

Article XX. Personnel Files

Section 1.

~~Employees and the Union shall be notified of the identity of the custodian of their personnel files. The custodian will be responsible for identifying the location and process for accessing the file. The Employer shall maintain files relating to employment in accordance with the applicable University policy and/or state or federal law. The Official Personnel File (OPF) for each employee will be maintained by Campus Human Resources. This office will be responsible for identifying and notifying the Employee and the Union of the location of and process for accessing the file. The OPF will accompany the employee throughout their service career at the University of Washington. The departmental file will be maintained by the department, who will notify the Employee and the Union of the location of and process for accessing the file.~~

Medical information related to employment will be kept in Campus HR and will be kept separate from all other employment files and confidential in accordance with state and federal law.

Individual supervisors may create and retain documents in a supervisor file. Documents in the supervisor file will not be placed in the departmental file or OPF unless they are incorporated as part of an official action (such as performance evaluation or a corrective action).

Section 2.

~~Employees have the right to examine all materials in their files that are not non-disclosable pursuant to state and/or federal laws and, upon written request to the file custodian, will be provided a copy of any materials in those files. The personnel file will be made available for review by the Employee and/or the Employee's designated person upon written request to the file custodian within three (3) workdays of the request. Upon written request, an employee and/or the employee's representative have the right to examine all materials in their OPF that are not non-disclosable pursuant to state and/or federal laws. Each employee has the right to review all materials that are not non-disclosable pursuant to state and/or federal laws in their OPF, departmental file, personnel file, supervisory file, attendance file, payroll file, and medical file, upon written request by an employee to their Human Resources Consultant (for OPF) or department HR manager (for departmental file), the employee and/or the employee's representative may examine the employee's OPF or departmental file. A copy of the written authorization will be retained in the employee's departmental file. Information about accessing OPF is provided here: <https://hr.uw.edu/policies/official-personnel-file-access/>.~~

Employees also have the right to examine all materials in their departmental file and/or supervisor file that are not non-disclosable pursuant to state and/or federal laws. Upon written request by the employee to their departmental HR, the employee and/or the employee's representative may examine the employee's departmental file and/or supervisor file. A copy of the written authorization will be retained in the employee's departmental and/or supervisor file.

Departmental files will be reviewed with the Employer representative during business hours. The employee and/or employee's representative may request copies, which may be provided at no cost if the size of the request is reasonable. A copy of the written authorization will be retained in the employee's file.

Section 3.

A copy of any correspondence, adverse materials, or letters issued and intended to be included in an employee's OPF shall be mailed or given to the employee prior to becoming a permanent part of the file. Employees shall have the right to request removal or correction of inaccurate materials in from their personnel files, attach a concise statement in response to any item in the files and/or request removal of inappropriate material from the files, attach a concise statement in response to any item in the files and/or request removal of inappropriate material from the files. An employee may insert a reasonable amount of job-related materials in his or her personnel file that reflects favorably on their job performance. An employee may provide a written rebuttal to any information in the files that they consider objectionable. The employer will attach the rebuttal to the related document. Removal of records is subject to the University's records retention policies.

Section 4.

No grievance materials shall be placed in an individuals' OPF. ~~y individual's personnel files.~~ Grievances shall not be referenced unless necessary for payroll, leave, or other similar legitimate business purposes.

Section 5.

No individually identifiable information in the personnel files of a Employee, including supervisory job performance evaluations, shall be made publicly available except as required under state and/or federal law.

Section 6.

Unauthorized parties shall not have access to any employee's OPF or departmental file. A record will be retained in the OPF of the names of individuals outside of HR who have reviewed the personnel file who do not have written authorization from the employee, except requests for records in accordance with the Public Records request process. The Union shall be provided access to bargaining unit member personnel files with the written consent of the individual Employee. A copy shall be provided upon request.

Section 7.

Adverse material or information related to alleged misconduct that is determined to be false, and all such information in situations where the employee has been fully exonerated of wrongdoing, and/or any documents removed pursuant to Article XX Corrective Action and Discipline, will be promptly removed from the employee's files. The Employer may retain this information in a legal defense file in accordance with the prevailing Washington State law. The Employer may retain

~~information relating to employee misconduct or alleged misconduct if the employee requests that the information be retained.~~