

Chapter: Personnel

Modification No. 0042

Subject: ~~Personnel Files~~ Employment Records

- I. The College is committed to maintaining accurate, secure, and confidential employment records in accordance with applicable laws and institutional standards.
- II. In the course of day-to-day daily operations of the College, employees may be required to access or manage ~~must often utilize information of a confidential nature in order~~ confidential or sensitive information to carry out their jobs. ~~All employees have a~~ It is a major responsibility both ethically and legally responsibility for all employees to safeguard and appropriately ~~properly~~ use this information.
- III. The ~~personnel~~ employment record of any past or present employee of the College is considered a confidential record of the College. ~~It is the College's policy to safeguard the privacy of its employees by restricting access to~~ the files that make up the employment records ~~personnel files and records~~ when access is restricted or denied by law. To the extent permitted by law, employees have the right to examine their employment ~~personnel files~~ records ~~and other records concerning their employment~~; the right to submit materials to correct, rebut, or clarify any information contained in those ~~files or~~ records; and the right to have materials not related to employment or official duties excluded from their records. ~~Only information which is relevant and necessary to~~ carry out the daily operations ~~accomplish the purpose~~ of the College may be maintained in these ~~personnel files and~~ records and their maintenance must be in accordance with the College's record management processes.
- IV. Effective January 1, 2022, employment records will be maintained in the HR Information System (HRIS). Digital files for employment records prior to January 1, 2022, are maintained electronically.
- VIII. The Board of Trustees authorizes the P ~~resident is authorized~~ to establish any procedures necessary to implement this policy.

Board Approval: September 21, 1987; DATE.

Chapter: Personnel

Modification No. 0034

Subject: ~~Personnel Files~~ Employment Records

I. Scope and Applicability

- A. This policy applies to the employment records of employees, including documents from their employment application or promotion that are maintained in their personnel file.
- B. For individuals who are not hired, the recruitment file is maintained separately and is retained and disposed of in accordance with the College's records retention protocol.

II. ~~Staff Personnel Files~~ Types of Files

The College maintains one (1) official employment record for all employees, which is composed of multiple files.

A. ~~Types of Files~~ Personnel Files

~~The College maintains one (1) official personnel file for support, associate, and administrative staff employees.~~

~~1. Official Personnel File~~

~~The Chief Human Resources Officer or designee is responsible for the compilation and administration of the central personnel file for all staff employees.~~

~~A staff employee shall have the right to inspect his or her own personnel file or have his or her personnel file reviewed by his or her duly authorized representative, designated as such in writing by the individual, in accordance with the following procedures:~~

~~a. An appointment must be made for the review with the Chief Human Resources Officer or designee.~~

~~b. The letters of reference and certain medical records (see below) will be removed from the file by the Chief Human Resources Officer prior to the review session.~~

~~c. The entire review is conducted in the Office of Human Resources and no material is permitted to leave the room or to be removed from the file.~~

~~d. An employee may obtain copies of the material reviewed to the extent duplication is permitted. One copy of each document in the file may be photocopied for the employee free of charge. A fee will be charged for any additional copies. The photocopying fee will be the same as the fee charged for reproduction of materials requested pursuant to the College policies and procedures regarding inspection of public records.~~

e. The official personnel file for employees consists of:

- ~~(1.)~~ The official letter(s) of offer of employment, contract(s) for employment, and letter(s) of appointment, reappointment, and/or non-reappointment.  
~~for administrative staff or a copy of the offer letter for support and associate staff.~~
2. Copies of documents which authorize the payment of salary.
- ~~(23.)~~ Other legal documents related to employment.
- ~~(34.)~~ Any ~~L~~ letters of reference and recommendation, ~~transcripts, university and college placement papers, and other material related to initial appointment.~~
- ~~(4)~~ Original application and/or resume/curriculum vitae for consideration of  
~~for employment.~~
- ~~(5)~~ ~~Copies of personnel action sheets, contractual letters, and other documents which authorize the payment of salary.~~
- ~~(6)~~ ~~Documents and copies of forms related to insurance, retirement, fringe benefits, leave authorization and personnel compensation.~~
- ~~(7)~~ ~~Evidence of compliance with the legal aspects of employment.~~
- ~~(8)~~ 5. Materials related to the required performance evaluation procedures and associated documentation.
- ~~(9)~~ ~~The results of skills tests as required for employment.~~
6. Documents related to rank and advancement, if applicable.
- ~~(10)~~ 7. Archival records of noteworthy achievements, records, and awards, that provide biographical data for appropriately acknowledging the individual on special occasions.
- ~~(11)~~ ~~Correspondence and memoranda relevant to the individual's employment and association with the College. This category shall be held to a minimum and shall be placed in the file only if the employee is provided an information copy.~~ Documents related to disciplinary actions, if applicable.

B. Benefits and Retirement Files

The official benefits and retirement files consist of:

1. Current and historical group insurance plan elections for active employees.
2. State Retirement Plan elections for active employees.
3. Voluntary Retirement Plan elections for active employees.

