

## UC Davis Personnel Policies for Staff Members

### Other Policies

#### Section 80, Staff Personnel Records

Date: 6/8/12

Supersedes: 10/23/03

Responsible Department: Human Resources

Source Document: UC PPSM 80

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### 80.A. GENERAL

**Note 1--Related Policies.** See UCD Policy & Procedure Manual Section 320-20 and Business & Finance Bulletin RMP-8 for more information.

### 80.C. ACCESS TO RECORDS BY THE PUBLIC

**Note 1--Non-UC Reference Check.** A supervisor shall, verbally or in writing, give the items of public information listed in Policy 80.C to any prospective non-UC employer who asks for them. He or she may also answer questions about job performance, based on what he or she has personally observed and is documented in the file through performance evaluations or other personnel processes.

**Note 2--UC Reference Check.** The hiring authority in a UC department can review the central personnel file of an applicant who is or has been a UC employee (except for confidential information as defined in Business & Finance Bulletin RMP-8, VII.B.1). No prior authorization from the applicant is needed. When the UC hiring authority is from another campus or University location, the custodian of records will make arrangements to assist the hiring authority in obtaining the requested information.

**Note 3--Public Information.** A department may respond to a request for public information, or refer the request to the Information Practices Coordinator, Offices of the Chancellor and Provost. When the request comes from the Media, the department should also seek the assistance of the Public Communications Unit.

**Note 4--Subpoena.** See UCD Policy & Procedure Manual Section 320-30 and Section 320-20, V.B.4, for policy on responding to a subpoena. The Human Resources Department at both the Davis and Sacramento campuses is the custodian of records for the official personnel file. In addition to complying with the requirements of PPM 320-30 and 320-20.V.B.4, departments or individuals who receive a subpoena for personnel records should contact Human Resources to seek assistance in consolidating records and notifying the affected employee.

**Note 5--Verification of Employment.** A written verification of employment may be obtained on the Web at <https://ucfy.ucop.edu/ucfy/> or from the Payroll Office (campus) or Human Resources (UCDHS).

### 80.D. LOCATION OF RECORDS

**Note 1--Central Personnel File.** Human Resources is the office of record for Professional and Support Staff, Management and Senior Professional Staff and represented employee personnel files. The Office of Vice Chancellor—Human Resources is the office of record for Senior Manager Group personnel files.

*Campus only:* A list of forms kept in these files is on the Web at <http://www.hr.ucdavis.edu/Pubs/All/Files>.

**Note 2—Electronic Data Management System (EDMS)**—The campus is converting official

personnel files to electronic records. All policies, procedures, and retention and disposition requirements apply to electronic files as well as hard copy files. Access to electronic files can be obtained by making an appointment with the custodian of record.

**Note 3--Department Personnel File and Other Employee Files.** Personnel files are also kept in the employing department. (Examples of "other" files include files containing duplicate documents kept by supervisors, supervisor notes, etc.). These files are not the Official Personnel File but they are official University records and should be maintained in compliance with all policies that apply to University records. When a department's Human Resources functions are provided by a Shared Service Center or similar unit, the department personnel file is kept in the Shared Service Center. Employee files may be kept in other offices if needed to conduct UC business.

*Campus only:* A list of forms kept in these files is on the Web at <http://www.hr.ucdavis.edu/Pubs/All/Files>.

**Note 4--Transfer.** When an employee transfers from one department to another, the former department sends the department file to the new department. Other non department files such as the supervisor's file must be retained for the periods required by the Records Disposition Manual and then must be destroyed.

Special Instructions for Transferring Department Records Containing Medical Information: Medical information that is retained in department files must not be transferred directly to the new department. Medical information must be removed from the file and sent to Human Resources for review and a decision about transfer, retention in a confidential file in HR or disposition. The HR custodian of records will review the documents and make a determination about whether or not the new department has a business need to receive medical information contained in the previous department file. If the HR custodian of records determines that the records should be transferred, then the transferring employee will receive notice to that effect.

**Note 5—Litigation Hold.** When litigation is anticipated or when the University is involved in active litigation, a litigation hold letter may be issued by the Office of Campus Counsel. In cases where such a letter is issued, the holder of the records, regardless of location of record owner or custodian, must retain all records intact until a letter rescinding the hold is issued by the Office of Campus Counsel. Litigation hold instructions supersede all other records retention or disposition policies or schedules.

## 80.F. LEGAL REQUIREMENTS

**Note 1--Designated Official.** An employee may ask his or her department, or the Information Practices Coordinator, for information about UC records.

**Note 2--Right to Amend.** An individual may ask to add, correct, or delete information in his or her personnel file. The employee sends a written request to the head of the department that keeps the file. If the request is denied, the employee may ask for a review by the Associate Vice Chancellor--Human Resources, or file a complaint under Policy 70. See Business & Finance Bulletin RMP-8, Paragraph VII.K, for more information.

**Note 3—Public Safety Personnel Files.** The personnel files of sworn members of the UC Davis Police Department and UC Davis Fire Department are subject to additional protections and procedures provided by the Public Safety Officers Procedural Bill of Rights (Gov. Code Sec. 3300-3312) and the Fire Fighters Procedural Bill of Rights (Gov. Code Sec. 3250-3262). Response to all questions pertaining to access to these records, responses to Subpoenas of these records, and additions and deletions from these records must be in accord with these state statutes. The Human Resources Department Custodian of Records is responsible for all matters pertaining to these

personnel files. Questions should be immediately referred to the Custodian of Records. Departments or individuals are not authorized to release information on Public Safety Officers or Firefighters without consultation with Human Resources.