

## EMPLOYEE PERSONNEL RECORDS

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### **I. Purpose**

To establish standards regarding the college's maintenance of employee personnel records and to permit employees to review their personnel records and to receive certain information regarding such records.

### **II. Scope**

This policy applies to all employees.

### **III. General**

The College is committed to compliance with the Bullard-Plawecki Right to Know Act, MCL423.501, et seq. (the "Act".) Employees' rights under the Act include a right to request and be given a review of their personnel records, a right to be supplied with copies of their records as allowed by the Act, a right to respond to statements in their personnel record, and a right to notice in certain circumstances where third parties seek a copy of their personnel record. The Human Resources Office is responsible for maintaining the personnel record for each employee. The personnel record contains documents relating to an employee's employment application, credentials, letters of employment, and employment history. Additional items approved by the Executive Director of Human Resources may be included in the personnel record. The College shall maintain personnel records of employees confidentially. Except as otherwise provided by this policy information maintained in employee personnel records shall not be released to third parties.

Release of information in employee personnel records to third parties may be made as provided in the Bullard-Plawecki Employee Right to Know Act, including:

- Health information when needed for Worker's Compensation matters or as appropriate when considering requests for accommodation under the Americans with Disabilities Act (ADA);
- Court-ordered requests as accompanied by subpoena, warrant, garnishment order, child support order, or other appropriate court requests;
- The College will respond appropriately to requests for information under the Freedom of Information Act.

When the College receives a court order or other request for an employee's personnel records, the College shall notify the employee by a copy of the request prior to producing the records in accordance with applicable laws and regulations or an applicable collective bargaining agreement.

Separate files are maintained for confidential medical records related to FMLA or other employee leaves, ADA accommodation requests, MIOSHA records, and Worker's Compensation records. These files are not part of the official personnel record.

#### **IV. Responsibility**

Responsibility for the interpretation and administration of this policy and the establishment of procedures governing employee personnel files is delegated to the Executive Director of Human Resources or designee.

Adopted 3/4/03 (Employee Personnel Files)

Revised: 5/21/2018, 3/21/2022 (renamed: Employee Personnel Records)