Policy ID:	ADM-LEG-2 Minor Revision 11 Status: C
Title:	Access to Personnel Files
Description:	Guidelines for access while maintaining privacy and security.
Category:	Legal Services
Applies to:	Staff,Faculty,Student
Contact:	Legal Services and Human Resources
Purpose:	The University maintains individually identifiable personnel files on persons who have been or who are its employees for the purpose of making employment decisions. This policy is intended to provide guidelines for access to those records in order to promote an informed public while maintaining the security of personnel records necessary to protect the privacy of its employees and the interests of the institution in fulfilling its mission.
Policy Statement:	Individual employees are entitled access to their own personnel file. 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.

Contents

1. Information pertaining to bona fide occupational qualifications;
2. Behavior and discipline matters; and
3. Personnel actions, such as appointment, change of status, etc.

Individuals may submit a written request to Human Resources that all materials relevant to their employment be included in their personnel file. An individual may not remove or add any records to his or her personnel file at the time of inspection.

Open Records Act

Human Resources, as custodian of personnel files, maintains the official, complete personnel file for each employee. The custodian of the file shall determine the type of information to be placed in the files. Only information relevant to an individual's employment with the institution shall be retained in these files. Examples of this type of information are:

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

1. **Those that relate to internal personnel investigations including, without limitation, examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation; or**
2. **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; or**
3. **Those which are specifically required by law or University policy to be kept confidential.**

Human Resources records not specifically falling within the exceptions provided above

shall be available for public inspection in accordance with the Open Records Act.

Access to Personnel Files

Supervisors or administrators shall have access to the personnel files of persons employed or being considered for employment in their 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 or her designee as authorized in writing and signed by the consenting employee) shall have a right of access to his or her own personnel file, provided:

1. Letters of evaluation and/or recommendation that apply to pre-employment qualifications, tenure and/or promotion 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;
2. An individual wishing to inspect his or her personnel file should submit a written request for inspection to the custodian of the file;
3. If the file contains confidential records as set forth in 6.1.3(a) above, they must be removed before the file is opened to the individual. Upon request, employees will be advised of the type and number of documents that were not made available to the employee for his or her review and that the documents will be returned to the file after the review; and
4. An individual may not remove or add any records to his or her file at the time of inspection.

Correction of Records

An employee may dispute the accuracy of any material included in his or her personnel file. Such questions should be directed to the Employment Services Director 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 elsewhere in this handbook.

Reference Documents:
Oklahoma Statute, Title 51.24A.1 – Open Records Act

Glossary of Terms:	
Legal Citation:	
Campus Links:	
FAQs:	
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