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| <b>SUBJECT:</b> Employee Personnel Records        | <b>NUMBER:</b> 10.011.01       |
| <b>DIVISION:</b> Human Resource Services Division | <b>EFFECTIVE DATE:</b> 1/11/08 |

**APPROVED:** Signature on file with the Human Resource Services Division

**POLICY STATEMENT:** An appointing authority is responsible for establishing and maintaining an official personnel file for each individual employee.

**AUTHORITY:** ORS 40.570; 192.105; 192.445; 192.501; 192.502; 192.505; 240.145(3); 240.250; 240.750; 652.750 and OAR 166-300-0040(9)

**APPLICABILITY:** Classified (unless superseded by collective bargaining agreements), management service, unclassified, and temporary employees

**ATTACHMENTS:** None

**DEFINITIONS:** See HRSD State Policy 10.000.01, Definitions; and OAR 105-010-0000

**POLICY:**

- (1) An appointing authority is responsible for establishing and maintaining an official personnel file for each individual employee.
  - (a) The official employee personnel file shall reside in the employee's current agency. Gaining agencies shall be responsible for requesting the official file from a transferring employee's losing agency. **Refer to DAS Statewide Policy 107-004-100, "Transporting Information Assets" and your internal agency policy on the appropriate method for transferring records.**
  - (b) If an employee works for more than one agency, each agency shall establish and maintain an official employee personnel file. The employee's complete official file, with any prior agency personnel documents, shall reside in the agency at which the employee works permanent full time. If the employee works part time for two or more agencies, the complete official personnel file shall reside in the agency which first employed the individual. If an employee separates from one agency, the agency where the employee continues to work shall request the official personnel file from the losing agency.
  - (c) The official employee personnel file shall contain the following mandatory documents which shall be retained for the number of years indicated in parentheses. The records retention schedule for personnel records is governed by the State Archivist.
    - (A) employment application for first state job (10 years after separation);
    - (B) employment application for employee's current position (10 years after separation);
    - (C) personnel actions (**PA**) (3 years for salary change PA's - 10 years after separation for all other PA's);
    - (D) performance evaluations (3 years);

- (E) employee agreements (3 years after separation);
- (F) oaths of office (10 years);
- (G) summary of record of training completed (3 years after separation);
- (H) letters of commendation and recommendation (3 years);
- (I) letters of reprimand (3 years);
- (J) notices of disciplinary action (3 years);
- (K) notices of layoff (3 years);
- (L) documentation of resignation (3 years); **and**
- (M) emergency notification forms (10 years).

**(d) The following information shall not reside in the official personnel file, but in a confidential files physically separate from the official personnel file:**

- (A) Equal Employment Opportunity (EEO) Self Identification Form;**
- (B) Employment Eligibility Verification Form (I-9);**
- (C) Employment Verification Inquiries (mortgages, car loans, etc.);**
- (D) Worker's Compensation claim information;**
- (E) Grievance information;**
- (F) Investigatory information;**
- (G) Position History including the position description;**
- (H) Recruitment information; and**
- (I) Medical records, as prescribed by the Americans with Disabilities Act.**

(e) No information reflecting critically upon an employee shall be placed in the employee's personnel file unless the employee is notified.

(f) The employee shall be entitled to prepare a written explanation/response regarding critical information believed to be incorrect or a misrepresentation of facts. The written explanation/response shall be included as part of the employee's personnel file and retained until the related critical documents are removed.

**(g) Current and former employees may submit a request to inspect or obtain a copy of their own personnel file contents, as listed in (1)(c), to their current or former human resource office. Within 45 days of the request, the agency shall provide a reasonable opportunity for the employee to inspect their personnel file, at the place of employment or place of work assigned, or provide a certified copy. If the employee's personnel file is not readily available, the employer and the employee may agree to extend the time in which the employer will provide the employee a reasonable opportunity to inspect or furnish a copy of the personnel file.**

- | (h) Review of and access to employee information **by the public** shall be governed by OAR 105-010-0011.
  - | (i) In addition to the hard copies retained in the employee's personnel file, electronic employee records are kept on the Position Personnel Data Base (PPDB) maintained by the Division.
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