

PERSONNEL DEPARTMENT POLICY
San Luis Obispo County

Topic: Department Personnel Files	
Subject: Personnel Records CSC Rule: 7.00, 8.00, 15.00 and California Confidentiality of Medical Information Act (CMIA), California Civil Code Section 56.10 et.seq., California Government Code Section 31011 Location: P:\PERSONNEL DEPT. POLICIES - 2004\Final Policies 2004\PERSONNEL RECORDS\Departmental Personnel Files.doc	Revised: October 2005 Approval: _____ Date: _____ Note: Original signed copy on file in Personnel Department.

The personnel files kept at the departmental level are referred to as "departmental personnel and supervisor" files. As a general rule, any written record, which may be used to affect an employee's employment status, should be placed in the employee's official personnel file located in the Personnel Department. Departmental personnel files typically contain copies of documents sent to the official personnel file, such as evaluations and Personnel Action Forms (PAF's). Supervisors typically maintain copies of memos of discussion, work performance memos, etc. because departmental file material can be used to support future discipline on current employees. A supervisor should not keep any documentation in the departmental personnel file that the employee is not aware of; no "surprises." Such departmental files should be kept for the term of the employee's employment plus five (5) years. Documents that have been submitted to Personnel for inclusion in the Official Personnel File can be destroyed to avoid duplication.

Be certain to keep any medical information on employees in a separate file. In essence, each employee should have two departmental personnel files. Medical information retained in one and all other work related documents in the other.

Medical information that should be kept in "Confidential" files includes:

- Family/medical leave request forms if the employee has disclosed the nature of his/her illness.
- Return to work releases.
- Workers' compensation records.
- Medical information about the employee related to reasonable accommodation under the Americans with Disabilities Act or Fair Employment and Housing Act.
- Any other medical information.

County employees have the right to inspect and review files relating to their performance, including departmental personnel files.