

SECTION: Human Resources

NUMBER: A-001-01-0005

AREA: General

UPDATED: 02/15/2022

SUBJECT: Access to Personnel Records

REVIEWED: 12/09/2022

I. PURPOSE

Rocky Mountain College maintains a personnel file for each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records. All employee personnel records are confidential, and access is restricted. An employee's position title, date of hire, and duration of employment, all of which is public information, will be released only with a signed written request of the employee. The college may not require justification for the request (Montana Code Sec 2.21.6611, as amended effective April 30, 2010).

II. POLICY

Personnel files are the property of Rocky Mountain College and are retained in the Human Resources Department and, for faculty, in the Office of the Provost. Access to an employee's file is restricted. Only supervisors and management personnel of Rocky Mountain College who have a legitimate reason to review information in a file are allowed to do so. No personnel files may be removed from the Human Resources Department or the Office of the Provost.

- A. Supervisors and management will be authorized to review files under the supervision of Human Resources Department staff or the Office of the Provost. No materials may be removed from an employee's file unless agreed upon in writing by the employee and relevant College executive.
- B. Employees who wish to review their file should contact the Human Resources Department or the Office of the Provost. With reasonable advance written notice, employees may review their personnel files in Rocky Mountain College's offices and in the presence of an individual appointed by Rocky Mountain College to maintain the files. No materials may be removed from personnel files. Copies of material contained in a personnel file are available upon written request by the employee.
- C. Access to the files is limited to the following:
Other employees of the college may have access to Human Resource files only if they have a need to know. This means access is limited to:
 1. Human Resource Department staff as they need access in the course of their normal duties.
 2. Potential supervisors and department heads considering an employee for promotion or transfer into their departments
 3. Others only as specifically authorized by the Human Resource Department staff. Generally, such access would be granted only upon advice of counsel in

response to a subpoena, summons, or a request for information from a federal agency.

- D. Each employee may inspect his or her own employee file, provided a written request is made to the Human Resource Department. No materials may be removed except as specifically authorized by the Human Resource Department. The Human Resource Department has 10 business days to accommodate an employee's written request to inspect his/her employee file.
- E. An employee may file a written response to information contained in employee personnel records which becomes a permanent part of the record. The response must be filed within 10 working days of the date on which an employee is made aware of the information by the college.
- F. Information collected regarding medical examinations or inquiries must be treated as confidential medical records in compliance with the Americans with Disabilities Act (ADA) and collected and maintained on separate forms in separate files from employee personnel records.
- G. All job verifications should be referred to and completed by the Human Resource Department.
- H. The deposition of evaluation or disciplinary material in an employee's file will follow appropriate employee policies regarding evaluation and disciplinary proceedings.

III. REVIEW AND RESPONSIBILITIES

Responsible Parties: Human Resource Department
Office of the Provost

Review: As deemed as appropriate

IV. APPROVAL

Approved: _____ Date: _____
President

Approved: _____ Date: _____
Chair / Board of Trustees