

TENTATIVE AGREEMENT

6.9 Personnel Files

- a. The employee personnel file at the Administrative Center of the District shall be the only depository of information relating to the employee's employment. Employees shall have the right, upon request, to review the contents of their personnel files and to receive, at the employee's expense, copies of any documents contained therein. An ESSA representative may, at the employee's request, be present at the review. No secret, duplicate, alternate, or other personnel file shall be kept by the District. A separate file for processed grievances shall be kept apart from the employee's personnel file. Material originating within the District will not be placed in an employee's personnel file unless it is dated and signed by the author. The employee will have the opportunity to read and sign material critical* of an employee's performance and/or conduct before it is entered into his/her personnel file. An employee's signature indicates only that the material has been seen, not agreement to its content. **For the purposes of this article, "critical" shall mean; characterized by careful analysis and judgment.*

Critical material must be shown to the employee within ten (10) workdays after receipt or composition, exclusive of any absences by the employee or supervisor. Any critical material not shown to an employee within ten (10) workdays shall not be allowed as evidence in any grievance or in any disciplinary action against such employee.

Critical material originating within the District may be removed from an employee's personnel file if, after three (3) consecutive annual (non-probationary) evaluation cycles, all areas of the evaluation instrument are rated MS or better. Such removal will occur at the employee's request once the conditions for removal have been met. An employee's evaluation, maintained as a permanent personnel record, may contain reference(s) to discipline received during the reporting period, including notation of the type of discipline and the nature of the offense.

- b. All documents, communications, and records dealing with employee termination shall be removed if the employee is reinstated and absolved. These materials shall be maintained in a separate, closed, confidential file, which shall not be subsequently used or referred to, save as may be ordered by a court of competent jurisdiction. The employee will be made aware of any evaluative information placed in the file and may sign the document. The employee's refusal to sign the document does not preclude the placement of it in the file.
- c. It is recognized by the Association that supervisory files are maintained by the employee's supervisor of record. Supervisory files will not be transferred. Except for corrective emails, memos, and letters addressed to the employee and formal evaluations, supervisory files for all support employees will be destroyed by the outgoing administrator when the administrator is no longer employed at the site. The above corrective documents shall be destroyed after three (3) years from the date of issuance. Employees may view the content of any supervisor's building or site files upon request and reasonable notice.



Ivory McDaniel-Ilgenfritz Date
District Chief Spokesperson

MW 10/17/22
Mary Ward Date
ESSA Spokesperson