

**UNIVERSITY OF HOUSTON SYSTEM  
ADMINISTRATIVE MEMORANDUM**

**SECTION: Human Resources**

**NUMBER: 02.A.31**

**AREA: General**

**SUBJECT: Access to and Maintenance of Personnel Files**

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1. PURPOSE

- 1.1. This document has been established to facilitate compliance with federal and state regulations, ensure the integrity of personnel files and the accessibility of file information, and preserve the confidentiality of records when such disclosure would constitute an unwarranted invasion of privacy.
- 1.2. This document applies to the personnel records of all employees, regardless of status, classification, full-time equivalency (FTE), or duration of employment, who have been hired by any component university of the System.

2. POLICY

- 2.1. It is the policy of the System that each component university's human resources department will establish and maintain accurate and complete centralized personnel record files for all its employees, with only one official file on each employee.
- 2.2. The System and its component universities will comply with all aspects of the [Public Information Act](#) pertaining to access and maintenance of personnel-related information. Requests for information covered by the Public Information Act are subject to the provisions of [SAM 03.H.02 – Open Records](#).
- 2.3. The System and its component universities will respect individual privacy and maintain in confidence all information and records pertaining to its employees to the extent practicable.
- 2.4. The policy of the University of Houston System and its components is to ensure equal opportunity in all its educational programs and activities, and all terms and conditions of employment without regard to age, race, color, disability, religion, national origin, veteran's status, genetic information, or sex (including pregnancy), except where such a distinction is required by law. Additionally, UH System prohibits discrimination in all aspects of employment and educational programs on the basis of sexual orientation, gender identity, or gender expression. For the UH System's Official Non-Discrimination Statement, see [SAM.01.D.05 – Equal Opportunity and Non-Discrimination Statement](#).

### 3. POLICY PROVISIONS

- 3.1. Collection: The component universities will obtain all necessary personal information directly from each employee except for reference letters.
- 3.2. Retention: Retention of personnel files will comply with the official University of Houston System Records Retention Schedule, which is prepared in accordance with state and federal regulations. At the end of the retention period, the component university may decide to retain these official records for a period longer than required by the Records Retention Schedule. Records will be disposed of in a manner appropriate to the type of record once they have reached their minimum retention period, based on the above mentioned schedule, and they are no longer administratively valuable. See [SAM 03.H.01 – Records Retention](#) for more information.
- 3.3. Employee Access to Personnel Files: Each employee or designated representative of the employee is entitled to review the entire contents of his or her own personnel file and to obtain a photostat copy of any document in the file, subject to paying a reproduction charge not to exceed the rate established by the General Services Commission.

It is the responsibility of the employee and/or the immediate supervisor to notify the component university's human resources department of any additions to and corrections of information in the employee's personnel file.

No employee is allowed to remove any item appropriately stored in any personnel file. If an employee disagrees with any information in his or her file, he or she must immediately notify either his or her supervisor or the human resources representative. He or she may ask to correct, ask for a deletion of, or write a statement of disagreement with any item in the file. The final decision about revising, deleting, or adding rests with the component university's chief human resources official or designee. The final decision of the component university's chief human resources official will be communicated to the employee. The employee has an opportunity to appeal the human resources decision; this appeal will be heard by the appropriate Vice President (VP)/designee or the President.

- 3.4. Access to Personnel Files by Other Employees and Supervisors: Personnel records of other employees may be accessed by employees and supervisors only in the course of performing their job functions or on a need-to-know basis, except pursuant to a subpoena or a public information request.
- 3.5. Disclosure of Employee Information to Outside Sources: The public is entitled to obtain information in official personnel files that is not deemed confidential by law. All requests from sources outside the System for personnel information concerning applicants for employment, current employees and former employees

shall be directed to the component university human resources department. For more detailed information, refer to [SAM 03.H.02 – Open Records](#).

