

FLATHEAD VALLEY COMMUNITY COLLEGE

Policy Manual

CHAPTER VI –HUMAN RESOURCES

SECTION 50: PERSONNEL FILES

Approved: May 18, 2009

For each employee, the College shall maintain an official personnel file in the office of Human Resources. An employee's position title(s), duration of employment, and salary are public information and shall be released on request. Other records may be confidential and access to them is limited. Employees are entitled, upon advance request, to review their official personnel file.

I. ACCESS

- A. Access to individual personnel files will be limited in accordance to law.
- B. The President, or designee, may disclose confidential personnel data with the written consent of the employee or as provided by law.
- C. The following shall have access to an employee's personnel file:
 - 1. The employee (except for confidential placement files and letters of recommendation);
 - 2. The direct supervisor and employees above the supervisor in a direct line of authority;
 - 3. The Executive Director of Human Resources and employees working under the supervision of the Executive Director of Human Resources.
 - 4. Agents of the College, including its attorneys, auditors, and various federal and state agencies.

Nothing in this policy prohibits those having authorized access to employee personnel records, as provided in this policy, from relying on the content of those records when responding to a request for employment information from organizations to which the employee has applied for employment.

- D. An employee may file a written response to information contained in their personnel file which becomes a permanent part of the record. The response must be filed within 10 working days of the date on which an employee is made aware of the information. A copy shall be provided to the employee's supervisor.
- E. Medical information will be kept in separate files. As provided in the ADA, access is

restricted to supervisors and managers when identifying restrictions on the employee's work or duties or identifying necessary accommodations; first aid and safety personnel, when appropriate, if the disability might require emergency treatment, and on request from government officials investigating compliance with the ADA.

II. ADVERSE MATERIAL

No disciplinary notices or materials that may be used to support disciplinary action shall be placed in a personnel file that does not bear the signature of the employee indicating they have been shown the material, or a statement by a supervisor that the employee has been shown the material and refused to sign. A copy of any such material shall be furnished to the employee.

REFERENCE: Americans with Disabilities Act, 42 U.S.C. §12110, et seq.; 2-17-550-553 M.C.A "Governmental Internet Information Privacy Act"; Collective bargaining agreements

*History: Adopted November 12, 1986; Revised October 22, 2001; Revised May 18, 2009, Revised November 23, 2015; Revised July 22, 2019