

ARTICLE 28
PERSONNEL FILES

A. REVIEW OF PERSONNEL FILE

1. An employee shall, upon written request to the University, have the opportunity to review his/her personnel file(s) within a reasonable time in the presence of a representative of the University. At the time of such request the supervisor, to the extent he/she is aware of the location(s) of such files, shall inform the employee of the location(s) of the file(s).
2. Where operational requirements permit, an employee shall be granted a reasonable amount of time in without loss of straight time pay status to review his/her personnel file(s). When granting such requests, the immediate supervisor shall take into account the frequency of such requests and the amount of time the employee is or will be engaged in such activity. An AFSCME representative may accompany, pursuant to F.4 of Article 9 - Grievance Procedure, the employee when the employee is reviewing his/her personnel file(s). Alternatively, an individual employee may authorize a designated AFSCME representative to review the employee's personnel file(s) on the employee's behalf. Such written authorization shall be valid for a period of thirty (30) calendar days from the date of the signature of the authorization or within a written time limit specified by the employee, whichever is later.
3. Pursuant to University procedures, fees may be charged for making copies of personnel file information or extracts thereof; however, there is no charge for the first copy of the individual employee's own records.

B. DISCIPLINARY MATERIALS

Copies of letters of warning and/or disciplinary action shall, upon being placed in the employee's personnel file(s), be provided to the employee. Proof of Service (pursuant to M. of Article 9 - Grievance Procedure) shall accompany the copies. Letters of warning and/or disciplinary action which did not involve criminal violations will, upon written request of the employee, be removed from the employee's personnel file(s) if there have been no other warnings or disciplinary actions of the same or of a similar kind for a two (2) year period. If there have been no other warnings or disciplinary actions of the same or similar kind for a two (2) year period, materials which would be removed upon an employee's request which are more than two (2) years old will not be used or relied upon to take or support disciplinary action.

C. EMPLOYEE COMMENTS

Employees may choose to make written comments on materials in their personnel file(s). These comments must be directly related to a specific file

document(s) and will be added to the file(s) pursuant to existing campus practices. Such comments shall not require the University to change or alter the document(s) or the actions indicated by the document(s).

D. CONFIDENTIAL MATERIALS

Records protected by recognized legal privilege and records excepted from disclosure by law may be withheld from the employee and/or the employee's representative. Neither an employee nor his/her representative shall be entitled to review confidential pre-employment information or confidential information relating to transfers or promotions of the employee out of his/her bargaining unit, nor shall the employee or his/her representative be entitled to review documents related to internal University labor relations or personnel policy or Agreement applications.