**Guidelines for Personnel File Contents and Transfers**

# Guidelines for Personnel File Contents and Transfers among University Departments

This document provides guidelines for our campus, relating to both Merit and Professional and Scientific employees. The guidelines are based on the premise that, since The University of Iowa is the single employing entity, the personnel file is the property of the University rather than of an employing department.

Employing units shall maintain a personnel file for each employee containing pertinent information regarding their employment relationship with the University. The information contained within the file shall be consistent with state and federal laws and regulations, University policies, and any collective bargaining agreements as applicable. Personnel files are confidential. Access to them is limited to supervisors or others with administrative responsibility, persons responsible for maintenance of the files, or others granted access by University policy or contractual requirements.

Personnel files contain all forms related to the staff member's employment; i.e., resumes and/or application materials, appointment papers and letters of offer, change of status forms, performance appraisals, letters of recognition and/or commendation, and any disciplinary record. Grievance materials, including documents related to discrimination or sexual harassment complaints, should be maintained in a separate file. Letters of recommendation supporting the staff member's original hire should be held in the position recruitment file rather than the employee's personnel file.

A separate medical file should be maintained for information related to Worker's Compensation, the Family and Medical Leave Act, designation of the employee as protected under the Americans with Disabilities Act and documentation relating to accommodations, as well as Leave of Absence forms regarding the same. All forms and correspondence related to personnel actions covered by these acts or correspondence containing personal medical information should be held in this separate file. The ADA provides that the separate ADA related medical file must be kept separate, apart from the location of personnel files, and that access is limited to those supervisory personnel involved in the implementation of workplace accommodations. Random drug screen information for those under the CDL drug-testing program should also be maintained in the medical file.

When an employee transfers between departments on the University campus, both the personnel file and the medical file should follow. However, within the medical file, any information related to a disability and related accommodations covered under the ADA (including Worker's Compensation claims that may result in coverage under the ADA, and LOAs granted for purposes of an ADA accommodation) should not be transferred to the new employing unit. These files should not be transferred since the employee needs to initiate the request for accommodation within the new position. The ADA segment of the medical file should be transferred to Faculty and Staff Disability Services. The supervisor also may have kept notes in an informal supervisory record. These should not be transferred with the personnel file. The Operations Manual III-7.2, grants employees access to their personnel files at an appropriate time, place, and manner. This access includes the personnel and medical file, but not the supervisory notes.

Transfer of personnel files should occur as a matter of course as employees change departments within the University. The responsibility for requesting the file lies with the newly employing department, since the former employing department may not have knowledge of where to send the file nor to whom. The original file may be transferred via campus mail, marked CONFIDENTIAL, to the designated Human Resource representative for the receiving department or division. Departments may maintain a copy of the former employee's file if desired.

The personnel files for employees who have terminated should be maintained for three years in the last employing department, after which they can be discarded. Exceptions are: 1) ADA files, which should be sent to Faculty and Staff Disability Services at the time of the employee's transfer or termination; 2) records related to positive test results and/or refusals to take a required alcohol and/or controlled substances test, which should be retained for five years; and 3) documents relating to employee exposure to toxic substances, which also should be retained for five years.

Questions about these guidelines should be addressed to departmental Human Resource representatives or to Employee and Labor Relations (elr-help@uiowa.edu).