

Human Resources

AP 7145 PERSONNEL FILES

Reference(s):

Education Code Section 87031;
Labor Code Section 1198.5

Each employee has one official personnel file, which is private, accurate, complete, and permanent.

Each employee has the right to inspect his/her personnel file pursuant to the Labor Code. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without any salary reduction. The employee shall not have the right to inspect personnel records at a time when the employee is actually required to render services to the district. This review shall be in the presence of Human Resources representative.

All attempts will be made to produce the personnel file immediately upon request, and it will be made available within three working days of the employee's written request to review his/her personnel file.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to have his/her own comments attached to any derogatory statement.

The employee is entitled to one copy of his/her personnel records at no cost per twelvemonth period. Subsequent copies may be provided for a minimal copying fee. Nothing in this procedure shall entitle an employee to review ratings, reports, or records that (a) were obtained prior to the employment of the person involved, (b) were prepared by identifiable examination committee members, or (c) were obtained in connection with a promotional examination or review.

The Chancellor shall implement a system by which staff and faculty can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a staff or faculty member, the district shall update any records for the individual to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to district-issued email addresses, employee

identification cards, class rosters, transcripts, diplomas, certificates of completion of courses, or similar records.

Further information on employee rights regarding personnel files can be found in the respective employee collective bargaining agreement.

Approved: June 16, 2015

Board Reviewed: March 19, 2024