

ARTICLE FOURTEEN - PERSONNEL FILES AND COMPLAINTS

A. Personnel File Contents and Inspection

1. There shall be an official District Personnel File for each faculty member. The material in the official District personnel file shall be considered and used as the only official personnel record of the District in any proceeding affecting the status of the faculty member's employment with the District. Materials in personnel files of employees which may serve as a basis for affecting the status of their employment are to be made available for the inspection of the person involved. Such material is not to include ratings, reports, or records which (1) were obtained prior to the employment of the person involved, (2) were prepared by identifiable examination committee members, or (3) were obtained in connection with a promotional examination.
2. Every employee shall have the right to inspect such materials upon request, provided that the request is made at a time when such person is not actually required to render services to the District.
3. Information of a derogatory nature, except material mentioned in this Section, shall not be entered or filed unless and until the employee is given notice and an opportunity to review and comment thereon. An employee shall have the right to enter, and have attached to any such derogatory statement, his/her own comments thereon. Such review shall take place during normal business hours, and the employee shall be released from non-classroom duty for this purpose without salary reduction.
4. The personnel file shall include, but need not be limited to, records of employment with the District and records of professional evaluation. In addition, such records as educational advancement and pertinent work experience as provided by the faculty member shall be a part of the official District file.
5. A faculty member may forward to the Personnel Office materials for inclusion in the file. All reasonable requests for inclusion of pertinent material in the faculty member's file shall be accommodated. Materials not filed shall be returned to the faculty member.
6. The personnel file shall be kept in a locked file cabinet in the District Personnel Office. The file shall be available for inspection by the faculty member upon written request. An Association representative may, with the written authorization by the faculty member, have access to the respective faculty file.
7. Any item to be placed in the file shall be clearly identified as to its source or originator and its date of receipt by the District.

Article 14 (continued)

8. The faculty member shall have the right to copies of materials within the file except as noted in **Article 14.A.1** above. In the event of disciplinary action against the faculty member, the faculty member, upon request, shall be provided at District expense with a copy of any or all material in the file deemed necessary by the faculty member, except as noted in **Article 14.A.1** above.
9. Anonymous letters shall not be referenced or placed in any faculty member's personnel file.

B. Complaints Against Faculty

1. When complaints against faculty members are filed by students, the complaints shall be resolved through the Student Complaint (Section Four) or Discrimination Complaint (Section Twelve) policies. The complaint must be in writing and signed by the student.
2. When complaints against faculty members are filed by individuals other than students, the appropriate administrator shall confer one-to-one with the faculty member within ten (10) working days. The faculty member shall be notified that (1) a complaint has been made and (2) he or she is entitled to representation by the bargaining agent. All such complaints shall be in writing and signed by the complainant. If the matter is not settled at the Vice President level, the College President or designee may take steps leading to personnel action according to Board Policy and/or law. See **Article Fourteen, Appendix A** for implementation guidelines of employee dismissals/ disciplinary action.
3. All faculty have the right to CCA representation in meetings with College or District administration where faculty reasonably believe that such meetings may lead to disciplinary action.

Article Fourteen Appendix

Article Fourteen Appendix Table of Contents

	Page
<u>Appendix A</u> , Employee Dismissals/Disciplinary Action	228

Article 14 Appendix A

Employee Dismissals/Disciplinary Action

- (1) When it first comes to the attention of any administrator that an employee's conduct or work performance is sufficiently below standard to warrant consideration for dismissal or other disciplinary action, the administrator will contact the Campus Human Resources Officer.
- (2) It shall be the responsibility of the Campus Human Resources Officer to arrange a meeting to include the following:
 - the immediate supervisor (administrator or unit member) of the employee under question;
 - if not listed above, the administrator in first line of authority;
 - the Campus Human Resources Officer;
 - the District Human Resources Officer; or
 - when warranted, other administrators in line of authority.

The purpose of this meeting will be to evaluate the concerns regarding the employee under consideration and to develop a course of action.

- (3) Until the meeting has taken place, the supervisor should refrain from making comment to the employee about any pending action. This should not be construed as preventing the supervisor from attempting to correct deficiencies in work performance.