

This is the actual tentative agreement with no edits.

Article 24

Personnel Files

A. Definition.

1. A personnel file ~~will mean~~ is the personnel file compiled on an employee and maintained in the Human Resources Division ~~or in the President's office at the campus at the District.~~ These files shall not include a supervisor's personal notes and the records relating to grievances and arbitrations. The materials in these files, ~~including~~ may include, but are not limited to, employment and evaluation reports, commendations and adverse material shall be the only personnel records which may be used by the District in any proceedings which affect the status of the employee.; evaluations, counseling memos, and adverse material shall be the only those personnel records that may be used by the District in any proceedings which affect the status of the employee. These files shall not include a supervisor's personal notes or the records relating to grievances and arbitrations.

2. Adverse or "derogatory" (Ed. Code 87031 [b.1]) material will shall mean an alleged violation of any LACCD Board Rule, legislative statute, or civil or criminal law. This adverse material shall be the only personnel records that may be used by the District in any proceedings that may affect the status of the employee. This needs to be expanded as evaluations, improvement plans, counseling memos, etc. can be used to demonstrate poor performance for purposes of affecting the status of the employee.

B. Placing Materials in the File

1. A faculty member shall be provided a copy of all written material in A.1 above prior to the time it is placed in ~~his/her~~ her/his personnel file. No material may become a part of ~~an employee's~~ a faculty member's record, such as for example being placed in her/his personnel file, until the employee she/he has been provided a copy of such material and had an opportunity to respond. Such material shall be provided to the faculty member within a reasonable period of time five (5) working days ~~ten (10) working days~~ after the appropriate administrator's receipt of said material.

~~2. Materials may be placed in the file by the appropriate administrator whose name shall be noted on the material so placed, along with the date of such placement.~~

~~3. 2. Adverse mMaterial, listed noted in A. 1 above, which that has been placed or will be placed in an employee's personnel file in the Human Resources Division shall not not be retained removed, at the request of the employee in from that file for more than used in proceedings for cause at the end of four years after original receipt of the materials. Nothing in this section should preclude the District from referencing prior employee history in proceedings.~~
unless the employee asks that the material be retained.

C. Viewing the File

1. ~~An employee~~ A faculty member shall have the right at any reasonable time to inspect ~~his/her~~ her/his personnel file.

2. The ~~employee~~ faculty member may be accompanied by a representative of the AFT.

3. The ~~employee's~~ faculty's AFT representative shall have the right, with the written consent of the ~~employee,~~ faculty member, to inspect ~~the employee's~~ her/his personnel file at a reasonable time.