




Human Resources Services Policies and Procedures

Policy Title: Personnel Files	Policy Number: 3.7
Effective: October 30, 2005	
Supersedes: Administrative Policy #105 R 7/93	
Approval: 	Page 1 of 5

1.0 Scope

- Full-time
 Part-time
 Temporary/Contract
- Salaried
 Union
 Independent Contractors

Employees who are covered under the provisions of a collective bargaining agreement will follow the standards as contained in their respective contracts if this policy conflicts with the language in the contract.

2.0 Purpose

To define the policy, procedures and time parameters of maintenance and retention of any and all types of City of Ann Arbor personnel files.

3.0 Policy

- 3.1** Personnel records of current and past employees shall be maintained by Human Resources Services in a confidential manner for the legally prescribed period of time. This shall be the only official employee file kept by the organization. The City will take all appropriate steps to protect the privacy of personal information contained in the employee's personnel file housed in Human Resources Services.
- 3.2** Unless otherwise directed by court order, only administrative, management, supervisory personnel with a need-to-know may review an employee's personnel file. Employees may review, and upon request, receive a copy of any information in their personnel file, but generally not more than twice per calendar year.

DISCLAIMER

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- 3.3** Files related to an employee's employment are the property of the City of Ann Arbor.

4.0 Responsibility

Human Resources Services will monitor compliance with this policy. Service Area Administrators will implement this policy within his or her own area. It is the responsibility of each employee to follow this policy and abide by its intent.

5.0 Definitions

- 5.1 Personnel file**— A series of records kept by the employer that identifies the employee, to the extent that the file 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 file shall include a file in the possession of a person, corporation, partnership, or other association who has a contractual agreement with the employer to keep or supply a personnel file.
- 5.2 Unit Employee File**— Each functional unit will designate a file location for employees and prospective employees of their unit with the responsibility of maintaining and securing the confidentiality of any and all types of records, forms, data or anecdotal notes relating to the selection, status, performance, salary, discipline, training, etc. of those affected persons.

6.0 Procedures

6.1 Content

- A. The types of documents maintained and retained in the employee personnel file housed in Human Resources Services files may include, but is not limited to the following:
1. Application for Employment and/or resume
 2. Payroll Authorization Records
 3. Vacation Records
 4. Personnel Data Record
 5. Performance Evaluations
 6. Disciplinary Records
 7. Diplomas, certificates, training records and related personal accomplishment documentation
 8. Salary history
 9. Leave of Absence information (non-medical)
 10. Attendance reports

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11. Circumstances related to employee's termination
 12. Other information as deemed appropriate by Human Resources Services
- B. Documents *not* to be included in the personnel file include medical records, grievance hearings, records of criminal activity, and those employment documents required by law to be kept separate from the employee's personnel files.

6.2 Duplicate Copies of Personnel Files

- A. An official employee personnel file for all staff employees will be retained in Human Resources Services. Human Resources Services may authorize appropriate management to maintain or retain duplicate copies of the documents housed in the official employee personnel file as stipulated within this policy and pursuant to the City's record retention policy.
- B. Records not housed in the employee's official personnel file may not be used in determining any disciplinary actions.
- C. Supervisors and Managers maintaining employee files are responsible for ensuring a proper need or a right to know when allowing review of such files. The Director of Human Resources and Labor Relations, or designee, may be consulted regarding access to employee files.

6.3 Employee Access to His/Her Own File

- A. All requests for access to personnel files shall be submitted in writing. Internal access to personnel files of personally identifiable information or other employment related data/information about an individual is subject to the following guidelines:
1. An employee may have access to his/her own personnel file. Requests for access must be made to Human Resources Services at least 24 hours in advance of the desired review time. The file shall not leave Human Resources Services. A Human Resources Services staff member shall be in attendance at all times and employees may not remove any items from the file.
 2. Photocopies of file entries shall be provided upon request.

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3. Employees may add items to the file in accordance with the Bullard-Plawecki Act and with the concurrence of the Director of Human Resources and Labor Relations, or designee.
4. An employee has the right to request correction or amendment of any information contained in the employee's personnel file. If the employee is or should be aware that this information is in the file, the request for correction or amendment shall be made within sixty (60) calendar days from the date the information was put in the file. If the employee is unaware the information is in the file and only discovers such information upon review of the personnel file, the request for correction or amendment shall be made within thirty (30) calendar days of the review.

6.4 Other City Employee Access

- A. A properly identified and authorized member of the City's management team or legal team may request and review any information pertaining to the employee contained in the file provided there is an official need to do so.
- B. Employees of Human Resources Services may be specifically authorized to request, receive, and review, for official purposes, an employee's personnel file.

6.5 External Requests for Access

- A. All requests for access to personnel files shall be submitted in writing. External access to personnel files of personally identifiable information or other employment related data/information about an individual without specific written authorization from that individual is subject to the following guidelines:
 1. Verification of Employment/ References
 - a. External release of employment information shall be limited to the dates of employment, position title, and salary information. Any requests for information should be directed to Human Resources Services and will be handled in accordance with applicable state laws.

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- b. A City employee is prohibited from releasing any information (except as authorized in this policy) about another employee without a written authorization from that individual.
2. Other
- a. Other external access to personnel files shall be authorized only by the Director of Human Resources and Labor Relations (or designee). The Director of Human Resources and Labor Relations normally provides access to personnel files under the following circumstances:
 - 1. To protect the legal interests of the City
 - 2. To a law enforcement authority when appropriate
 - 3. Pursuant to a federal, state or local government statute or regulation that specifically requires disclosure of certain information to certain parties
 - 4. In response to a lawfully issued search warrant or subpoena. (A subpoena or other legal process for the production of the personnel file shall be reviewed by the City Attorney's office prior to release of the information.)
 - 5. In compelling circumstances affecting the immediate health or safety of the individual.
 - b. Requests for information resulting from complaints to government agencies or other investigatory bodies or individuals will be referred to the Director of Human Resources and Labor Relations (or designee).

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