

SEIU Local 1021 Solano County

Union Proposal (ALL UNITS) # 25

Date:

Time:

22.4 Personnel File

A. The official personnel file for each County employee shall be maintained by the Human Resources Department. An employee or his/her representative shall have the right to review the employee's official personnel file in Human Resources by scheduling a specific date and time, with the Human Resources staff. The employee's representative must present written authorization from the employee prior to reviewing the file.

B.

1. Right to Acknowledge the Receipt of Any Documents

A copy of any Personnel Action Forms, performance reviews, written reprimands, commendations or disciplinary actions placed in the employee's personnel file will be provided to the employee by the employee's department at the time the material is sent to Human Resources for placement in the official file. The employee may be requested to acknowledge the receipt of any documents entered into his or her personnel file. In the event the employee refuses to sign acknowledgement, the supervisor shall indicate such on the document. Any additional copies of documents from the employee's personnel file may be subject to reasonable charges in accordance with Human Resources Department and County policy. The employee may respond in writing through his/her department head to documents placed in the file. This response will be filed with the original document.

2. Rights to Seal a Letter of Reprimand

An employee shall have any letter of reprimand sealed within the employee's personnel file if three (3) years has elapsed from the date of reprimand and there has been no recurrence of the issue contained in the reprimand.

C. Performance reviews and written reprimands shall only be placed in an employee's official personnel file if the employee has either signed and dated the document or a supervisor/manager has signed and dated it indicating the date the employee was given a copy and refused to sign it. Disciplinary action shall only be placed in the file after the employee has been provided a copy of the action.

D. Performance Evaluations and Performance Improvement Plans (PIP)

1. A Performance Improvement Plan (PIP) is not discipline and the initial PIP document will normally not include a reference to potential discipline. However, a PIP does demonstrate notice to the employee and may be used to support discipline if the employee's performance does not improve. When disciplinary action is indicated during the Performance Evaluation, the employee has the right to Union representation.

2. Evaluations shall include space for an employee's written statement. A copy of the Appointing Authority's response along with the employee's written statement shall be attached to the Performance Evaluation.

3. Appeal to the Director of Human Resources

An employee shall have twenty-one (21) calendar days to appeal the decision of the Appointing Authority to the Director of Human Resources or his/her designee in which to attempt to reach a satisfactory resolution to the appeal of the performance evaluation.

4. Request for Mediation

a. The employee's request for mediation must be presented to the Human Resources Department within 10 calendar days of the receipt by the employee of the decision of the employee's department head.

b. The State Mediation Conciliation Service shall provide the first mediator available. During the review or mediation process, the employee may be assisted by a representative of the employee's choice.

c. The mediator must mediate the dispute within 90 calendar days of the Human Resources Department's receipt of the employee's request providing a mediator is available. Any extension of time must be in writing by mutual agreement.

5. Failure to allow the foregoing procedure is subject to the grievance procedure.

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