

## **ARTICLE 13**

### **PERSONNEL FILES**

#### **13.1 Personnel Files**

- 13.1.1 The official personnel file of each unit member shall be maintained at the District's central administration office. No adverse action shall be taken against a unit member based upon written material which is not contained within the official personnel file, unless otherwise required by law.
- 13.1.2 Pursuant to Education Code 87031, information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to enter, and have attached to any derogatory statement, his or her own comments. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.
- 13.1.3 A unit member shall have the right during the member's nonworking hours, but during the regular hours of the Office of Human Resources, to examine 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. Advance appointments for examinations may be required, and scheduled, with District representatives.
- 13.1.4 Official personnel files are considered confidential and are available for review only to those persons having a legal right or authorization to inspect.
- 13.1.5 District shall have a representative present when any official personnel file is examined.