

# ***Policies and Procedures***

<b>SECTION:</b> <b>Administration</b>	<b>NO.</b> <b>2.2.7.</b>		
<b>CHAPTER:</b> <b>Human Resources</b>	<b>ISSUED:</b> 3/3/77	<b>REV. A</b>	<b>REV. B</b>
<b>POLICY:</b> <b>Personnel Files - Access</b>	<b>PAGE 1 OF 2</b>		

## **PURPOSE**

This policy was written to insure that University employees' rights to privacy, related to information contained in personnel records, are preserved. At the same time, this policy acknowledges that under certain circumstances, supervisors and others with legitimate reasons may have access to information contained in personnel files. The policy also protects contributors to personnel files who were promised that information provided by them would remain confidential.

## **POLICY**

Access to personnel files follows from principles of fair information practice designed to protect an individual's right to privacy and right to know, while meeting the legitimate needs of the University, government, and society. The University therefore limits access to personnel files. Also, it assures an employee the "right to know" by providing the employee with access to his or her own file to review and inspect the records except material that was solicited, submitted, and received under an explicit or implicit grant of confidentiality.

## **SCOPE**

Access to personnel records, including faculty files, is the same for all who are employed by the University.

## **DEFINITIONS**

For purposes of this policy, personnel files or **personnel records** are defined as those files or records containing employment-related information about University employees in any of several sites, including the Human Resources Department, and individual academic or administrative departments and offices.

## **PROCEDURES**

- A. The individual employee has access to his or her file, is to know what use is made of its contents, and has the right to challenge inaccuracies. Permission to view the contents of the file should be granted by the relevant supervisor or administrator. The supervisor or administrator should not, however, give the file to the employee but go through it with him or her.
- B. Only information germane to the position, or job of the subject, should be kept in an employee's file.

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- C. Performance evaluations should be kept in the individual faculty or staff files and may be challenged by the employee. If the supervisor has used adverse confidential information from others in arriving at the evaluation, he or she should give the subject a chance to reply without revealing the source. If the supervisor considers the reply convincing, the original confidant will be informed and the adverse information destroyed. If the reply is not adequate, the adverse information will be kept in the subject's file with the source unidentified.
- D. On legitimate request, Human Resources or any appropriate office is authorized to release directory information (name, address, phone, dates of employment, and occupation.)
- E. Supervisors in line above have access to files of those reporting to them directly or indirectly. For example, the President could see all personnel files; the Vice President of Health Sciences could see files of his or her deans, department heads, faculty, and others in Health Sciences; department heads could see files of faculty and staff in their units, and so on. By subpoena, law enforcement agencies could have access. Other access requires consent of the subject of the file.
- F. Personal information in University data banks (personally identifiable information), as distinguished from the information in the individual files in the office of the Academic Vice President and in Human Resources, is to be strictly confidential. This is management information to be used for research, payroll, mailings, and the like. Only appropriate administrators and staff who must work with this data should have access.

### **ADMINISTRATION AND INTERPRETATIONS**

Every supervisor is responsible for managing access to personnel records housed in his or her work area. Supervisors should follow the procedures listed above when employees ask for access to their own, or others', personnel files. In addition, supervisors must ensure that employees in their work unit understand and abide by the procedures listed above.

Questions related to the management of access to personnel records should be directed to the Human Resources Department, or the Director of Human Resources. The University's General Counsel can also be of assistance in interpreting this policy.

### **AMENDMENTS OR TERMINATION OF THIS POLICY**

Creighton University reserves the right to modify or amend this policy at any time.