

**NEW COLLEGE OF FLORIDA
REGULATIONS MANUAL**

CHAPTER 3 - Administrative Affairs

3-4013 University Support Personnel Staff (USPS) Personnel Files

- (1) Applicability. This rule applies to all University Support Personnel Staff employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of University Support Personnel Staff employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.
- (2) Contents of Files – Normally, a personnel file would contain, but is not limited to, the following:
 - (a) Information gathered as part of employment procedure, including applications, letters of reference, letters of appointment, acceptance of appointment, contracts, employment test results, loyalty oath, approvals of special hiring rates, substitutions or training and experience.
 - (b) Information required to substantiate salary transactions, including appointment papers, contracts, salary adjustments and differentials.
 - (c) Performance evaluations, including performance appraisal forms, reprimands, letters of dismissal, suspension, reduction in pay, layoff, request and approvals to take appealable disciplinary actions, letters of grievance, responses to letters of grievance or appeal, findings, recommendations and results of grievances or appeals.
 - (d) Medical records which address the employee's ability to do the job.
- (3) Access to Files
 - (a) Individuals Wishing to Review Their Personnel Files – Employees wishing to review their files may do so during normal business hours. Files shall be reviewed in the presence of a representative of the Personnel Office who will answer questions or offer other assistance as necessary. Any employees who are unable to review their files during the time period indicated should contact the Director of Personnel and every effort will be made to make special arrangements to meet the employee's request.
 - (b) Access by College Officials – Personnel files shall be open to officials of the College who are responsible for the supervision of the employee or who are considering an employee for employment or promotion, and by officials and employees of the College in the performance of their official duties, if such duties reasonably require their having access to the files. Files should be reviewed in the presence of a representative of the Personnel Office who will answer questions or offer other assistance as necessary.
 - (c) Access by Others – Access to the personnel files of College employees by persons other than those covered above shall be governed by the Florida Public Records Law, Chapter 119, Florida Statutes, and Chapter 1012.91, Florida Statutes. Others wishing to review the files of College employees may do so during normal business hours. Copies of any document or file will be

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provided in accordance with the law and any material not covered by the public records law will be removed prior to inspection or copying unless otherwise approved for same. The Director of Personnel shall have the authority to establish additional requirements as is administratively necessary to carry out this policy and to insure the orderly transaction of College business. Files shall be reviewed in the presence of a representative of the Personnel Office who will answer questions or offer other assistance as necessary.

(d) A log of who reviews the file and the date reviewed will be maintained in each personnel file.

(4) Inclusion of Materials in Personnel Files

- (a) The majority of the material found in a personnel file enters that file through the normal course of activities, including the original employment procedure and salary transactions procedures. Other information may enter an employee's file by being placed there by College officials in the course of carrying out their responsibilities. Since all employees have a right to know what is being placed in their files, items of a non-routine nature shall require either that the employee has acknowledged the contents of the material being placed in the file by signing the material which is to be placed in the file, or the document(s) will show that the employee was given a copy (through the appropriate indication at the end of the document which is being placed in the file). In either case, the document should clearly indicate that it is to be placed in the employee's file.
- (b) Employees should have the right to place information or documentation into their personnel files by forwarding the information to the Director of Personnel for that purpose. Examples of the types of information employees may place in their files are updating of education or training and clarification or rebuttal of information placed in their files by College officials.
- (c) Items received by the Personnel Office will be reviewed for compliance with this rule and for appropriateness and shall be placed in the file or returned to the sender on that basis.

Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 119.07, 1012.91; Fla. Board of Governors Regulation 1.001

History: Adopted 01-28-04, as Rule 6C11 8.013; Revised and renumbered 05-31-14; Revised 03-11-17 (technical amendment)