4. Current and historical group insurance plan elections for retirees.

C. Additional Files

Other files and documentation may be kept by Human Resources and Strategic Talent Management (HRSTM) as part of the employment record, including but not limited to those related to family leave, medical leave, and disability accommodations.

III. Administration of and Access to Employment Records~~Files~~

A. Administration of Employment Records

Employment ~~records with~~ records are kept electronically and securely maintained by the Chief Human Resources Officer (or designee).

B. Access to Records

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1. ~~Official Personnel File~~

~~a. The official personnel file is kept in the College Human Resources Office. Chief Human Resources Officer or designee is responsible for the security of this file until such time as it is deposited in the College Archives in accordance with the provisions of the Comprehensive Records Schedule.~~

~~b. With the exception of a confirmation of employment or verification of salary by the Chief Human Resources Officer or designee or designee, no information in the files about an employee will be given over the telephone by anyone.~~

~~c. Employment This file is records are private and access to them is limited. Generally, they are open only on an as s need to know basis to the employee and any College employee who supervises in the employees employee's supervisory chain, except as provided herein. All requests must be made in writing by first contacting the HR Helpdesk at [HRSTM@montgomerycollege.edu](mailto:HRSTM@montgomerycollege.edu). The file is also open to the President, the Senior Vice Presidents, Chief Human Resources Officer, the Director of Employee Engagement and Labor Relations and to other College employees, as designated by those individuals, who require access in order to carry out the responsibilities of their positions.~~

~~(1) Letters of reference are not available for inspection by the employee, in accordance with applicable law.~~

2. ~~d. An individual employee has the right to respond in writing to any material in their file records(s). He or she They may prepare a statement in response and may include evidence in support of the response in the file records(s). If the individual desires to make no statement in response, he/she may so state in writing.~~

3. ~~e.~~ A supervisor of one or more College employees ~~may shall have~~ the right to review ~~an employee's the personnel employment record~~ when the employee works under ~~his or her their~~ supervision and ~~such~~ access ~~to the file is deemed~~ necessary for the normal conduct of supervisory responsibilities, ~~or when~~

4. A supervisor of one or more College ~~n~~ employees shall review the reemployment record of an employee who is being considered for a ~~has~~ ~~made written application for~~ transfer or promotion, ~~or who has submitted~~ a written application for transfer or promotion, to a position under ~~his or her their~~ supervision.

~~Such review of an employee's personnel file shall be conducted under the same conditions as described above.~~

~~f.~~ Individuals other than those identified above who wish to obtain file information about an employee must submit their request in writing to the Chief Human Resources Officer or designee.

4. ~~g.~~ In the event a duly authorized subpoena is issued for the release of ~~employment~~ records, notification of such subpoena action shall be given to the ~~General Counsel~~ for appropriate action.

#### C. Verification of Employment

1. All employment verification requests shall be directed ~~ion~~ to the HR Help Desk via email at [HRSTM@montgomerycollege.edu](mailto:HRSTM@montgomerycollege.edu) (preferred) or in person at the Central Services Building. HRSTM will verify dates of employment and position, and salary will be verified only with a signed authorization from the employee. Common reasons to request verification of employment include but are not limited to renting or purchasing property, applying for any type of loan, and Public Student Loan Forgiveness forms.

2. All verifications of employment will be returned directly to the requestor, not provided to the employee. HRSTM will keep a record of all employment verifications provided on behalf of employees.

3. With the exception of a confirmation of employment or verification of salary by the Chief Human Resources Officer (or designee), no information in the records about an employee will be given over the phone by anyone.

#### ~~II.~~ Full-Time Faculty

##### ~~A.~~ Types of Files

~~The College maintains one official personnel file for full-time faculty.~~

##### ~~1.~~ Official Personnel File

~~The official personnel file consists of:~~

- a. ~~Letters of appointment, reappointment, and non-reappointment.~~
- b. ~~Other legal documents related to employment.~~
- c. ~~Letters of reference, original application of employment, official transcripts, placement papers, and other materials related to initial employment.~~
- d. ~~Original application for employment.~~
- e. ~~Copies of personnel action sheets, contractual letters, and other documents that authorize the payment of salary.~~
- f. ~~Copies of forms related to insurance, retirement, fringe benefits, leave authorization, and personnel compensation.~~
- g. ~~Evidence of compliance with the legal aspects of employment.~~
- h. ~~Correspondence and memoranda relevant to the individual's employment and association with the College. This category shall be held to a minimum and shall be placed in the file only if the employee is provided an information copy.~~
- i. ~~Materials related to the required performance evaluation procedures.~~
- j. ~~Archival records of noteworthy achievements that provide biographical data for appropriately acknowledging the individual on special occasions.~~
- B. Location of Files
- The official personnel file is located in the office of the Vice President and Provost on the campus to which the faculty member is assigned for accounting purposes. The Vice President and Provost is responsible for the security of this file.
- C. Administration of and Access to Files
- ~~The degree of access authorized to a faculty member's personnel file is determined by the legitimate need of the inquirer. Information authorized to be given to various sources, and the persons permitted access to the records are indicated below. With the exception of a confirmation of employment by the Chief Human Resources Officer, or designee, no information about a faculty member will be given over the telephone by anyone.~~
1. Official Personnel File
- a. ~~The official personnel file is administered by the campus Vice President and Provost, who is responsible for the compilation of the file, the placement of all materials in the file, and for its security until such time as it is deposited in the College Archives. The Vice President and Provost shall also determine whether or not material not specifically identified above shall be placed in the file.~~
- b. ~~The file is open to the President, the Senior Vice Presidents, Chief Human Resources Officer, the Director of Employee Engagement and Labor Relations, and to other College employees, as designated by those individuals, who require access in order to carry out the responsibilities of their positions.~~

