

Polk State College Procedure

Subject	Reference	Date	Number
Access to Employee Personnel Files	6H x 21 2.15 F.S. 1001.64 F.S. 1012.81 Chapter 119 F.S.	1/5/16	6065

I. Purpose

The purpose of this procedure is to establish guidelines and procedures for access, inspection and copying of Polk State College (“College”) employee personnel files.

II. Definitions

As used in this procedure, the following terms have the following corresponding meanings:

Limited Access Records means:

- (a) All records, letters, documents, and other material of any kind or character which relate to or are germane to employee performance including, but not limited to, all performance evaluations and records of conferences;
- (b) All records, letters, documents, and other material of any kind or character which relate to or are germane to active investigations of employee misconduct; and
- (c) All records, letters, documents, and other material of any kind or character which relate to or are germane to non-final disciplinary proceedings or non-final grievance proceedings brought by an employee for enforcement of a collective bargaining agreement or contract.

Personnel Records means those records of the College that contain information for efficient personnel administration which shall include dates of appointment, periods of employment, contract status, duties performed, records of leave, and evidence of factors used to calculate salary, retirement system records, and related documentation as determined by the College.

Personnel File means the collection of Limited-Access Records and Personnel Records kept by the College that relate to a specific College employee.

III. Maintaining Employment Files

The Office of Human Resources (“Office”) serves as the official College records custodian for all employee personnel records and limited-access records. The Office shall maintain a personnel file for each College employee.

IV. Employee Notification

A reasonable effort will be made to notify the employee when access to that employee's personnel file has been requested by anyone other than the employee's supervisor, the President of the College, or the Office of Human Resources.

V. Access and Inspection

The College complies with Chapter 119, Florida Statutes, ("Public Records Law").

(a) Limited-Access Records

By law, access to a College employee's personnel file is limited. According to the Florida Statutes and State Board of Education Rules, limited-access records found in an employee's personnel file are confidential and exempt from the inspection and copying provisions of the public records law. Unless made public by law, limited-access records shall be open to inspection only by the employee or by officials of the College who are responsible for supervision of the employee. Except as required for use by the President of the College in the discharge of official responsibilities, the Office shall release information from such records only upon authorization, in writing, from the employee, the President, or upon order of a court of competent jurisdiction.

(b) Personnel Records

Personnel records of College employees that are not exempt or confidential and exempt from inspection and copying requirements, shall be open for public access pursuant to the provisions of Chapter 119, Florida Statutes, subject to any applicable exception from disclosure pursuant to applicable laws.

(c) General Rules for Access to Employee Personnel Files

Access to an employee's personnel file, to the extent access is permitted, will be given within a reasonable amount of time and under reasonable conditions. Such access shall be during regular business hours of the College and under the supervision of the Director of Human Resources or an HR office designee. Reviews will be conducted in Human Resources or in a place designated by Human Resources.

Taking personnel records out of Human Resources will be an exception and requires approval by the Director of Human Resources. Anyone taking physical personnel records from the Human Resources office will sign for and be accountable for the protection of such records until their return.

In no instance will anyone be allowed to add a document or remove a document from any personnel file while being reviewed. A place card with requestor information will be utilized in the location of the file until the file requested is returned to Human Resources.

VI. Request for Information

Reference checks from outside employers concerning current or former employees or employment verification will be completed in consultation with the Director of Human Resources or his/her designee. All telephone requests, written requests, and subpoenas for employment verifications will be forwarded to the Office for completion.

Requests to inspect or copy employee files will be coordinated by Human Resources in accordance with Florida Statutes, State Board of Education Rules and this procedure.

Anyone desiring to photograph or photocopy accessible records in personnel files may do so under the direction of Office personnel. The Office may establish a charge for this service in accordance with Florida law.



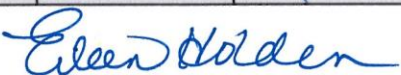
VII. Subpoenas

Any information in a properly served subpoena will be released, provided that all appropriate legal considerations are met.

VIII. Employee Responsibility

Employees have a responsibility to make sure their personnel files are up to date and should notify the Office, in writing, of any changes in the following: name, address, telephone numbers (including emergency numbers), marital status, and number of dependents (for benefits and tax withholding purposes).

History: Adopted: December 21, 1992
Revised: August 2, 2010 and January 5, 2016

	1/5/16		1/5/16
Executive Responsible for Procedure	Date	President's Staff Member's Approval	Date
			1/5/16
President's Approval			Date