



BOISE STATE UNIVERSITY

University Policy 7530

Employee Files

Effective Date

July 2019

Responsible Party

Human Resources and Workforce Strategy, (208) 426-1616

Scope and Audience

This policy applies to all University employees.

Additional Authority

- Idaho Code Title 74, Chapter 1 (Idaho Public Records Act)
 - IDAPA 15.04.01.220
 - Idaho State Board of Education Policy, Section II.P.4
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1. Policy Purpose

To establish who has access to employee files and the procedure for disclosing file information.

2. Policy Statement

Official files for each employee (including current and former) are maintained in Human Resources. All employee files maintained as part of the employee's Official Personnel File, originating at Boise State University upon employment, are available to the employee upon request. The employee may schedule a time with Human Resources to review the file and/or obtain copies. Access to the Official Personnel File is limited to authorized Boise State University officials, the employee, and other State agencies upon request or as required by law.

The employee has the right to file a written amendment to any material included in the Official Personnel File, except for material used to screen and test for employment.

In addition to the Official Personnel File, the University also maintains other employee files. All employee files are securely maintained by the University in accordance with applicable law. Employee files are only disclosed in accordance with existing State and federal law, University policy, Idaho State Board of Education policy, and the Rules of the Division of Human Resources and Idaho Personnel Commission.

In collecting, maintaining, and disclosing employee information, Boise State University makes every effort to protect employees' privacy rights and interests and prevent inappropriate or unnecessary disclosures of information from any employee's personnel file or records. Boise State University strives to ensure all personal and job-related information about employees is handled in a secure, confidential, and lawful manner.

3. Definitions

3.1 Employee Records

Name-linked files of potential, current, and former employees assembled during normal University operations.

3.2 Personally-Identifiable Information

The combination of an individual's first and last name plus one or more of the following:

- Social Security Number;
- Bank account number;
- Credit card number; or
- Date of birth

4. Types of Employee Files

The University maintains the following types of employee files:

- Official Personnel File
- Benefits File

- Employee Health Information File
- Supervisor Documentation/Supervisor File

5. Official Personnel File

- a. There will be only one Official Personnel File, and that file is maintained by Human Resources. The following documents are maintained as the Official Personnel File:
 - All hiring documentation (except employment screening and testing questions/materials) including:
 - (i.) Employment application
 - (ii.) Curriculum Vitae (CV)/Resume
 - (iii.) Educational transcripts and/or degree verification
 - (iv.) Personal information, including emergency contact information (Employees have the responsibility to update their personal information in the Human Resources system of record)
 - (v.) Job offer letter and acceptance of offer signed by the University representative and the employee
 - Fully-executed employment contracts
 - Compensation information and changes
 - Personnel changes (promotion, demotion, transfer, layoff) including new title, position, department, and supervisor
 - Performance evaluations
 - Performance Improvement Plans
 - Formal performance-related communications to employee facilitated by Human Resources
 - Formal disciplinary actions

- Education, training, certifications, and licenses specific to the position held
 - Non-health related requests for leave (e.g. sabbatical) and documentation of such leave granted
 - Letters/notices of resignation or retirement
 - Separation documents/separation agreements
 - Notice to Faculty that tenure and/or promotion is granted/denied/revoked
 - Tenure-clock extension requests
 - Awards, certificates, or formal letters of commendation related to the employee's position at the University
 - Name changes
 - Telecommuting forms
 - Unemployment claim documentation
 - Policy and handbook acknowledgement documentation
- b. An employee may request access to the employee's Official Personnel File from Human Resources to view or obtain a copy of any contents in the file.
- c. Other than an employee who may obtain access to their Official Personnel File, the following have access to an employee's Official Personnel File through Human Resources:
- University President
 - Office of the General Counsel
 - Current supervisor and other supervisors within chain of command of the employee (allowed access to an employee's personnel file strictly in consultation with Human Resources)
 - Prospective hiring authorities in the University and amongst agencies of the State of Idaho when the employee or former employee is being considered for transfer, reemployment, and/or promotion; or

- Any person authorized by court order or applicable law.
- c. Questions regarding the release of employee information should be directed to Human Resources.

6. Benefits File

- a. Employee Benefit Files are maintained by Human Resources and kept separate from the Official Personnel File. Benefit Files include, but are not limited to:
- Employee benefit enrollment forms (e.g. health, dental, disability, life insurance)
 - Benefit declination forms
 - Benefit elections
 - Beneficiary designations
 - Retirement enrollment documents
 - Uniformed Service Employment and Reemployment Rights Act (USERRA) rights notification acknowledgements
 - Donated leave requests and leave donations
 - Death claim
- b. An employee may request access to the employee's Benefit File from Human Resources to view or obtain a copy of any contents in the file. Human Resources has access to the Benefits File; however, supervisors may not access or view an employee's confidential Benefits File.

