

Human Resources

1 AP 7145 PERSONNEL FILES

2 References:

- 3 Education Code, Section 87031;
- 4 Labor Code, Section 1198.5

5 Personnel records are private, accurate, complete, and permanent. Personnel files shall
6 be maintained in confidence and shall be available for inspection only to appropriate
7 management or other designated employees of the District when such is actually
8 necessary in the proper administration of the District's affairs or the supervision of the
9 employee. All documents concerning employees and established as official District
10 personnel files shall be maintained by the District's Human Resources Office. The
11 President/Superintendent or appropriate Vice President shall be responsible for the
12 development and implementation of procedures for placement of materials in employees'
13 personnel files. All materials to be placed in personnel files shall be submitted through
14 the appropriate Vice President or designee for review and placement in District personnel
15 files.

16 Every employee has the right to inspect their own personnel records pursuant to the Labor
17 Code.

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19 Management employees shall also have a right to review the personnel file of employees
20 under their supervision.

21 Information of a derogatory nature shall not be entered into an employee's personnel
22 records unless and until the employee is given notice and an opportunity to review and
23 comment on that information. The employee shall have the right to enter, and have
24 his/her own comments attached to any derogatory statement. The review shall take place
25 during normal business hours and the employee shall be released from duty for this
26 purpose without salary reduction.

27 The appropriate Vice President or designee shall determine whether or not materials
28 submitted for placement in personnel files are derogatory in nature. Employees shall be
29 notified in writing of placement of any derogatory material in their personnel files and shall
30 also receive a copy of such material. Employees shall be notified of their right to comment
31 in writing on any such derogatory material. Employees must submit written comments to
32 the Human Resources Office not later than ten (10) working days after receipt of a copy
33 of such material. Such comments shall be attached to the material and placed in their
34 personnel files. Comments not received within the ten (10) day period will not be placed
35 in the personnel file

36 The employee shall not have the right to inspect personnel records at a time when the
37 employee is actually required to render services to the District. Reviews of personnel files
38 shall take place in the presence of and under the supervision of authorized
39 representatives of the District Human Resources office. Documents may not be removed
40 from personnel files. Employees may request copies of documents reproduced for
41 personal use at the employee's expense. Employees may also authorize other individuals
42 to review their personnel files provided such authorization is made in writing and signed
43 by such employees.

44 Nothing in this procedure shall entitle an employee to review letters of reference or
45 ratings, reports, or records that (a) were obtained prior to the employment of the person
46 involved, (b) were prepared by identifiable examination committee members, or (c) were
47 obtained in connection with a promotional examination or interview.

48 Copies of personnel records may be released if legally required under subpoena;
49 however, the District will require reimbursement of reasonable costs for such service.

50 If a collective bargaining agreement provides for more benefits, provides a different
51 procedure than this policy, or contains provisions regarding documents that shall or shall
52 not be placed in a personnel file, then the collective bargaining agreement applies.

53 Office of Primary Responsibility: Vice President, Human Resources

Date Adopted: February 24, 2020
(Replaces former Cerritos CCD Policy 7023)