

Willamette Education Service District

Code: **GBL**
Adopted: 7/8/03
Readopted: 7/12/05; 6/22/10
Orig. Code(s): None

Personnel Records

An official personnel file will be established for each person employed by the ESD. Such files will be maintained in a central location.

All records containing employee medical condition information, such as workers' compensation reports and release/permission to return to work forms, will be kept confidential in a separate file from personnel records. Such records will be released only in accordance with the requirements of the Americans with Disabilities Act or other applicable law.

The Superintendent will be responsible for establishing procedures regarding the control, use, safety, and maintenance of all personnel records. Employees will be given a copy of evaluations, complaints, and written disciplinary actions to be placed in their personnel file. All charges resulting in disciplinary action shall be considered a permanent part of the employee's personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file.

All information related to the employee will be placed in the personnel file. Except as provided below, or required by law, personnel records of ESD employees will be available for use and inspection only by the following:

1. The individual employee (an employee or designee authorized in writing may arrange with the Human Resources office to inspect the contents of the file);
2. The controller or auditor, when such inspection is pertinent to carrying out his/her respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;
3. A member of the Board when specifically authorized by the Board;
4. The Superintendent and designated members of the administrative services staff;
5. ESD administrators and supervisors who currently or prospectively supervise the employee;
6. Attorneys for the ESD on matters of ESD business;
7. Others designated in writing by the employee.

Information will be kept confidential. No files will be removed from their central location for personal inspection.

The Superintendent may permit persons other than those specified above to use and inspect employee records when, in his/her opinion, the person requesting access has a legitimate official purpose. The Superintendent will determine in each case the appropriateness and extent of such access.

Release of personnel records to parties other than those authorized to inspect them will be only upon receipt of a court order or properly executed subpoena.

END OF POLICY

Legal Reference(s):

[ORS 342.850](#)

[ORS 652.750](#)

[OAR 581-024-0245](#)

OSEA v. Lake County Sch. District, 93 Or. App. 481 (1988).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Cross Reference(s):

ACA - Americans with Disabilities Act

EH - Electronic Data Management