

PERSONNEL FILE CONTENTS / RETENTION

The Diocesan Center and each parish, school or other employing unit shall maintain proper personnel records on each of its current and past employees. Personnel files should be maintained by a record “custodian” – the pastor, pastoral administrator, or their designee. Personnel files should be kept locked at all times and any access to a personnel file must be through the custodian of the files.

WHAT DOCUMENTS ARE TO BE INCLUDED?

Generally, personnel files are to contain employee information relating to qualifications, legal compliance, and written communication implicating the employment relationship such as reward or discipline. The following list provides *examples* of documents which should be contained in personnel files:

1. Offers of employment stating the position, employment date, salary or wage, benefits, etc.
2. Resume
3. Signed employment application
4. Signed Acknowledgment Form verifying acceptance of employee handbook
5. Signed Arbitration Agreement Acceptance Form
6. Michigan New Hire Reporting Form (filed with State of Michigan)
7. Position Description
8. Performance evaluations
9. Employee service records
10. Attendance records (to the extent they impact reward or discipline)
11. Salary or wage history
12. Information regarding changes in employment status
13. Notices of reprimands, disciplinary actions, etc.
14. Information and documentation of circumstances surrounding termination
15. Separation Records
16. Exit Interview

WHAT DOCUMENTS ARE TO BE EXCLUDED?

Some items are to be kept separate from personnel files. Those items include medical information of the employee, illness, or injury to the employee, and the federal I-9 (employment eligibility verification) form.

HOW LONG SHOULD DOCUMENTS BE MAINTAINED?

Unfortunately, there is no uniform rule for how long personnel documents are to be maintained. Some must be maintained for only one year, others for two years, still others for 3 years, and

documents related to workplace illness and injuries for 30 years. In addition, it sometimes is helpful in the defense of employment-related claims to be able to review personnel file information for up to 7 (or more years). Therefore, the Diocese strongly recommends that all personnel records should be maintained for a minimum of ten (10) years and that records related to accident reports and injury claims should be maintained permanently.

WHO HAS ACCESS TO PERSONNEL RECORDS?

Only those supervisors or administrators with a legitimate “need-to-know” of the information contained in an employee personnel file are to be allowed access to an employee’s file. The custodian of the personnel file is to determine whether a particular supervisor or administrator possesses the requisite “need-to-know” prior to allowing access. When in doubt, the custodian of the personnel files should contact the Diocesan Office of Human Resources for assistance.

WHAT IF AN EMPLOYEE REQUESTS A REVIEW OF HIS OR HER PERSONNEL FILE?

Please contact the Diocesan Office of Human Resources for assistance any time an employee seeks to review his or her personnel file. In many cases, the file will need to be reviewed by legal counsel prior to review by the employee.

WHAT IF A COURT ORDER CALLS FOR DISCLOSURE OF PERSONNEL RECORDS?

The law in Michigan has precise notification requirements when an employee’s personnel file documentation is disclosed to a third party, particularly in regard to the disclosure of discipline. Therefore, please contact the Diocesan Office of Human Resources for assistance any time a third party request for a personnel file disclosure is made.