Prepared by the Office of Human Resources.
This replaces Administrative Procedure No. A9.075
dated June 1990.

July 1998

GENERAL

A9.075 PERSONNEL RECORDS - BOR APPOINTEES

1. Purpose

To implement a uniform system for the maintenance of the official personnel records for BOR appointees. In accordance with the 1986 delegation of authority to approve certain personnel actions, the official personnel files of BOR appointees, with the exception of BOR appointees in undelegated organizational units and Executive and Managerial BOR appointees, were transferred from the Office of Human and Material Resources (formerly known as Personnel Management Office) to the respective administrative units.

2. Objectives

To establish procedures for the maintenance of official personnel files and to identify the documents to be included therein.

3. Applicability/Responsibility

This instruction applies to personal records of all BOR employees appointed pursuant to Chapter 304, H.R.S., which includes but is not limited to faculty, lecturers, casual hires, Administrative, Professional and Technical (APT), Executive and Managerial employees. This instruction does not apply to personal records of student employees or civil service employees.

4. Procedures

a. The Chief Executive Campus Officer or Official Designee shall designate Custodians of the Official Personnel Records who shall be responsible for keeping these files accurate, complete, up-to-date, and in accordance with applicable provisions of the appropriate collective bargaining agreements.

b. The personnel files shall contain the following documents:

1) Letter of hire/offer and acceptance of employment

2) Curriculum vitae, APT Application (UH Form 64), and letters of recommendations

3) Personnel Action Documents (i.e., PNF, UH Form 6)

4) Approval documents of appointments, changes in appointments, approval of tenure (e.g., notice of renewal, approval of appointment/reappointment)

5) Documents relating to benefits:

   a) Tax Deferred Annuity (optional) Considerations:

      - If placed in the personnel file, access to personnel file is governed by Chapter 92-F, HRS (e.g., do not provide TDA agents with access to the folders; separate TDA agreements for disclosure to TDA agent).
      - If placed in the personnel file and employee transfers to another State department, remove all TDA materials from the file before transferring file. The University retains fiduciary liaiblity and responsibility for the employee's TDA participation in the University program.
      - Separate maintenance provides for ease of program administration and audit

   b) Health Fund

   c) State Deferred Compensation

   d) State Part-time, Casual & Seasonal (PTS) Deferred Compensation

   e) Annual Leave Status Reports

   f) Employees' Retirement System

   g) G-2, Application For Transfer of Vacation and Sick Leave Credit or Payment in Lieu of Vacation

6) Credit for Prior Service (UH Form 12)

7) Self-Identified Ethnic Background (UH Form 27)

8) Salary Assignment Forms (e.g., U.S. Savings Bond)

9) Performance evaluation reports including notice of renewal, Promotion and Tenure or APT Performance Evaluation - UH Form 70

10) Notice of disciplinary actions (e.g., Written Reprimand, Letter of Suspensions or Discharge)

11) Letters of commendation, recognition

12) Request for Position Action (UH Form SF-1) (optional)

c. The following should be kept in separate secured files:

1) I-9, Employment Eligibility Certification
2) Workers Compensation Claims and related documents
3) Temporary Disability Benefit Claims and related documents
4) Leave Sharing Requests and related medical certification documents
5) Family Leave Requests and related medical certification documents
6) Other medical information such as pre-employment medical information or ADA medical information
7) Immigration/Visa
8) Investigative reports and related documents (e.g., witnesses statements) involving alleged or proven employee misconduct and/or complaints against the employee and final disposition thereof.
9) Grievance materials
10) Recruitment materials (e.g., Form 17, applications, resumes, interview notes)
11) Promotion and Tenure application and dossiers

Ensure that any the above records are transferred to an employee’s new administrative unit if necessary (e.g., leave share records as the maximum amount of leave share received is monitored for the duration of employment with the University)

d. The personnel documents described in subsection b should be contained in the folder in reverse chronological order (i.e., most current on top).

e. Personnel files should be maintained in locked filing cabinets in areas/rooms which are accessible to only authorized individuals. All employees should be instructed on the confidentiality of personnel files by their respective Chief Executive Campus Officer or Official Designee.

f. The following shall be implemented where applicable in the usage and maintenance of personnel files:

1) Applicable provisions in the various collective bargaining agreements relating to access to and maintenance of personnel files

2) Chapter 92-F, H.R.S., relating to confidentiality, access and disclosure of personal records. Refer also to the Uniform Information Practices Act (UIPA) Reference Manual and to the office of Information Practices (OIP) Guidelines on the Disclosure of Personnel Records

3) The process of responding to a subpoena of personnel records

4) Records retention rules and policies specified by EEO/AA guidelines, the University Records Manager, and collective bargaining agreements

5) The State's Procedures for Transfer of Records to the State Records Center and University Administrative Procedure A8.555, "Records Management"

g. Transfer within UH System. When an employee moves to another administrative unit, the Official Custodian of Personnel Records of the former unit will send the employee's personnel file to the new unit. The file will be transferred as follows:

1) Letter of transmittal and acknowledgment of receipt (Attachment A)

2) File will be enclosed in sealed envelope labeled "CONFIDENTIAL" and addressed to the Official Custodian of Personnel Records in the receiving unit, and sent via U.S. Mail or personal delivery.

h. Resignation/Retirement/Termination. Three years after an employee resigns, retires, or is terminated from employment, the Official Custodian of Personnel Records of the administrative unit will transfer the personnel file to the State Records Center for storage in accordance with the State's Procedures for Transfer of Records to the State Records Center and University's Administrative Procedure A8.555, "Records Management."

i. Return to UH Employment. When a former employee returns to employment, the employee's personnel records shall be recalled from the State Records Center pursuant to the State's Procedures for Recall or Request for Records and the University's Administrative Procedure A8.555, "Records Management."

Attachment A

Date:

TO:

FROM:

SUBJECT: Transmittal of Official Personnel Records

We are transmitting to your department the personnel folder and other pertinent employment records (specify)for the following employee(s):

Enc.

Please sign and return one copy of this memorandum to:

Department

Address

Date received:

Received by:

Signature

Print or type name