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| **5.20**  | **Personnel Records *(Adopted 6-1-1992; Revised 4-7-2003, 12-2-2013)*** Personnel records and information will be maintained for each applicant, employee, and past employee as required by federal and state laws. Personnel files maintained by the Office of Human Resources are to contain information that is needed by the College to conduct its business or which is required by federal or state law. These records will be stored in a fireproof cabinet in a secure location. Files may be paper or electronic or a combination of the two versions.  |

 **Procedures: *(Revised 12-2-2013)***

**5.20.1** **Personnel Files-In General**

The file of an individual employee will be considered confidential information and a closed record, to the extent allowed by the law, and will only be available to authorized administrative personnel and to the employee. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment are closed records under the Missouri Sunshine Law to the extent allowed by law. Pursuant to state law, the names, positions, salaries and lengths of service of all employees are public information and must be released upon request.

**The Master Personnel File Stored in Human Resources**

This file may contain, but is not limited to, the following records:

1. Applications
2. Evaluations and other performance documentation
3. Salary records
4. Personal information including, but not limited to: name, address, telephone number, emergency numbers, and spouse
5. Individual employment contract

 6 Employee benefit records

 7. Transcripts

**The Master Personnel File Stored in the Business/Payroll Office**

This file may contain, but is not limited to, the following records:

1. Summary record of leaves taken
2. Withholding allowance certificates (W-4 forms) and wage and tax statements (W-2 forms)
3. Timesheets

**Faculty Records in the Office of Instruction**

This file may contain, but is not limited to, the following records:

1. Professional Development Plans
2. Evaluations

In accordance with the retention schedule established by the Missouri Secretary of State's Office, records in this file will be retained for 75 years from the date of hire with the following exceptions:

* 1. Employee benefit records, other than year-end leave balance reports and the official copy of retirement enrollment records, will be retained for three (3) years after employee separation or eligibility for the benefit has expired. Year-end leave balance

reports and the official copy of retirement enrollment records will be retained for the full 75 years.

* 1. Withholding allowance certificates (W-4 forms) and wage and tax statements (W-2 forms) will be retained for five (5) years after employee separation or after the form has been superseded.

* 1. Records relating to employee leave requests will be retained for three (3) years after completion of an audit of these records.

At time of separation from employment, personnel files may be replaced with a summary file which is retained in lieu of the original file. Summary files contain the following pertinent information condensed from the personnel files: appointments, resignations, promotions, salary history, years of service and all accumulated leave.

**Employee Health and Medical File**

These records shall be kept in a file separate from the employee's other personnel records. This file may contain, but is not limited to:

1. Medical examination records and related documentation
2. Records pertaining to an employee's disability, including employee’s request for accommodation and documentation of employer accommodations provided
3. Documentation of work-related illnesses or injuries
4. Records of exposure to hazardous conditions or materials
5. Drug-testing records
6. Physician statements
7. First aid incident reports
8. FMLA-related records
9. Worker’s Compensation Records

In accordance with the retention schedule established by the Missouri Secretary of State's Office, records in this file will be retained for seven (7) years after separation except that records relating to hazardous exposure shall be retained for 30 years after separation.

**Immigration Records File**

The Immigration Reform and Control Act requires all employers to hire only

American citizens and aliens who are authorized to work in the United States. The law seeks to preserve jobs for those who are legally entitled to them. The College will implement the following procedures to assure compliance with the law:

1. Any employee hired after November 6, 1986, will complete an Eligibility Verification Form (Form I-9), and will produce documents that will establish his or her identity and eligibility

to work. (Form I-9 contains a list of documents that will fulfill this requirement.)

1. The College will retain an individual's Form I-9 for three (3) years after the date of hire or one (1) year after the individual is terminated, whichever is later. These records will be maintained in Human Resources and kept in a file separate from the employee’s other personnel records.

1. The forms may be reviewed by the Immigration and Naturalization Service and potentially by other federal agencies. In order to minimize potential intrusion, Eligibility Verification Forms will be maintained separate from the employee's personnel files.

Public Access Files for H1B sponsorship will be stored in the Human Resources office separate from the employee personnel record. The College will retain the Public Access Files for one year after the date of employment under the Labor Condition Application. If no foreign national was employed under the Labor Condition Application, the Public Access File will be maintained for one year from the expiration or withdrawal of the Labor Condition Application. Individuals may review the file in the presence of an HR representative. The file may not be removed from the office unless approved.

 **5.20.2** **Employees’ Responsibility**

 Employees are responsible for notifying the Office of Human Resources in writing of any changes in the following:

1. Name
2. Address
3. Telephone number
4. Marital status (for benefits and tax withholding purposes only)
5. Addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only)
6. Beneficiary designations for any of the College's insurance, disability, and pension plans
7. Persons to be notified in case of emergency (h) Changes in tax withholding (W-2 form)

**5.20.3** **Record Inspection**

 Employees are allowed to inspect their own personnel records in accordance with federal and state laws. Employee review of his/her file will be conducted in Human Resources with a representative of HR present.

1. In the event that an employee reviews his/her personnel file and feels that any information in the file is inaccurate or irrelevant, the employee may submit a written request to the Director of Human Resources to have the material revised or removed from the file. If such a request is not granted, the employee will be permitted to place a written statement of disagreement in the file and can pursue the matter further using the Grievance Process. Under no circumstances may an employee remove an official document from his/her personnel file.
2. Employees are prohibited from reviewing any personnel files except their own, unless authorized by the Director of Human Resources. Examples of individuals who may have a legitimate need to review personnel records include the President, appropriate administrator, immediate supervisor, and the Director of Human Resources or a designated assistant. Any access to a personnel file will be verified and recorded in the Human Resources Office.

Employees are responsible for keeping copies of College communication that may be in their personnel file. Employees will be responsible for making personal copies, which will be conducted in the Office of Human Resources. Employees will not be allowed to remove their file from the Office of Human Resources.

The Office of Human Resources will not make copies of a personnel file for the employee unless otherwise required by special circumstances.

Once an employee is terminated, the access to the personnel file ceases.

**5.20.4** **Information Request**

Employees are to refer any personnel-related inquiry regarding employees and past employees to the Office of Human Resources. The Office of Human Resources will verify title, dates of employment and salary.