

ARTICLE V – PERSONNEL FILES

- 5.1 Personnel files shall be kept in confidence and may be inspected only by the District or unit member in the course of the proper administration of the District's affairs and/or the supervision of a unit member.
- 5.2 Material in personnel files of unit members which may serve as a basis for affecting the status of their employment or evaluation of their competence is to be made available for the inspection of the person involved. The inspection shall be made in the presence of the administrator in charge of the file. The unit member may be accompanied by a representative to review the file.
- 5.3 Such material is not to include ratings, reports, or records which (1) were obtained prior to the employment of the person involved, (2) were prepared by identifiable examination committee members, or (3) were obtained in connection with a promotional examination.
- 5.4 Every unit member shall have the right to inspect and copy such material upon request, provided that the request is made at a time when such person is not actually required to render services to the District.
- 5.5 Information of a derogatory nature, except material mentioned in Section 5.3, shall not be entered or filed unless and until the unit member is given notice and an opportunity to review and comment thereon.
- 5.6 If derogatory information is placed in the personnel file, it shall be within ten (10) working days following the incident. A unit member shall have the right to attach his/her own comments to any such material and acknowledge that such material has been read by initialing and dating that material. This acknowledgment does not constitute agreement with any or all of the materials. Derogatory material shall be removed from the file if charges are without substance.
- 5.7 The District shall keep a log in each personnel file indicating the names of the persons who have examined the file as well as the dates such examinations were made. These documents shall be available for examination by the unit member and/or the authorized Association representative of the unit member.
- 5.8 Any person who places written material or originates written material for placement in a personnel file shall sign and date the material.
- 5.9 The placement of material in a personnel file shall not be subject to the grievance procedure of the Association/District contract if the above procedures have been followed.