7. Employee Health Information File

- a. Employee Health Information Files are maintained by Human Resources and kept separate from the Official Personnel File. Employee Health Information Files include, but are not limited to:
- Family and Medical Leave documentation
 - Americans with Disabilities Act accommodation requests and related documentation

- Notes from healthcare providers
 - Medical leave records
 - Physical assessment forms
 - Return to work documentation
 - Workers' Compensation claim information and communication
 - Drug or alcohol test results
- b. An employee may request access to the Employee's Health Information File from Human Resources to view or obtain a copy of any contents in the file. Human Resources has access to the Employee Health Information File; however, supervisors may not access or view an employee's confidential Employee Health Information File.

8. Supervisor Documentation/Supervisor File

- a. Supervisor documentation (whether maintained in hard copy or digital format), which may be contained in supervisor files (some may refer to these as department files, desk files, or working files), may be maintained by a supervisor or kept in a central location within a department. Supervisor records should only contain notes to help the supervisor remember specific occurrences, such as verbal coaching sessions, commendations and/or complaints from customers, staff, vendors or citizens, electronic or written instructions given to the employee, copies of performance evaluations, performance improvement plans, and copies of informal and formal corrective action.
- b. Supervisor documentation/supervisor files must not contain any Personally-Identifiable Information about an employee including Social Security numbers, birthdates, I-9 information, etc. Supervisor records/supervisor files also must not contain any employee health information. If an employee provides a supervisor with any health information or documentation, including but not limited to Return-to-Work releases or requests for accommodation, the supervisor must immediately forward the documentation to Human Resources, and neither the supervisor nor the department must retain a copy.
- c. Supervisor documentation/supervisor files are considered official Boise State University records and must be kept in a secure location. In the event an employee terminates or transfers out of a department, the supervisor records/supervisor file must be sent to Human Resources. If supervisor documentation/supervisor files are not kept in a centralized location in a department, and an employee transfers to another position within

the same department, the supervisor documentation/supervisor file must be forwarded to the new supervisor in its entirety.

9. Requests for Amendment to Employee Files

- a. An employee may, pursuant to Idaho Code § 74-113, request in writing, an amendment of any record pertaining to that employee. Within ten (10) days of the receipt of the request, Human Resources will:
 - Make any correction of any portion of the file which the individual establishes is not accurate, relevant, or complete; or
 - Inform the employee in writing of the refusal to amend in accordance with the request and the reasons for the refusal, as set forth in Idaho Code § 74-113.
- b. An employee may reply to, or suggest deletion of, derogatory evaluation material or statements of an accusatory nature placed in their Official Personnel File. Such requests for deletions or replies to material should be in writing to Human Resources. If, in the case of requested deletions, the matter cannot be resolved between the employee and the supervisor, it may be taken through the appropriate Problem-Solving Process if within the proper time frame.

10. Retention and Destruction of Employee Files

- a. Retention and destruction of employee files must be in accordance with existing state and federal law, University policy, Idaho State Board of Education policy, and the Rules of the Division of Human Resources and Idaho Personnel Commission. Therefore, information that an employee or former employee requests may or may not exist based on the timing of the request.
- b. All employee records are property of Boise State University, and no University employee will have any personal or property right to such records even if the employee developed or compiled them.

11. Disclosure for Verification of Employment

- a. Except to individuals allowed access as specified in Section 6.b, only the following information will be released to verify employment:

- Last name and first name only
 - Work location
 - Position held
 - Dates of employment
 - Employment status
 - Salary and salary history
 - Classification and pay grade
 - Any other information allowed by applicable law
- b. All other personnel information relating to an employee or applicant including, but not limited to, information regarding sex, race, marital status, birthdate, home address and telephone number, applications, testing and scoring materials, grievances, discipline information, correspondence and performance evaluations, and protected health information, must not be disclosed to the public without the employee's or applicant's written consent, except as allowed by law.
- c. Reference information for prospective employment will be provided to a non-government agency if specifically authorized by the employee.

12. External (Non-State Agency) Requests for Employee Files

Upon receipt of a subpoena or other request for an employee's records, the subpoena or request must immediately be sent to the Office of General Counsel for review and response in accordance with applicable law.

Revision History