

SECTION: 3.0 PERSONNEL

SUBJECT: PERSONNEL FILES

Title: Personnel Files

Background: This policy states that a file will be maintained for each employee in the HRS Office and may be examined by the employee during business hours. This policy refers to SBOE policy II.P. as well as the Idaho Public Records Act.

Point of Contact: Human Resource Services

Other LCSC offices directly involved with implementation of this policy, or significantly affected by the policy: Administrative Services

Date of approval by LCSC authority: August 22, 2014

Date of State Board Approval: N/A

Date of Most Recent Review: July 2022

Summary of Major Changes incorporated in this revision to the policy: Format changes using LC State style guide

1. Employee Files

- A. In conjunction with State Board of Education (SBOE) policy II.P <https://boardofed.idaho.gov/board-policies-rules/board-policies/human-resources-policies-section-ii/general-policies-and-procedures-all-employees-ii-p/>), LC State will maintain for each employee a personnel file which is open for examination by the employee in accordance with the provisions of the Idaho Public Records Act, Idaho Code 9- 337 et seq. and other applicable law during the regular business hours of the office in which the file is kept. The official personnel file shall be housed in the Human Resource Services office and shall contain the following information:
- i. The employee's original application and resume;
 - ii. Documentation of all actions regarding an employee's employment status;
 - iii. Documentation of all employee evaluations, including disciplinary actions; and
 - iv. Documentation regarding tenure and promotion actions.
- B. College offices are responsible for ensuring that all employee documentation is forwarded to the Human Resource Services office for placement in the official personnel file.
- C. No documents that are anonymous or based on rumor may be placed in the personnel file.
- D. The employee may, pursuant to the Idaho Public Records Act, request in writing an amendment of any record pertaining to that employee. Within ten days of the receipt of the request, the custodian of the files will make any correction of any portion of the file which the individual establishes is not accurate, relevant, or complete; or inform the individual in writing of the refusal to amend the record(s) in accordance with the request and the reasons for the refusal as set forth in the Idaho public records act.
- E. In accordance with the Idaho Public Records Act and other applicable law, an employee may obtain copies of materials in his or her personnel file.
- F. Material cannot be copied without the employee's prior approval, except that, if the employee is a faculty member of the college, the immediate supervisor of the employee may make copies for the purposes of annual evaluations and for tenure and performance committee review. A faculty member can add to or update his or her file at any time prior to his or her review. Should a faculty member choose not to do so, the review body shall proceed on the basis of the information available.

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G. LC State will, other than to the employee as provided in subsection one above and to supervisors and others involved in tenure reviews and performance evaluations as provided by Board and institutional policies and rules, refuse to disclose to third parties all personnel records of a current or former employee other than the employee's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace and employing entity. All inquiries regarding employees will be referred to the Human Resource Services office. All other personnel information relating to the employee or an applicant for employment, including but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications testing and scoring materials, grievances, correspondence and performance evaluations, will not be disclosed to the public without the employee's or applicant's written consent. A public official or authorized representative may inspect and copy his personnel records, except for materials used to screen and test for employment, as set forth in Idaho Code Section 9-340C.

2. File Maintenance and Retention

- A. LC State shall maintain personnel files under such conditions as are necessary to ensure the integrity and safekeeping of the files, and may establish additional policies and procedures for the maintenance of personnel files consistent with the Idaho Public Records Act and other applicable law.
- B. Personnel files must be retained in accordance with the following minimum guidelines for record retention:
 - i. All applications for a vacant position must be retained for a minimum for two (2) years following the appointment of a person to the position.
 - ii. Any personnel files related to and involving legal action must be retained indefinitely.
 - iii. Personnel files must be retained for a minimum of three (3) years following severance of an employment relationship with LC State.
- C. A summary record of employment relationships is kept indefinitely at the Idaho State Controller's Office in Boise, Idaho.