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The Human Resources Office shall maintain all employees' personnel files. The College shall maintain in individual personnel files only those records which are required or necessary and relevant to accomplish legitimate personnel administrative needs.

I. PUBLIC INFORMATION

The following information on each college employee is public information and shall be open for inspection in accordance with applicable law:

1) Name;
2) Age;
3) Date of original employment or appointment;
4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the board has the written contract or a record of the oral contract in its possession;
5) Current position;
6) Title;
7) Current salary (includes pay, benefits, incentives, bonuses, deferred compensation and all other forms of compensation);
8) Date and amount of each increase or decrease in salary with the College;
9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position or classification with the College;
10) Date and general description of the reasons for each promotion with the College;
11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the College. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the board of trustees setting forth the specific acts or omissions that are the basis of the dismissal; and
12) The office or station to which the employee is currently assigned.

Access to personnel files may be arranged by contacting the Human Resources Office for an appointment during College operating hours. If an individual wishes to have a reproduced copy of the information, the College may require a reasonable duplication fee. All College personnel shall be entitled to one (1) free copy of their personnel file.

II. CONFIDENTIAL INFORMATION

All information other than the information listed in Section I is confidential and shall not be open for inspection and examination except to the following persons:

A. The employee, applicant for employment, former employee, or his/her properly authorized agent, who may examine his/her own personnel file at all reasonable times in its entirety except for letters of reference solicited prior to employment;

B. The President, other supervisory personnel and legal counsel for the President;

C. The Board of Trustees and their legal representation;

D. A party by authority of a subpoena or proper court order may inspect and examine a particular confidential portion of an employee's personnel file;

E. An official of any agency of the state or federal government, or any political subdivision of the state, may inspect any portion of a personnel file when such information is deemed by the College to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purposes of assisting in a criminal prosecution nor for purposes of assisting in a tax investigation.

F. The President may, in his/her discretion, or shall at the direction of the Board of Trustees, inform any person or corporation of any promotion, demotion, suspension, reinstatement, transfer, separation, dismissal, employment, or non-employment of any applicant, employee, or former employee and the reasons for such action and may allow the personnel file of the person or any portion to be released or inspected to any person or corporation provided that the Board of Trustees has determined that the release of the information is essential to maintaining the integrity of the Board of Trustees or to maintaining the level or quality of services provided by the College. Prior to releasing the information or making the file or any portion available to a person or corporation pursuant to this subsection, the President shall prepare a memorandum setting forth the circumstances which s/he and the Board deem to require the disclosure and the information to be disclosed. The memorandum shall be retained in the files of the President and shall be a public record.

Each individual requesting access to confidential personnel information will be required to submit satisfactory proof of identity.

III. OBJECTING TO RECORDS IN PERSONNEL FILE

An employee, former employee, or applicant for employment who objects to materials in his/her personnel file may place in the file a statement relating to the materials the employee considers to be inaccurate or misleading. An individual may seek the removal of material(s) from his/her file through Policy 3.3.8 – Grievance.

IV. MEDICAL AND IMMIGRATION INFORMATION

Pursuant to the Americans with Disabilities Act, all medical information, including workers' compensation history and requests for reasonable accommodation for a disability, medical insurance information and medical documentation for FMLA and other types of leaves related to an employee's medical condition shall be kept separate from an employee's personnel file and shall be disclosed only as follows:

A. To supervisors who may be told only about work restrictions for an applicant or employee;

B. To first aid and safety officials where emergency treatment might be required; and

C. To government officials charged with enforcement of disability law.

All I-9 and other immigration status records shall be kept in a separate file not included within an employee's personnel file.

REFERENCES

Statutory References	N.C.G.S. § 115D-27 - 115D-29
Regulatory References	None
Relevant Guidance	None
Policy Manual Cross-References	Referenced by: ● Policy 2.3.8 - College Records ● Policy 7.1.1 - Technology Services Referencing: ● Policy 3.3.8 - Grievance

POLICY HISTORY

January 1, 2025	Adopted.