c. ~~A faculty member has the right to the review of his/her personnel file by himself/herself or by his/her duly authorized representatives designated as such by the individual, in accordance with the following procedures:~~

(1) ~~An appointment must be made for the review with the Vice President and Provost, or designee.~~

(2) ~~Letters of reference, including those which are part of College placement papers, are not available for inspection by the faculty member, in accordance with applicable law.~~

(3) ~~The entire review is conducted in the office of the Vice President and Provost and no material is permitted to leave the room or to be removed from the file during the review.~~

(4) ~~The faculty member may request copies of materials in the official personnel file, except for letters of reference, and transcripts or other items supplied to the College upon condition that they not be duplicated or where disclosure is prohibited by law. One copy of each document in the file may be photocopied for the faculty member free of charge. A fee will be charged for any additional copies. The photocopying fee will be the same as the fee charged for reproduction of materials requested pursuant to the College policies and procedures regarding inspection of public records.~~

d. ~~College personnel not named above are permitted access to the official personnel file in accordance with the following procedures:~~

(1) ~~Prior to the individual's initial appointment, the file is open to campus personnel authorized by the Vice President and Provost to assist in the pre-appointment evaluation.~~

(2) ~~After the initial appointment, the file is open to supervisory campus administrators with the approval of the Vice President and Provost. Campus administrators must review the file in the office of the campus Vice President and Provost, so that at no time will the file leave that office.~~

(3) ~~All other requests by College personnel for access to the official personnel file shall be directed to the appropriate campus Vice President and Provost, through normal administrative channels. The Vice President and Provost will determine if the requester is granted access to the file and the documents which the requester may review.~~

e. ~~Non-College personnel may request access to the official personnel file. Such requests must be in writing and will be processed in accordance with College policies and procedures regarding the inspection of public records.~~

f. ~~In the event a duly authorized subpoena is issued for the release of records, notification of such subpoena action shall be given to the General Counsel for appropriate action.~~

### III. ~~Part-Time Faculty~~

#### ~~Types of Files~~

##### ~~Official Personnel File~~

~~The College will maintain one (1) official personnel file for part time faculty. The official personnel file of part-time faculty shall be administered by the Office of Human Resources.~~

~~The file consists of:~~

~~Letters of employment.~~

~~Other documents related to employment.~~

~~Transcripts. Candidates must provide for the College to receive official transcripts of all credits claimed for the highest two degrees earned plus related subsequent academic work.~~

~~Employee's Withholding Exemption Certificate (W-4). Specific instructions are given on this form as to the method for claiming withholding exemptions.~~

~~Employee's Maryland Withholding Exemption Certificate/Certificate of Non-Resident in the State of Maryland~~

~~Appropriate employment verification forms required under Federal law~~

~~Three letters of reference indicating professional competence, to be requested by department chairpersons, coordinators, instructional deans, or appropriate supervisors, based upon references cited in the application. Telephone references may be substituted for letters of reference under the following conditions:~~

~~The conversations are fully documented by memorandum,~~

~~The conversation is with a department chairperson, or equivalent supervisor of the faculty member being considered (not another faculty member of the department), and~~

~~A synopsis of the conversation is included in the memorandum, as well as the date and name of the person with whom the conversation was held.~~

~~Copies of personnel action forms, and other documents which authorize the payment of salary.~~

~~Materials related to the required performance evaluation procedures.~~

~~Documents related to rank and advancement~~

~~Document related to disciplinary actions~~

~~I. \_\_\_\_\_ Archival records of noteworthy achievements that provide biographical data for appropriately acknowledging the individual on special occasions.~~

#### Access to File

~~The file is open to the President, the Senior Vice Presidents, the Vice President/Provost, the Chief Human Resources Officer, Director of Employee Engagement and Labor Relations and to other College employees, as designated by those individuals, who require access in order to carry out the responsibilities of their positions.~~

~~An employee shall make all requests for access to his or her personnel file to the Chief Human Resources Officer. With the express permission of the employee, a Union representative may be present with the employee when an employee reviews his or her personnel file. Upon reasonable notice, an employee will be provided with a photocopy of any item(s) in his or her file.~~



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Administrative Approval: September 21, 1987; September 27, 1990; August 24, 2010; [DATE](#).