the HR Consultant will make arrangements for a time for the employee to pick up the copies. The employee will be charged $.10 per page for anything in excess of 10 pages. The employee may pay with cash, or a check made payable to CMU prior to receiving the copies and made applicable notes on the bottom of the Request Form.

6. The HR Consultant will have the employee (reviewer) sign and date the Personnel File Review Form and file in front of the Employment/Compensation file.