

ARTICLE 10
PERSONNEL FILES

- 10.1 One (1) official personnel file shall be maintained for each Instructor in the campus human resources office. The term "personnel file" as used in this Agreement shall refer to this one (1) official personnel file.
- 10.2 If a campus decides to convert personnel files to an electronic format, it shall ensure that:
- a. A log (including, but not limited to, name, date and purpose) shall be maintained to record all access to an Instructor's personnel file by any non-human resources employee or by a human resources employee for the purpose of making a personnel decision/recommendation; and
 - b. The data is maintained on a password-protected, secure system.

Instructor Access

- 10.3 The contents of an Instructor's official personnel file, exclusive of pre-employment materials, shall be open to his/her review and review by a Union Representative when authorized in writing by the Instructor.
- 10.4 An Instructor or his/her Union Representative may request an appointment for the purpose of reviewing the Instructor's personnel file. Such requested appointments shall be scheduled during normal business hours. Within three (3) working days of a request to Human Resources, an Instructor and/or a union representative shall be notified when the Instructor and/or his/her Union Representative shall have access. The manner of access to the official personnel file shall be subject to reasonable conditions.
- 10.5 Within fourteen (14) days of his/her written request, the Instructor shall be provided an exact copy of all or any portion of materials officially maintained in the campus personnel file. The Instructor shall bear the cost of duplicating such materials, except as provided for in Article 7, Grievance Procedure, or when such materials have bearing on disciplinary action or pre-disciplinary matters. The cost of duplicating material shall be the amount provided in Civil Code Section 1798.33, or any substitute or successor provision of that code section (as of March 2016, the amount is ten (10) cents per page.).

- 10.6 Personnel recommendations or decisions relating to any personnel action(s) during the term of an appointment shall be based primarily on material contained in the Instructor's official personnel file and open to the Instructor's review. If a personnel recommendation or decision is based on any reasons not contained in the Instructor's official personnel file, the appropriate administrator making the recommendation or decision shall commit those reasons to writing and the written statement of those reasons shall be placed in the Instructor's official personnel file.
- 10.7 An Instructor shall be provided with a copy of material which could lead to an adverse personnel action prior to the placement of such material in his/her personnel file.
- 10.8 Upon request by an Instructor, attendance and payroll records maintained separately from the personnel file may be reviewed by the Instructor or a representative when authorized in writing by the Instructor. Such attendance and payroll records shall be excluded from provisions of this Article.
- 10.9 Instructors may submit commendations, copies of college degrees, certifications and special licenses, and may submit an updated resume to the Appropriate Administrator annually for placement in the Instructor's personnel file.

Rebuttal

- 10.10 An Instructor may submit a rebuttal statement to material in his/her personnel file which shall be placed in the Instructor's personnel file.

Request for Correction

- 10.11 If, after review of his/her records, an Instructor believes that any portion of the material is not accurate, the Instructor may request in writing to the President correction of the record.
- 10.12 Within twenty-one (21) days of an Instructor's request for correction of the record, the President shall notify the Instructor in writing of his/her decision regarding the request.
- a. If the President denies the request, the President shall state the reason(s) for denial in writing, and this written statement shall be sent to the Instructor.
 - b. If the President grants the request for correction of the record, the record shall be corrected. The Instructor shall be sent a copy of the corrected record and a written statement that the incorrect record in question has been permanently removed from the Instructor's personnel file.