

## Personnel Records

<b>Objective:</b>	To establish policy and procedure covering access to personnel record information of Tompkins County employees.	<b>Policy/Procedure Number:</b>	02-15
<b>Reference:</b> <i>(All applicable federal, state, and local laws)</i>	Personnel Department; NYS Civil Service Law Section 75 - Removal and Other Disciplinary Action; New York State Archives, Retention and Disposition Schedule	<b>Effective Date:</b>	January 12, 1981
<b>Legislative Policy Statement:</b>		<b>Responsible Department:</b>	Human Resources
<b>General Information:</b>		<b>Modified Date (s):</b>	June 1988; July 2, 2008; October 2009; July 18, 2023
		<b>Resolution No.:</b>	09-212; 2023-150
		<b>Next Scheduled Review:</b>	July 2028

### I. Definitions:

### II. Policy:

- A. The County shall comply with “NYS Civil Service Law, Section 75 - Removal and Other Disciplinary Action.”
- B. The only official personnel file is that kept in the County’s Department of Human Resources and only that file may be the basis of disciplinary action.
- C. Supervisors’ desk files or documentation used for the purpose of managing an employee’s work, setting goals, providing feedback, etc. are generally not maintained in an employee’s official personnel file, but will be requested by Human Resources when referenced in performance evaluations or disciplinary actions.

### III. Procedure:

- A. Employees may view the contents of their personnel file, by appointment only, during normal business hours of the Human Resources Department in the presence of the Commissioner of Human Resources or their designee. Files may not be removed from the place of inspection. However, copies of requested pages may be provided in the method most convenient to the department.
- B. Each employee shall be given copies of all performance reviews (see *Administrative Policy 02-14: Evaluating Employee Performance*) that are placed in the employee’s personnel file. The employee shall have the opportunity to submit a letter of rebuttal for review to the Commissioner of Human Resources, which will be maintained as part of the file.
- C. Copies of performance reviews may be provided to former employees upon written request if received within the time period set forth in the NYS Archives’ minimum retention and disposition schedule. The current retention period is within six (6) years after employee separation.
- D. Documents will only be expunged according to collective bargaining agreement in effect.