

1 UNIVERSITY COUNTERUNITED ACADEMICS PROPOSAL

2 5-7-13

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4 **ARTICLE 19**
5 **PERSONNEL FILES**

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7 The purpose of this article shall be to specify the means of implementation of
8 ~~OAR 577-040-0005 through OAR 577-040-0025~~ ORS 351.065.

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10 **Section 1.** ~~A faculty member has the right to know of the existence and location of each~~
11 ~~of the three legally permissible files maintained on him or her by the Administration that~~
12 ~~might be used relative to the employee's qualifications for employment or re-~~
13 ~~employment, performance evaluation, and/or disciplinary action. Each file shall refer to~~
14 ~~the existence and location of other files. The Administration is responsible for informing~~
15 ~~the faculty member of the existence and location of such personnel files. Except as set~~
16 ~~forth in this Article, a bargaining unit faculty member shall have full access to the~~
17 ~~member's personnel files and personnel records kept by the University upon reasonable~~
18 ~~request during normal business hours. The number of files relating to the evaluation of a~~
19 ~~bargaining unit faculty member shall be limited to three, to be kept in designated,~~
20 ~~available locations: (1) in an academic or research unit; (2) in a college or school; and (3)~~
21 ~~in academic affairs or human resources. A bargaining unit faculty member shall have the~~
22 ~~right to inspect and request a copy of each of these files upon reasonable request at no~~
23 ~~cost to the bargaining unit faculty member and may be accompanied by a representative~~
24 ~~of his or her own choice at the location of the file.~~

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26 **Section 2.** ~~Faculty members shall have access to his or her file, except for exeised~~
27 ~~portions as per OAR 580-022-0100(2)(3), during normal business hours under conditions~~
28 ~~which protect the integrity of the files. The faculty member shall have the right to copies~~
29 ~~of his or her file at no cost. The faculty member may be accompanied by a representative~~
30 ~~of his or her own choice at the time the file is examined. Personnel files and records are~~
31 ~~subjected to restrictions on access except upon a finding by the president of the~~
32 ~~University that the public interest in maintaining individual rights to privacy in an~~
33 ~~adequate educational environment would not suffer by disclosure of such records. Access~~
34 ~~to such records may be limited to designated classes of information or persons, or stated~~
35 ~~times and conditions, or to both, but cannot be limited for records more than 25 years old.~~

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37 **Section 3.** ~~The source of all materials in the personnel file shall be identified. No~~
38 ~~unauthorized or anonymous materials shall be contained in the personnel file (OAR 580-~~
39 ~~022-0075). When evaluating bargaining unit faculty members, the University may not~~
40 ~~solicit or accept letters, documents or other materials, given orally or in written form,~~
41 ~~from individuals or groups who wish their identity kept anonymous or the information~~
42 ~~they provide kept confidential, except to the extent that the bargaining unit faculty~~

1 member consents in writing. Any evaluation received by telephone shall be documented
2 in the bargaining unit faculty member's file by means of a written summary of the
3 conversation with the names of the conversants identified.
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5 **Section 4.** A bargaining unit faculty member is entitled to submit, for placement in the
6 three evaluative files, evidence rebutting, correcting, amplifying or explaining any
7 document contained therein and other material that the member believes might be of
8 assistance in the evaluation process. A faculty member shall have the right to submit
9 additional information to be placed in his or her personnel file to include, but not limited
10 to:

11 ~~transcripts supporting claim to academic work;~~
12 ~~documents supporting claim to professional training;~~
13 ~~letters and records describing work experience;~~
14 ~~copies of all statements of employment;~~
15 ~~all documents relating to professional growth or performance;~~
16 ~~documents indicating special competencies, achievements, scholarly research, academic,~~
17 ~~professional, or other contributions;~~
18 ~~any statement that the faculty member wishes to have entered in response to, or in~~
19 ~~elaboration of, any other item in his or her file.~~
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21 **Section 5.** If a faculty member should become aware that his or her personnel file
22 contains errors of fact or omission, the faculty member may petition, in writing, the
23 Provost or his/her authorized designee, to remove or correct ~~said~~ the information.
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