

# ARTICLE 14

## PERSONNEL RECORDS

### SECTION 1

A. Each employee, and/or a representative designated by a written authorization, will upon written request be granted access to any record(s) in a system of records pertaining to that employee with the exception of records to which access is restricted by law or government-wide regulation. Such access will take place electronically whenever possible. If access must be granted to a hard copy file, the employee's/representative's review of the file must occur in the presence of the individual(s) having official custody of the record or her/his designee(s). If the employee is located in a different geographic area than where the record is officially maintained, the record will be sent to a temporary custodian, who will be present when the employee reviews it.

~~1-B.~~ Access to hard copy records, when necessary, will normally be granted within seven (7) workdays of the employee's request. If the records are not co-located with the employee, the Employer will utilize an expedient and secure means of transfer to employee's location.

~~2-C.~~ If the Employer is unable to provide access to the records within seven (7) workdays due to unforeseen circumstances, an explanation of the delay and projected time for providing access will be given to the employee and/or the designated representative. The Agency will provide the employee access within no more than fourteen (14) workdays of the original request.

~~D.~~ Employees should read and retain copies of personnel documents routinely furnished to them. In the event that an employee fails to retain her/his copy and the document is not accessible electronically, one additional copy of any such document will be furnished free of charge to the employee or her/his representative designated by a written authorization, upon request.

~~3-E.~~ Employees will not be required to submit FOIA requests in order to obtain access to their personnel records.

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### SECTION 2

Records, such as medical records, which are not normally available for inspection and review by the employee or her/his representative (designated in writing), will be made available to authorized persons only for official use as provided for in the Privacy Act of 1974, as amended, and other appropriate legal authorities. Records will not be made available to any unauthorized person(s). Further, medical documentation will be maintained in accordance with applicable provisions of 5 CFR 293 and 5 CFR 297, unless otherwise required by law.

### SECTION 3

NTEU Initial Proposal Submitted Under Protest 6/11/8

It is agreed that the Employer will maintain Official Personnel Folders (OPFs) and other personnel records in accordance with the applicable laws regulations, including the Privacy Act of 1974. The Employer will ensure that each employee's OPF is current and accurate. When an employee notifies his or her supervisor that the OPF is not current, the Agency will update the OPF immediately. Employees will be afforded electronic access to their OPF. The Employer will purge the records in accordance with the General Records Schedule I standard and ensure that any adverse records remain in the employee's folder no longer than the minimum period required.

#### **SECTION 4**

Any system of records containing personal information about employees will meet the notice requirements of the Privacy Act and are subject to the terms of this Article-

#### **SECTION 5**

Personal notes maintained by an employee's supervisor and seen only by that supervisor are exempt from the disclosure requirements of the Privacy Act and will not be given to a succeeding supervisor.