

ARTICLE 12

OFFICIAL PERSONNEL FILE

A. General Provisions

1. The University shall maintain only one (1) official personnel file for each employee, in an office designated by the University.
2. Any item placed in the official personnel file shall be clearly identified as to its source or originator and shall be dated. Where not already provided for in this Agreement, a doctor shall be given a copy of any material(s) prior to placement in the official personnel file.

B. Right to Inspect

1. Upon reasonable written notice to the designated office, a doctor shall have the opportunity to review his/her official personnel file within a reasonable time in the presence of a University representative. An individual of the doctor's choice may accompany the doctor when s/he is reviewing his/her personnel file.
2. Alternatively, an individual doctor may authorize a designated representative to review his/her official personnel file on the doctor's behalf. Such authorization must be made in writing, signed, dated, and delivered by the doctor; or sent via email, to the designated office. The written authorization shall be valid for a period of thirty (30) calendar days from the date of signature on the written authorization/date of email, or according to the time limit indicated on the authorization.
3. Within fourteen (14) calendar days of a written request made to the designated office, an employee shall be given a complete copy of any requested items in her/his official personnel file, or a complete copy of the entire file. The University will provide the first copy of such material at no cost to the doctor. Subsequent copies will be provided at a cost of ten cents (\$.10) per page.

C. Response to Materials

1. A doctor shall have the right to prepare and have entered into her/his official personnel file a written response to any materials in the file. The doctor may also submit documentation in support of the response, which will also be placed in the file.
2. A doctor may submit a written request to the designated administrative officer for deletions and/or corrections of materials in their personnel file. Within thirty (30) calendar days, the appropriate administrative officer shall inform the employee whether the requested correction in a statement of fact or a requested deletion was made.

D. Grievance Material

Grievance documents and documents referring to, or arising out of, a grievance shall not be contained in the official personnel file. Grievance materials shall be kept separately.

E. Corrective Action and Disciplinary Materials

1. Copies of counseling memoranda and letters or notices that relate to final disciplinary action taken by the University, along with a copy of the proof of service that accompanied the letter/notice shall, upon being provided to the doctor, be placed in the doctor's official personnel file.
2. Upon the doctor's written request, counseling memoranda and letters/notices of disciplinary action shall be removed from the doctor's official personnel file and not relied upon for any future disciplinary action after two (2) years if there has been no further documentation of the same or similar kind. The written request shall be returned to the doctor and no copy of the request will be placed in the official personnel file. The two (2) year limitation does not apply in the following situations:
 - a. When the counseling memoranda and letters/notices of disciplinary action concern a failure to meet the community standard of care, a failure to comply with a professional code of conduct, and/or any conduct that triggers the University's or any licensed health professional's reporting obligation under applicable law, or
 - b. A substantiated criminal violation connected with UC employment.
3. Materials that remain in the file but would have been removed pursuant to §E.2., above, but for lack of a written request to remove such items, shall not be used or relied upon to take or support disciplinary action.

- F.** The provisions of this Article do not apply in any way to a doctor's privileging and credentialing file.