

## **ARTICLE 20 PERSONNEL FILES**

### **A. GENERAL PROVISIONS**

A personnel file is the repository of information (including reports, documents, correspondence, and other materials) pertaining to an Academic Researcher's appointment with the University.

1. **Access to Personnel Files** - The University shall identify the location(s) where an Academic Researcher or their designated representative, may obtain access to the Academic Researcher's personnel file(s). The University shall designate a contact who will identify the location and process for accessing the file.
2. **Information in the Files**
  - a. An Academic Researcher's personnel file(s) contain information related to the individual's appointment at the University, such as: the Academic Researcher's proof of degree or transcript, Curriculum Vitae, UC's Appointment and Reappointment notices, information about the Academic Researcher's pay and benefits, record of training, confidential and non-confidential review records, corrective actions, and dismissals, and other relevant or necessary information specified by the University.
  - b. Upon the Academic Researcher's written request, counseling memoranda and/or written records of discussions will be removed from the Academic Researcher's personnel file if there have been no other such memoranda relating to, or corrective action on, the same or similar issue(s) for a two-year period, unless retained pursuant to a legal requirement or University policy.
  - c. Non-confidential items placed in an Academic Researcher's personnel file(s) shall contain the date of the document's creation, and its source, and may contain the date on which the information was placed in the file.
  - d. The Academic Researcher has the right to request that errors of fact in personnel records be corrected, and to make additions to personnel records. The request to the appropriate University official shall include the reason(s) for the correction or addition. This statement shall become part of the Academic Researcher's file. Within thirty (30) calendar days, the University shall determine whether the request will be honored and so inform the Academic

Researcher in writing. If the request is denied, the reasons shall be included in the written notice.

**B. ACADEMIC RESEARCHER AND/OR REPRESENTATIVE REVIEW OF PERSONNEL FILE(S)**

An Academic Researcher shall, upon written request to the University, have the opportunity to review the Academic Researcher's personnel file(s) in the presence of a representative of the University, within five (5) working days after the University received the request.

1. An individual of the Academic Researcher's choice may accompany the Academic Researcher when the Academic Researcher is reviewing the Academic Researcher's personnel file(s) so long as the person chosen is not a supervisor, manager, or confidential employee.
2. Alternatively, an individual Academic Researcher may authorize a designated representative to review the Academic Researcher's personnel file(s) on the Academic Researcher's behalf. Such written authorization shall be valid for the period designated by the individual but not to exceed the duration of the Academic Researcher's appointment, or if no time period is designated, for a period of one (1) year from the date of the signature of the authorization. The designated representative shall present the signed and dated authorization when requesting access to an Academic Researcher's personnel file.
3. The Academic Researcher and their representative shall be entitled to examine all non-confidential material in the Academic Researcher's personnel file(s) except that only the Academic Researcher may examine any redacted copies of confidential material. Records protected by recognized legal privilege and records exempted from disclosure by law may be withheld from the Academic Researcher and their representative.

**C. GRIEVANCE-RELATED FILES**

Records involving the processing of an Academic Researcher's grievance, such as the grievance form, step appeals/responses, and settlement documents, will be kept in a file separate from the Academic Researcher's personnel file(s).

**D. DUPLICATION COSTS**

Within ten (10) working days of a written request, an Academic Researcher shall be given a complete copy of the requested non-confidential items in the personnel file(s). If a written request for a redacted copy of confidential material in the Academic Researcher's personnel file(s) is received by the University, the request shall be fulfilled within thirty (30) working days. The University will

provide the first copy of such material at no cost to the Academic Researcher. Subsequent copies will be provided at ten cents (\$.10) per page.

- E.** Confidential material, legal privilege, and records exempted by law from disclosure shall be as defined in the California Evidence Code or by other statutes and relevant case law and shall not be subject to the Grievance and Arbitration procedures of this Agreement.