

## **ARTICLE 17: PERSONNEL FILE CONTENT AND INSPECTION**

17.1 Definition: A “personnel file” shall mean the file which is compiled on an employee and maintained by the Human Resources Office. Excluded from such file are supervisors’ personal notes regarding the employee and records relating to grievances. The materials in the personnel file shall be the only personnel records which may be used by the District in any proceedings which affect the status of the employee. Such material is not to include ratings, reports, or records which were obtained prior to the employment of the person involved.

### 17.2 Placing Materials in the Personnel File

17.2.1 No material whose origin cannot be identified may be placed in the file.

17.2.2 Prior to any adverse or derogatory material being placed in a personnel file, the employee will be given a reasonable time to respond, in writing, to the material. A copy of the material shall be provided to the employee along with written notice of the deadline for response. Any such written response shall be submitted to the Human Resources Office within twenty (20) working days from the date of issuance to the employee of the derogatory or adverse material. This response shall then be attached to the material and entered in the file (Education Code, Section 87031).

17.2.3 Upon the request of the employee, all materials that the Unit Member deems derogatory, shall, after remaining in the employee’s official personnel file for a period of three (3) years or more, be placed in a separate sealed envelope, which shall be retained in the employee’s official personnel file. This sealed envelope may not be viewed by anyone other than an authorized District employee under the direction of the Assistant Superintendent/Vice President, Human Resources, and may not be opened except by the Assistant Superintendent/Vice President, Human Resources to address any legal matters.

### 17.3 Viewing the Personnel File

17.3.1 An employee shall have the right, at any reasonable time, to inspect his/her personnel file.

17.3.2 The employee may be accompanied by a representative of the SCCDAA.

17.3.3 Personnel files shall be kept in confidence and shall be available for inspection to:

17.3.3.1 The Unit Member, a representative of SCCDAA (with the Unit Member’s written authorization).

17.3.3.2 Authorized administrative employees of the College District in the proper administration of the College District's operations, the supervision of the Unit Member, and to address any legal matters for the College District or in legal defense of the College District.