

Chapter 7 - Human Resources

AP 7145 Personnel Files

References:

Education Code Sections 66271.41, 87031; Labor Code Section 1198.5

Personnel files are private and permanent records. Every employee has the right to inspect ~~his/her~~ **their** personnel records pursuant to the Education Code and Labor Code.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to have ~~his or her~~ **their** own comments attached to any derogatory statement. The employee shall have a right to inspect ~~his or her~~ **their** own personnel file. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect ~~his/her~~ **their** personnel records at a time when the employee is actually required to render services to the College.

Nothing in this procedure shall entitle an employee to review ratings, reports, or records that (a) were obtained prior to the employment of the person involved, (b) were prepared by identifiable examination committee members, or (c) were obtained in connection with a promotional examination or interview.

The Office of Human Resources shall retain all required and necessary employment-related documents in personnel files. Letters of commendation and other items not required for employment purposes shall be retained by the immediate supervisor.

The College shall implement a system by which employees can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of an employee, the College shall update any records for the individual to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to College-issued email addresses, employee identification cards, class rosters, transcripts, diplomas, certificates of completion of courses, or similar records.

Reviewed: May 14, 2013

Reviewed: December 6, 2014

Reviewed: June 9, 2015

Reviewed: August 17, 2016