

# CPTC Procedure: Personnel Files

Coastal Pines Technical College (CPTC) shall maintain an official personnel file on each of its employees.

## Filing Guidelines

Documents that should be placed and retained in official personnel files include, but are not limited to: appointment packet material, performance-related documents and requests for personnel/payroll actions. A more inclusive list is provided in the TCSG Procedure: Documents to be Retained in Official Personnel Files.

Documents that should be maintained **SEPARATELY** from official personnel files include, but are not limited to: medical information, internal security reports, I-9 forms, garnishments, bankruptcies, and levies, information received as a result of criminal history records investigation, and leave donation records. A more inclusive list is provided in the TCSG Procedure: Documents to be Maintained Separately from Official Personnel Files.

Questions regarding documents to be placed in official personnel files should be directed to the CPTC Human Resources Department and/or TCSG Director of Human Resources.

## Custodians

The Custodian of official personnel files is the CPTC Human Resources Director.

## Access to Information

An employee may review his or her own personnel file and shall be allowed to do so within a reasonable time of such a request. An Employee who wishes to access their individual personnel file should file his/her written request using the following process:

1. The initial request should be submitted in writing to the Personnel File Custodian, Human Resources Director.
2. An appointment shall be scheduled for a mutually agreeable time and date for the employee and the Human Resource Director.
3. An employee may only review his/her personnel file in the presence of the Personnel File Custodian.
4. An employee must submit a separate written request for documents in his/her personnel file to be copied.
5. An employee will be charged 10 cents per page copy fee for copies in excess of 25 pages.

The Georgia Open Records Act provides that all Department records are public and accessible unless specifically exempted for reasons such as an order by a Georgia Court or by law.

Some personal employee information that is maintained in official personnel files is confidential and not subject to disclosure under the Georgia Open Records Act. Insurance and medical information and social security numbers are not subject to disclosure, but all other documents are generally accessible under the Georgia Open Records Act.

Confidential personal information is accessible only under the following circumstances:

1. The custodians have access to the information for maintenance purposes.
2. Employees may have access to their own personal information.
3. Employees' legal representatives may have access to the information, if they have written authorization from the employees.
4. Vice Presidents, Commissioners, Presidents, Facility Administrators, designees and employees' supervisors may have access to the information when necessary for

- employment-related purposes or on a need-to-know basis.
5. The Georgia Bureau of Investigation and other law enforcement officials may have access to the information for purposes of investigating employment-related misconduct or for other legal reasons.
  6. Information must be disclosed if required by subpoena issued by a court of competent jurisdiction or if otherwise required by law.

The Custodian is to ensure that confidential information is removed prior to allowing access to official personnel files, unless one or more of the above conditions exists.

Subpoenas and other legal requests for information maintained in official personnel files are to be immediately forwarded to the appropriate authority or designee.

Access, to official personnel files that has been authorized, shall be permitted during regular business hours of the Human Resources Department. Normally this access is in the presence of the Personnel File Custodian.

Individuals requesting access to official personnel files should give advance notice. Identification is required prior to authorizing access to confidential employee information.

### **Transfer of Official Personnel Files**

Official personnel files of employees who transfer within the Department must be forwarded to the appropriate Technical College or office in a timely manner.

Official personnel files of Department employees who transfer to other state agencies must be forwarded to the appropriate agency's Human Resource/Personnel Office in a timely manner.

### **Purged Files**

Official personnel files may be purged as a result of settlement agreements made with employees in accordance with State law (O.C.G.A. § 45-1-5).

1. In such cases, the official personnel files and any associated work history must be clearly designated with a notation that records have been partially or totally purged of the termination document, as a condition of legal settlement agreement (See TCSG Notification of Purged Records).

Note: Termination settlement agreements and requests for data change are to be forwarded to the appropriate designee or authority where notations regarding purged records are to be entered into terminated employee's computer-based work histories.

2. Notations regarding purged records shall be disclosed to any governmental entity requesting information on former employee's work histories for the sole purpose of making hiring decisions.

### **Inactive Files**

The Custodian is responsible for official personnel files of inactive employees and their distribution in accordance with the approved Records Retention Schedule.

### **Responsibility**

The Vice President for Administrative Services has the overall responsibility of ensuring this procedure is implemented.

**Adopted:** February 27, 2014

**Reviewed:** November 15, 2021