

Utah Tech University Policy

304: Personnel Files



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I. Purpose

- 1.1 Utah Tech University (“the University”) will maintain an official personnel file on each employee, which contains 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 official University personnel records, whether they pertain to full-time employees, part-time employees, and/or official University volunteers. See Policy 301.

III. Definitions

- 3.1 ***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, 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.

- 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 ***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.

IV. Policy

- 4.1 The Human Resources Office is responsible for maintaining official personnel files.
- 4.1.1 University departments may maintain secondary employee files, with relevant department information that assists them in administration. Such secondary employee files will not be considered part of the employee's official personnel file unless the department or employee wishes such records be added to their personnel file within Human Resources.
- 4.1.1.1 Secondary employee files maintained by a department or division should only contain department or division-specific information (faculty member's progress towards tenure, copies of contract information already on file with HR, 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 reasons.
- 4.1.1.2 While departments may keep secondary employee files, certain employment items must be given to Human Resources for the employee's official personnel file. These include:
- 4.1.1.2.1 Probationary and/or Annual Performance Appraisals as defined in Policy 325 and Policy 327.
- 4.1.1.2.2 Job Description changes or updates as defined in Policy 351.
- 4.1.1.2.3 Disciplinary actions as defined in Policies 371-380.
- 4.1.2 Upon termination or leaving University employment, secondary employee 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 associated documentation, employee physical examinations, etc.) and employee grievance files are kept separate from the general 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, 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 personnel records by any employee will result in disciplinary action.
- 4.3 An employee has the right to review and have copies made of the contents of their file(s) upon 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 changes in name(s), address, telephone number, marital status, dependents, tax or payroll deduction withholding, insurance status, or any other changes that affect their benefits or personnel matters. Employees may be asked to provide appropriate documentation before any 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 file.
- 4.6 An employee may request the inclusion of relevant documents to be added to their file(s). Relevancy of such documentation to be included is determined by the Human Resources Director.
- 4.7 An employee may challenge any factual statement or entry of factual data in their 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
- 5.3 University Policy 325: Probation
- 5.4 University Policy 327: Performance Appraisals
- 5.5 University Policy 349: Family and Medical Leave
- 5.6 University Policy 351: Job Classification
- 5.7 University Policies 371-380: Disciplinary
- 5.8 Utah Code, Title 63G, Chapter 2 - Government Records Access and Management Act: <https://le.utah.gov/xcode/Title63G/Chapter2/63G-2.html>.
- 5.9 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 the Human Resources Director. After verifying the identity of the employee 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, no later than 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 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 file before employee inspection.
 - 6.1.3 Administrative costs associated with producing a copy of the personnel file (not to exceed \$0.20 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 file(s)

whenever derogatory or negative information is placed in the file(s).

- 6.3 Any challenge of factual statement or entry of factual data in an employee's 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 to make a determination regarding incorporation of additional documentation to add clarity, correcting inaccuracies, or removing inaccurate or inappropriate information from the 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: Human Resources

History:

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