

BUFFALO STATE COLLEGE

DIRECTORY OF POLICY STATEMENTS

Policy Number: VI:21:00

Date: July 1979

Subject: **Record Keeping Policy**

In a revised memo dated 12/11/78 to all College and University Presidents, the Labor Department's Office of Federal Contract Compliance Programs (OFCCP) requires not only an updated Affirmative Action Compliance Program (AAP), but an internal record keeping system which would facilitate an on-site compliance review should one be necessary.

Recognizing the need to ensure our compliance with the Office of Federal Contract Compliance (DOL) as well as Office of Civil Rights, the State University College at Buffalo is initiating the following campus policy. A mandatory three year timeframe for the retention of records has been established and those records will be kept as indicated in Items 1 through 6:

1. Personnel files containing tenure committee files when those files are relative to tenure decisions, including salaries, promotion, vitae, and evaluations will be maintained by the appropriate Vice Presidential office.
2. Applications with brief statements of disposition of each applicant shall be maintained by individual Departments and/or Areas.
3. List of all hired by a Department/Division will be maintained by that individual Department/Areas.
4. Applications of hires will be maintained by appropriate area as designated below:
 - a) Classified Employees in Personnel
 - b) Professional Employees (Faculty and N.T.P.s) in the appropriate Vice Presidential Office.
 - c) Management Confidential in the President's Office
5. Results of Search Committee will be maintained in individual Departments/Areas.
6. List of research grants awarded to faculty members, including the identity of recipients, will be maintained in the Research Foundation Office.

This policy is subjected to change by federal statute of regulation.

Source of Information: College Bulletin, July 26, 1979

Official Personnel File

Contents: Store information in chronological order. Start with oldest information in the back of the file. Retain only final copy of any paperwork.

The file contains the following material: resume, official transcripts, position release, Faculty and Professional appointment form, contract letters, welcome from the president and vice presidents, original offer of appointment, all subsequent change or leave request forms, performance programs and evaluations, letters of reappointment/ permanency or continuing status.

Maintained by:
Functional vice president

Duration: Maintain file until termination. Keep the file for 3 additional years post termination then destroy. In the event of a suit or change, keep the file until a final disposition is rendered.

Confidential Personnel File

Contents: A request for reasonable accommodation (in compliance with the Americans with Disabilities Act).
Maintained By: Functional vice president
Duration: Keep request for 1 additional year post the date of action.

Contents: A request for leave as per the family and Medical Leave Act. A medical related information provided.
Maintained By: Functional vice president
Duration: Keep request and any related material (e.g., medical certification) for 3 years post the date of action.

Contents: Medical information related to workers' compensation case.
Maintained By: Human Resource Management
Duration: Maintain workers' compensation file until final disposition rendered. Maintain 10 years post disposition for 5 additional years.

Personal Materials File

Contents: Letters of thanks, congratulations, etc.
Maintained By: Functional vice president
Duration: Same as official personnel file.

Organization of Personnel Files

Official Personnel File

(Materials should be clipped to file with two-pronged fastener in the following chronological order, with the most recent in front)

1. initial appointment forms
2. official transcripts
3. vita/resume
4. letters of reference (non-confidential)
5. position release
6. faculty and professional appointment form
7. letter of welcome from president or vice president
8. offer of appointment with original signatures
9. signed performance program for professionals
10. subsequent personnel actions-other materials to be included in the official file are recommendations for renewal/non-renewal and/or promotion; salary changes, extra service, sabbatical leaves/leaves of absence, letters of counseling, notices of discipline.
11. signed performance evaluation for previous year (no drafts); signed performance program for next year
12. current employee change form which may have letters of recommendation from department chair/division director and/or dean attached
13. letter of reappointment from president
14. faculty/professional employment history form attached to inside front cover of folder (prepared by Human Resource Management).

Employees may see their official personnel file within 24 hours of the request. They must view it in the presence of office personnel; nothing is to be removed. A designated UUP representative may view the employee's file with written authorization; otherwise, no one other than the president and vice president and their designees (managers in the chain of authority and authorized staff with personnel responsibilities) may view the file. There is no requirement to reproduce documents on demand. Copies may be provided at a later time (within 24-48 hours of the request).

Confidential File

1. College and/or career placement file.
2. Selection process report; affirmative action reports that refer to qualifications and assessment of other candidates.
3. The Americans with Disabilities Act (ADA) requires that medical information be collected and maintained on separate forms in a file separate from the employee's official personnel file. Therefore, any medically related information is to be filed in the confidential file.

Personal Materials File

1. Correspondence (optional)
2. Letters of thanks, congratulations, etc.

Personnel Files (materials they should contain): Article 31.1a of the Agreement states: Each College shall maintain, for official University purposes, an official personnel file for each employee who is subject to this Agreement. Such file shall contain copies of personnel transactions, official correspondence with the employee and formal, written evaluation reports prepared in accordance with provisions of Article XII, Title A, Section 3 and Article XII, Title C, Section 4 of the Policies and such other written evaluations and/or recommendations as may be prepared by an immediate supervisor, department chairperson, dean, vice president, or other persons serving in a supervisory capacity in a direct line, as appropriate, in connection with matters of appointment, evaluation, reappointment or promotion. With respect to the latter written evaluations and/or recommendations, those which pertain to reappointment shall be sent to the employee at the time they are prepared. All materials referred to in this section shall be available to an employee for review and response. In no event shall statements which are both unsolicited and unsigned be placed in the official personnel file.

Handling of Official Personnel File During Grievance Proceedings (UUP)

1. Upon the filing of a grievance, the grievant's official personnel file will be removed from the vice president's or president's office and will be placed under the jurisdiction of the associate vice president for human resource management for the duration of the grievance proceedings. A representative from the vice president's office and human resource management will jointly review the file and will label and inventory its contents.
2. For the duration of the grievance process, the personnel file will not be removed from the office of the associate vice president for human resource management except for those instances when necessary for the processing of personnel transactions. In these instances, the vice president's office will be responsible for verifying the return of all materials listed in the inventory.
3. Requests to examine the file by the grievant or a designated UUP representative must be submitted in advance to the associate vice president for human resource management. File review will take place in the presence of the associate vice president or designee.
4. Copies of any documents requested will be made by the designee of the associate vice president.
5. Should the settlement of the grievance call for the removal of material from the personnel file, the associate vice president for human resource management will be responsible for implementing this provision of the settlement.

Upon final resolution of the grievance, the personnel file will be returned immediately to the vice president's office.