ARTICLE 9

PERSONNEL FILES

9.1 Official Personnel File

The official personnel file of each unit employee shall be maintained at the District central administration office. No adverse action shall be taken against a unit employee based upon written material which has not been provided to the employee before placing within the official personnel file, unless otherwise required by law.

9.2 Procedures Regarding Derogatory Material

9.2.1 A unit employee shall be provided a copy of derogatory written material prior to the time such material is placed within the official personnel file.

9.2.2 Upon receipt of such derogatory written material, the employee shall have ten (10) working days to request a review of the written material. The request shall be submitted in writing to the appropriate administrator at the next higher level stating the employee's objections. The reviewing administrator shall determine whether the written material is appropriate, should be modified or whether no written material is warranted on the issue(s) contained in the document.

9.2.3 This review procedure is not applicable to performance evaluations.

9.2.4 The administrator's decision shall not be subject to grievance procedure.

9.3 Employee Response

If the reviewing administrator determines that any written derogatory material shall be placed in the unit employee's personnel file, the employee shall be provided a copy of the derogatory written material prior to the time such material is placed within the official personnel file. The unit employee may, within thirty (30) calendar days of receipt attach a written response to the derogatory material for inclusion within the official file.

The unit employee will be provided with up to two (2) hours of release time to discuss the written response with a CSEA job steward during regular work hours.

9.4 Right to Inspect and Copy

A unit employee shall have the right during the employee's non-working hours, to examine and have photocopied by Human Resources all materials (except for those obtained prior to employment or which were prepared by identifiable examination committee members, or were obtained in connection with a promotional examination) contained within the official personnel file. Using the District's authorization form, a unit employee may name a designee to examine their personnel file and request photocopies of the file. Advance

appointments for examination may be required, and scheduled with District representatives. In the event the unit employee is turned away, he/she will be scheduled within two (2) working days.

9.5 Confidentiality

Official personnel files are considered confidential and are available for review only to those persons having a legal right or authorization to inspect.

9.6 Examination of File

District shall have a representative present when any official personnel file is examined.

9.7 Log of Inspection

The District shall keep a log in each unit employee's personnel file indicating the person or persons who have examined the file and the date such examinations were made. The log shall be maintained in the employee's official personnel file. Such log and the employee's personnel file shall be available for examination by the employee or the employee's designee.