



Policy and Procedures Manual

Application: All Personnel

Section A6 – A6.3.5 Record Policies

A 6.1 CONFIDENTIALITY STATEMENT

All East Central University records and information relating to ECU or its employees are confidential and employees must, therefore, treat all matters accordingly. No ECU or ECU-related information, including but not limited to documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of ECU) may be removed from ECU's premises without permission from ECU. Additionally, the contents of ECU's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. Employees must not disclose any confidential information, purposefully or inadvertently through casual conversation, to any unauthorized person inside or outside ECU. Employees who are unsure about the confidential nature of specific information must ask his/her supervisor for clarification. Employees will be subject to appropriate disciplinary action, including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

A 6.2 TAPE RECORDING POLICY

It is a violation of East Central University policy to record conversations with a tape recorder or other recording device unless prior approval is received from your supervisor or a member of upper-level management, or all parties to the conversation give their consent.

A 6.3 ACCESS TO PERSONNEL FILES

For the purpose of making employment decisions, the University maintains individually identifiable personnel and confidential files on persons who have been or who are its employees.

Individual employees are entitled to access his/her personnel and confidential files. Access to appropriate records shall be in accordance with the provisions of this policy, the University's Open Records Policy, and the States Open Records Act.

A 6.3.1 Contents

The Employment Services Office, as custodian of personnel and confidential files, shall determine information to be placed in the files. Only information as is germane to the person's employment with the institution shall be retained in these files. Examples of this type of information are:

- Information pertaining to bona fide occupational qualifications.
- Personnel actions, such as appointment, change of status, etc.

- Individuals may ask that materials relevant to his/her employment be included in his/her personnel file by written request to the Employment Services Office. An individual may not remove or add any records to his/her personnel file at the time of inspection.

A 6.3.2 Open Records Act

The following records shall be deemed confidential and may be withheld from public access:

- (a) Those relating to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation;
- (b) Those where disclosure would constitute a clearly unwarranted invasion of personal privacy such as, but not limited to, employee evaluations, payroll deductions, and employment applications submitted by persons not hired by the University;
- (c) Those specifically required by law or University policy to be kept confidential.

Personnel records not specifically falling within the exceptions provided above shall be available for public inspection in accordance with the Open Records Act.

A 6.3.3 Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in his/her areas of responsibility on a need-to-know basis and shall have authority to share the information with others responsible for personnel recommendations and/or decisions. Further, other institutional officers or employees showing a legitimate need for the information shall be permitted such access.

Except as may otherwise be made confidential by statute or University policy, an employee (or his/her designee as authorized in writing and signed by the consenting employee) shall have a right of access to his/her own personnel and/or confidential file, under the following conditions:

- (a) Letters of evaluation and/or recommendation that apply to pre-employment qualifications, and/or promotions that are solicited in confidence or sent with the expectation of confidentiality shall be deemed confidential and unavailable to the employee unless otherwise ordered by a court of law.
- (b) An individual wishing to inspect his/her personnel and/or confidential file submits a written request for inspection to the custodian of the files.
- (c) An individual may not remove or add any records to his/her files at the time of inspection.

A 6.3.4 Correction of Records

An employee may dispute the accuracy of any material included in his/her personnel and/or confidential file. Such questions should be directed to the custodian of the file in writing. If the questions are not resolved by mutual agreement, the employee may initiate a formal challenge through the employment grievance procedures as outlined under section 9 *Grievance Procedure* of the handbook.

A 6.3.5 Duty to Update Records

To keep necessary University records up to date, it is extremely important that you notify the Employment Services Office of any changes in:

- Name and/or marital status
- Address and/or telephone number
- Number of eligible dependents
- W-4 deductions
- Person to contact in case of emergency
- Beneficiary designations