

Utah Tech University Policy

304: Personnel Files



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I. Purpose

- 1.1 Utah Tech University (“the University”) will maintain a Personnel File on each employee. Each Personnel File will contain accurate and updated materials relevant to the individual’s employment, with Human Resources acting as the repository of such information.

II. Scope

- 2.1 This policy applies to all University personnel records, whether they pertain to full-time employees, part-time employees, and/or Official University Volunteers, as defined by University Policy 301.

III. Definitions

- 3.1 **Government Records Access and Management Act (GRAMA):** A series of laws designed to guarantee that the public has access to public records of government bodies. See Utah Code, Title 63G, Chapter 2.
- 3.2 **Human Resources Officer:** An active, full-time employee within the University’s Human Resources Office, as approved by the Human Resources Director.
- 3.3 **Personnel File:** An employer’s saved documentation of the history and status of the employment relationship with an individual employee, gathered in the course of official University business. Records may include, but are not limited to job application, resume, educational transcripts, job description(s), benefits enrollment/changes, new hire employee paperwork, statements of salary, job offer and/or job change information, training certifications and/or policy compliance documentation, performance appraisals, letters of recognition, disciplinary notices, and payroll action forms. Personnel Files will be kept

as secure physical files within Human Resources and/or in secure electronic files within the Human Resources Information System, in accordance and compliance with Human Resources industry best practices and applicable state laws as outlined in the Utah Division of Archives and Records.

IV. Policy

4.1 Human Resources is responsible for maintaining Personnel Files.

4.1.1 University departments and/or divisions may maintain department/division informational files, with relevant department personnel information that assists them in administration. Such department/division informational files will not be considered part of the employee's Personnel File unless the department, division, and/or employee wishes such records be added to their Personnel File within Human Resources.

4.1.1.1 Department/division informational files maintained by the department or division should only contain department or division-specific information (e.g., faculty member's progress toward tenure, copies of contact information already on file with Human Resources, etc.) and may not contain confidential information, such as documents with social security numbers, new hire employment paperwork, benefits enrollment forms, and/or employee medical information unless pre-approved by Human Resources for accreditation purposes.

4.1.1.2 While departments or divisions may keep department/division informational files, certain employment items must be given to Human Resources for the employee's Personnel File. These include:

4.1.1.2.1 Probationary and/or Annual Performance Appraisals, as defined in University Policy 325 and University Policy 327.

4.1.1.2.2 Job Description changes or updates, as defined in University Policy 351.

4.1.1.2.3 Disciplinary actions, as defined in University Policies 371-380.

4.1.2 Upon termination or leaving University employment,

department/division informational files maintained by the department must be submitted to Human Resources for review prior to being securely archived or securely destroyed.

- 4.2 All Personnel Files will be secured, and only authorized personnel will be permitted to view them.
 - 4.2.1 Personnel Files are the property of the University and may be accessed by administration, supervisors, and the employee, if allowed under GRAMA.
 - 4.2.2 Medical evaluation files (such as Family Medical Leave requests and documentation associated with University Policy 349, employee physical examinations associated with University Policy 323, etc.) and employee grievance documentation unrelated to University Policy 151 and/or corrective and disciplinary action are kept separate from the Personnel File and are to be accessed only by Human Resources and by the employee, unless the contents therein are determined to be discoverable under GRAMA or by other legal means.
 - 4.2.3 No person has the right to inspect or copy the contents of the Personnel File relating to any other individual beyond those listed in Section 4.2.1, except to the extent that such a person may be authorized to do so pursuant to GRAMA.
 - 4.2.4 Information within an employee's Personnel File may be released by written authorization of the employee or by a court order.
 - 4.2.5 Unauthorized access to or usage of Personnel Files by an unauthorized person will result in disciplinary action.
- 4.3 An employee has the right to review and have copies made of the contents of their Personnel File upon written request, in the presence of a Human Resources Officer, except for information or materials therein that are classified as "controlled" or "protected" under GRAMA.
- 4.4 Employees must notify Human Resources of any changes in name(s), address, telephone number, marital status, dependents, tax or payroll deduction benefits, or personnel matters within 30 days of event in order to update the Personnel File accordingly. Employees may be asked to provide appropriate documentation before such changes are implemented.
- 4.5 An employee will receive a copy of any derogatory or negative information

by its originator before it is placed in their Personnel File.

- 4.6 An employee may request the inclusion of relevant documents to be added to their Personnel File. Relevancy of such documentation to be included is determined by a Human Resources Officer.
- 4.7 An employee may challenge any factual statement or entry of factual data in their Personnel File upon the grounds that it is inaccurate, misleading, inappropriate, or otherwise a violation of individual rights.

V. References

- 5.1 University Policy 151: Staff Grievances
- 5.2 University Policy 301: Personnel Definitions and Classifications
- 5.3 University Policy 323: Employee Physical Examinations
- 5.4 University Policy 325: Probation
- 5.5 University Policy 327: Staff Performance Evaluations
- 5.6 University Policy 349: Family and Medical Leave
- 5.7 University Policy 351: Job Descriptions, Classification, and Reclassification
- 5.8 University Policies 371-380: Disciplinary
- 5.9 Utah Code, Title 63G, Chapter 2 – Government Records Access and Management Act: <https://le.utah.gov/xcode/Title63G/Chapter2/63G-2.html>.
- 5.10 Utah Division of Archives and Records Service, Records Management: <https://archives.utah.gov/recordsmanagement/>.

VI. Procedures

- 6.1 To examine a Personnel File, a written request is to be made to a Human Resources Officer. After verifying the identity of the employee through photo identification or entity making the request under GRAMA, Human Resources will take appropriate steps to comply with the request. The request will be addressed as soon as reasonably possible, and no later than ten (10) business days after the written request is received.
 - 6.1.1 Information which relates to persons other than the subject employee shall be temporarily removed from the Personnel File

before employee inspection.

6.1.2 Letters or memoranda of recommendation, evaluation, or criticism, which were submitted upon request of confidentiality, shall be temporarily removed from the Personnel File before employee inspection.

6.1.3 Administrative costs associated with producing a copy of the Personnel File (not to exceed \$0.25 per copied page) will be communicated to the employee or entity making the request. Costs must be recovered before the employee or entity may receive the requested copy.

6.2 An employee may submit a written response to be included in their Personnel File whenever derogatory or negative information is placed in the Personnel File.

6.3 Any challenge of factual statement or entry of factual data in an employee's Personnel File shall be made, in writing, to the Human Resources Director. The Human Resources Director will review the facts and supporting data and work with the applicable Vice President or President direct report to make a determination regarding incorporation of additional documentation to add clarity, correct inaccuracies, or remove inaccurate or inappropriate information from the Personnel File. The employee will be advised in writing of all approved modifications.

VII. Addenda – N/A

Policy Owner: Executive Director of Human Resources

Policy Steward: Executive Director of Human Resources

History:

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