

SUBJECT: Personnel Records	NUMBER:	10-011-01
DIVISION: Chief Human Resources Office	EFFECTIVE DATE:	7/1/2016
APPROVED:		

POLICY STATEMENT: Agencies are responsible for maintaining personnel records, including files containing individual employee records, in accordance with the Secretary of State Archives Division.

AUTHORITY: ORS 40.570; 192.105; 192.445; 192.501; 192.502; 192.505; 240.145(3); 240.250; 240.750; 652.750

APPLICABILITY: All employees except where not in conflict with an applicable collective bargaining agreements.

ATTACHMENTS: None

DEFINITIONS: See State HR Policy 10-000-01

POLICY:

(1) Employee Records

(a) The official employee personnel file shall be established, maintained and reside in the employee's current agency or the agency under contract or agreement to provide human resources services.

(A) The documents contained in the official employee personnel file, paper or electronic, are outlined in OAR 166-300-0040(9), Personnel Records.

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

(C) 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.

(D) The system of record shall be maintained by the Chief Human Resources Office electronic management system.

(b) Transferring Records

(A) Receiving agencies shall be responsible for requesting the official personnel file from a transferring employee's sending agency.

(B) If an employee works for more than one agency, each agency shall establish and maintain an official employee personnel file.

(C) 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.

(D) 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.

(E) If an employee separates from one agency, the receiving agency shall request the official personnel file from the sending agency.

(2) Medical Records

(a) Records containing an employee's medical history shall be kept in a separate location from an employee's personnel file or any other employee records as required by the American with Disabilities Act, federal and state leave laws.

(b) Medical files may contain documents as outlined in OAR 166-300-0040(8), Employee Medical Records.

(c) Transferring records shall be done in accordance with (1)(b) above.

(3) Other Records

(a) All other personnel records shall be maintained in accordance with the State Archives Division; OAR 166-300-0035, Payroll Records, OAR 166-300-040, Personnel Records and OAR 166-300-045 Risk Management Records.

(b) Additional information and reference materials may be found in the HR Online Reference Guide.

(4) Inspection of Records

(a) Public inspection of records shall be conducted pursuant to ORS 192.502(3).

(b) Current and former employees may submit a request to their current or former human resources office to inspect or obtain a copy of the contents of their own personnel file. 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.