80/Staff Personnel Records

I. REFERENCES
A. UC SPP 80 - Staff Personnel Records
B. UC Business and Finance Bulletin RMP-8, Legal Requirements on Privacy of and Access to Information
C. UC Business and Finance Bulletin RMP-9, Guidelines for Access to University Personnel Records by Governmental Agencies
D. UC Business and Finance Bulletin RMP-10, Instructions for Responding to Subpoena
E. PPM 480-20, UC Records Disposition Schedules Manual

II. POLICY
A. General
Employee records shall be established and maintained by the Office of Record as defined in PPM 480-20, Records Disposition Schedules Manual. Access to an individual's records shall be governed by the instructions contained in the Business and Finance Bulletins referenced above.

B. Transfer of Records
All contents of an employee's departmental personnel records shall be transferred to the employee's new department, except that departmental records of attendance and time worked, grievance materials and medical related information for the employee shall be retained in the department where the work was performed.

C. References
A department head, or designee, may provide an oral evaluation of an individual in response to specific job-related questions by a prospective non-University employer who, in the judgment of the department head, has a legitimate business interest in receiving such information. Such evaluation shall be based on documented information.

D. Release of Information Related to Workers' Compensation Claim Administration
Representatives of entities acting on behalf of the University for the administration of Workers' Compensation claims shall be considered University agents fulfilling University responsibilities. Such representatives shall be granted access to specific information in an individual's staff personnel record to the extent such information is relevant to the investigation of a Workers' Compensation claim, with the admonition that no information obtained shall be released to any other person except as necessary for the investigation of the claim.
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The University custodian of the individual's records shall be responsible for determining if the requested information is relevant to the investigation of the claim and if so, releasing it. Employee consent is not required for release of such information.

III. PROCEDURES

Tape Recordings

Tape recorders should not be utilized in meetings or discussions between administrators and employees or their agents, which pertain to an individual's employment with the University. Examples of such discussions or meetings include discussions held to evaluate an employee's qualifications or performance, to counsel employees, to take corrective action, to review informally complaints or grievances, and to confer with employee representatives.

However, there may be exceptional circumstances in which the parties agree that a recording of an employment-related meeting is needed. In such circumstances, written consent of the parties to the discussion must be obtained prior to making the recording. Before voluntarily expressing consent, the parties are to be informed of the purpose of the recording, the use(s) to which it may be put, where the record will be maintained, the right to have access to the record, and the University's authority to maintain records of personnel matters. The above information, the expression of consent, and the identity of those expressing consent should become a part of the record. All recordings of discussions are subject to the California Public Records Act, the Information Practices Act, and Staff Personnel Policies.

IV. RESPONSIBILITY

The Office of Record shall establish an internal procedure defining the time and place that employees may examine their own records. Additionally, such offices shall identify custodian's of records within their office who have the responsibility of assuring that the information contained in the file is that which the employee has access to, and that those records protected by legal privilege are removed from the file before it is presented to the employee for examination.

The Office of Record shall identify a custodian of records to be responsible for responding to requests from the public for information from the employees' records and for notifying the employee that such information has been provided. If requests for information appear to constitute an unwarranted invasion of personal privacy, the custodian of records for that office has the responsibility for referring the question to Human Resources for advice and counsel regarding the requested information.