



Ohio Administrative Code

Rule 3349-7-05 Access to employee personnel records.

Effective: October 28, 2010

(A) Purpose

To provide guidelines for employees to access their personnel records; to provide criteria for the review by other management personnel; and to prescribe the information that may be contained in personnel records.

(B) Scope

This rule applies to the personnel records of all employees, including but not limited to faculty, administrative staff, unclassified hourly employees, classified civil service employees, and student employees.

(C) Definitions

(1) Consult rule 3349-7-01 of the Administrative Code.

(2) "Personnel Records" identify the employee, contain information used to populate the university's human resource database, and to document the employee's qualifications for employment, promotion, transfer, additional compensation, or disciplinary action.

(3) "Medical Records" refers to any documentation concerning the medical history, diagnosis, prognosis, or medical condition of an employee created and maintained in the process of medical treatment.

(4) "Intellectual Property Records" refers to a majority of research based documentation, other than financial and administrative data, that has not previously been publicly released, published, or patented.



(D) Rule statement

(1) Personnel records are maintained in the department of human resources and are available to the employee, or a person specifically authorized in writing by the employee to review or receive such information; and, to any management official who has a legitimate, verifiable need to know specific information about the employee. Telephone requests for information from outside the university shall be limited to verification of employment dates and job title.

(2) An employee's personnel record shall contain necessary job-related and personal information, including but not limited to, identifying information, such as the employee's name, address, and job title; any employment applications, position descriptions, compensation records, information pertaining to benefit enrollment, disciplinary records, attendance records, confidentiality agreement, performance appraisals, university sponsored employee certificates, acknowledgements of university rules and procedures, and any other job-related information. The following documents shall not be contained in an employee's personnel record: payroll records, medical records, intellectual property records, and attorney-client privileged communications.

(3) Some items in the employee's personnel record are subject to disclosure pursuant to a public records request. However, if the information contained in an employee's personnel file does not serve to document the activities of the university, the item in a personnel file is not public record and does not need to be disclosed. Before personnel records are disclosed pursuant to a public records request, the university's office of the general counsel shall review the public records request and respond accordingly.

(4) Each employee shall have only one personnel record. Personnel records will be retained by the university's department of human resources for six years from the date of separation. Employees may review their own personnel records one time per calendar year in the university's department of human resources at a mutually established time and place.