

ARTICLE XIII: PERSONNEL FILE CONTENTS AND INSPECTION

- 13.1 Materials in personnel files of Unit Members that may serve as a basis for affecting the status of their employment are to be made available for the inspection of the person involved.
- 13.2 Such material is not to include ratings, reports, or records which: (1) were obtained prior to employment of the person involved; (2) were prepared by identifiable examination committee members; or (3) were obtained in connection with a promotional examination.
- 13.3 Every Unit Member shall have the right to inspect such materials upon request, provided the request is made at a time when such person is not actually required to render student services.
- 13.4 In the case of derogatory materials related to a Unit Member's assigned duties or professional responsibilities, such material shall not be entered in a Unit Member's personnel file unless and until the Unit Member is given notice and an opportunity to review, comment, and to have such comments attached to the material in question.

Service of the material on the Unit Member may be by email, U.S. Mail, personal service, or other method, so long as there is written proof or evidence of service. The District will advise the Unit Member of their opportunity to review and respond to the material in question.

The District will then place in the personnel file a copy of (1) the derogatory material, and (2) written proof or evidence of service. The Unit Member may respond to the material in writing at any time and have their response attached to the derogatory material in the file.

- 13.5 Any derogatory material placed in a Unit Member's file must be signed and dated by the originator and the management person responsible for placing it in the file, and a copy shall be given to the faculty member prior to the time of insertion in the personnel file. No anonymous letters or materials shall be placed in this file, except when verified through a personnel investigation. In the event that anonymous letters or materials of a derogatory nature without a date and/or signature are placed in a Unit Member's file, said letters or materials will be removed and destroyed upon discovery.
- 13.6 There shall be only one official personnel file for each Unit Member. No action, except as prescribed by law, may be taken against a Unit Member on the basis of material other than that contained in the official personnel file.
- 13.7 Personnel files shall be kept in confidence and shall be available for inspection only by the Unit Member, a representative of the Association (with the Unit Member's written authorization), and authorized administrative employees of the District when actually necessary in the proper administration of the District's affairs or the supervision of the Unit Member.