

ARTICLE V
PERSONNEL FILES

- 5.1 A single central personnel file for each employee in the unit shall be maintained in the District Human Resources Department, and each college campus may maintain duplicate records of the information contained in such file, which is immediately relevant to fulfillment of campus management responsibilities.
- 5.2 Any item to be placed in the central file must be clearly identified as to its source, author, date of preparation, and its date of receipt by the District, and, by its content or by other appropriate means, shall contain an indication that the employee initiated placement of the document in the file, or previously received a copy of the document, or otherwise received notice that the document was to be placed in such file. The foregoing requirements for notification shall not be applicable to documents defined as confidential under federal or state statutes. The date a document is stamped as received by the District Human Resources Department shall be considered to be the date of its placement in the central personnel file.
- 5.3 An employee covered by this Agreement, or an SEIU representative possessing written authorization from such employee to examine such employee's central personnel file, shall have access to such personnel file of such employee by appointment during regular business hours of the District. The employee may examine such file during a period when he/she is not actually required to render services to the District, or at such other mutually convenient time as the District and the employee shall jointly establish, including appointments for employees at outlying work sites. The employee or authorized Union representative may obtain copies of materials and documents contained in the file. Release of such material requires written consent of the employee.
- 5.4 An employee may inspect and reply to any item in his/her personnel file and this response shall be attached to the item. Information of a derogatory nature shall not be entered or filed unless and until the employee is given notice and an opportunity to review, with reasonable release time for such review, and the right to reply to such information.
- 5.5 Any document that is placed in an employee's personnel file in a manner that violates the provisions of this article shall not be used to directly or indirectly initiate any adverse action against such employee.
- 5.6 All persons, including an employee's supervisor and those considering employees for hiring or advancement opportunities, except for the Chancellor or Deputy Chancellor examining a personnel file, shall sign and date a log attached to each personnel file. The Human Resources Department staff will note signature exceptions on the log.
- 5.7 Negative information in the personnel file may be sealed as part of a settlement arising from a grievance or other administrative procedure mutually agreed to by SEIU and the Chancellor or Chancellor's designee. Access to such sealed material shall be limited to the employee and the Chancellor or Chancellor's designee. Negative materials which have given rise to a grievance shall be tentatively placed in the employee's personnel file but will not become a permanent record until the grievance has been resolved.
- 5.8 An employee may request that information pertaining to a disciplinary action be sealed

after twenty-four (24) months from imposition, provided there has been no other disciplinary documentation in the file in that time period. Such sealed material may be reopened and used at the discretion of the Chancellor or Vice Chancellor, Human Resources.