File information that is protected from disclosure to the public without the employee's written consent includes medical records and any other information of a highly personal and potentially embarrassing nature. Public law allows state employees to choose whether they wish to keep confidential their home addresses and telephone numbers, and requires state agencies to record the employee's written election to restrict such access.

Representatives of state and federal agencies may access personnel files pursuant to authority granted to them by state and federal statutes or regulations.

3.6. Maintenance: These guidelines should be followed in maintaining personnel files:

- a. Contents of the Official Employee Personnel File: Each employee's personnel file should contain all documents or copies of documents relevant to the employment relationship that are collected, assembled, or maintained by the human resources department. This information may include, but is not necessarily limited to, biographical data sheets; transcripts of college work when appropriate; letters of recommendation; completed and signed official application form(s); letters of appointment; employment contracts or agreements; insurance forms and other documents relating to benefits; personnel action request forms; documentation of receipt of information required by law or University of Houston System policy; annual appointment letters; in-house and external training records; performance evaluations; awards and honors; documentation of disciplinary action; memoranda and correspondence to and from the employee; memoranda and correspondence to and from administrators concerning the employment relationship of the employee with the university; promotion, transfer, and/or demotion materials; and all committee reports relevant to the employment relationship of the individual with the university.
- b. Invasion of Privacy: Before documents that include information on more than one employee are placed in an employee's personnel file, all references to other employees must be deleted when such references may constitute a clearly unwarranted invasion of personal privacy. The component university human resources department has the responsibility to ensure that existing information in a specific personnel file conforms to these editing criteria when a request for access is received.
- c. Confidentiality: Contents of personnel files are considered confidential, with access only on a need-to-know basis. Absent any conditions described elsewhere in this administrative memorandum, violation of confidentiality by any employee involved in maintenance or handling of

personnel records may be grounds for disciplinary action, up to and including dismissal from employment. Employees involved in administration of personnel policies will not discuss personnel issues or problems with supervisors, other employees or the public except on a need-to-know basis or unless the employee provides written authorization to release such information.

- d. Medical Records and Documentation: Medical records will be stored separately from the official personnel file.

4. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice Chancellor for Human Resources

Review: Every five years on or before March 1

5. APPROVAL

Approved: Jim McShan  
Senior Vice Chancellor for Administration and Finance

Paula M. Short on Behalf of Renu Khator  
Chancellor

Date: July 6, 2016

**REVISION LOG**

Revision Number	Approval Date	Description of Changes
1	02/23/1996	Initial version
2	03/27/2003	Applied revised SAM template to meet current documentation standards. In Section 2, provided information on the Texas Public Information Act. Provided hyperlinks to documents cited in text. Added Section 3.6.e concerning grievance records being stored separately from official personnel files. Changed responsible party to AVC for Human Resources. Changed review period from odd numbered years to every three years on or before May 31 <sup>st</sup>

Revision Number	Approval Date	Description of Changes
3	05/29/2012	Applied revised SAM template and added new Revision Log. Removed "Staff" from title of SAM and throughout procedure. Removed Section 2.4. Added information on sexual orientation, gender identity or gender expression to new Section 2.4. Added information to Section 3.2 on possible additional retention time period for certain records until no longer administratively valuable. Added appeal process to Section 3.3 for documentation in personnel files. Reorganized information in Section 3.5, and removed the statement on obtaining forms concerning the confidentiality of home addresses and telephone numbers from the component human resources department. Removed Section 3.6.e on grievance records storage in a separate location. Changed the responsible party to AVC for Finance. Changed review period from every three years on or before May 31 <sup>st</sup> to every five years on or before March 1 <sup>st</sup> . Removed Section 6, Indexing terms
4	07/06/2016	Updated Section 2.4 with GENDA/Title IX information per the U. S. Department of Education's Office of Civil Rights requirements. Changed responsible party from Associate Vice Chancellor for Finance to Associate Vice Chancellor for Human Resources. Changed titles as applicable
<u>5</u>	<u>TBD</u>	