

ARTICLE IV - PERSONNEL FILES

A. The official personnel file for each faculty member shall be maintained in the office of the appropriate dean or director or in the office of the Vice President for Information Services and University Librarian. The contents of this file, at the sole discretion of the University except as otherwise provided in this Article, may include the types of material listed below, as well as other materials:

1. Documents submitted by the faculty member or placed in his/her file at his/her request.
2. Documents concerning the individual's employment history at the University and all records of personnel decisions affecting his/her compensation or employment status.
3. Materials assembled in accordance with University Regulations, practices and policies, or the terms of this Agreement concerning the evaluation, reappointment, promotion, or tenure of each faculty member, with the exception of outside confidential letters of recommendation.

B. Any member of the bargaining unit may have access to all documents in his/her official personnel file, including internal evaluations related to the individual, and may add to those records such materials as the individual believes necessary to give a reasonable representation of the individual's record.

C. The official personnel file shall be available for examination by the bargaining unit member who shall be entitled to review it at reasonable hours upon written request and to purchase copies of any or all materials contained therein. A unit member may have his/her union representative present during such review/examination.

D. When a personnel action has been initiated by a department or other appropriate body, access to the promotion forms related to that action will not be available to the faculty member until that personnel action has been completed.

E. No material may be added to the official personnel file more than one year after its receipt by the academic officer to whom the material is originally directed except according to the procedure outlined below:

1. The academic officer who wishes to add material more than one year after its receipt shall provide an accompanying written explanation for the addition of the material.
2. The faculty member shall have the opportunity to appeal to the dean or the Vice President for Information Services and University Librarian the addition of material added to his/her official personnel file more than one year after its receipt.

3. The faculty member may appeal the decision of the dean or the Vice President for Information Services and University Librarian to the chancellor.

F. If a bargaining unit member believes that material necessary to give a reasonable representation of his/her record exists elsewhere, the bargaining unit member may apply in writing to his/her Chancellor, requesting access to the material. This request must specify, to the best of the faculty member's knowledge, the nature of the material and its location within the University.

Within 15 working days of such request, the Chancellor, or his/her designee shall respond by either:

1. Producing the material requested, or
2. Certifying in writing that to the best of his/her knowledge the alleged material does not exist, or that it exists but does not belong in the faculty member's official personnel file. Such certification shall be placed in the official personnel file and shall serve to preclude the use of such material in any personnel action.

H. The bargaining unit member shall have the right to prepare a written response to any document in the official personnel file which the bargaining unit member believes reflects negatively on his/her abilities or performance. The written response will be placed in the official personnel file if the response is provided to the dean with the explicit request that it be placed in the official personnel file.

AGREED: 8/12/15