



UT System Administration Policy Library – Policy INT104

## Employment Records

**Responsible Officer:** Associate Vice Chancellor for Employee Benefits and Services

**Sponsoring Office:** Office of Employee Services

**Effective Date:** April 1, 2001

**Last Reviewed:** August 27, 2009

**Next Scheduled Review:** September 3, 2012

**Errors or changes to:** [policyoffice@utsystem.edu](mailto:policyoffice@utsystem.edu)

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# **POLICY STATEMENT**

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The Office of Employee Services is responsible for the maintenance of each employee's official personnel file. All official employment documents should be submitted to the Office of Employee Services for maintenance. Convenience copies of such documents should not be maintained outside of the Office of Employee Services.

## Content and Maintenance of Employment Records

The official personnel file must contain only official employment-related documents including but not limited to appointment letters, performance evaluations, disciplinary actions, counseling documentation, reports or charges filed with an external entity such as the Equal Employment Commission or Texas Human Rights Commission, formal recognition, retirement documents, tax-sheltered annuity documents, group insurance and flexible spending account documents, employment application, resume, and grievances filed by the employee with responsive documentation.

All employment-related records, including benefits and medical records, will be maintained securely and access will be restricted based on the content of each record.

## Access to Employment Information

An employee or the employee's designated representative may review the employee's employment records to the extent permitted by the Texas Public Information Act. Employment records will be made available within a reasonable time after a request and during normal business hours.

The Texas Public Information Act provides that all employment records of an individual employee, except information that constitutes a clearly unwarranted invasion of personal privacy or information deemed confidential by law, are subject to public disclosure without the consent of the individual employee.

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# **RATIONALE**

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This policy provides for the maintenance of official employment records for employees of The University of Texas System.

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# **SCOPE**

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## WEBSITE ADDRESS FOR THIS POLICY

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<http://www.utsystem.edu/policy/policies/int104.html>

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## RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

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UT System Administration Policies & Standards	Other Statutes, Policies & Standards
<ul style="list-style-type: none"><li>• <a href="#">UTS139, Texas Public Information Act</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">Texas Public Information Act, Texas Government Code, Chapter 552</a></li></ul>

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## CONTACTS

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If you have any questions about UT System Administration Policy INT 104, *Employment Records*, contact the following offices:

Subject	Office Name	Telephone Number	Email/URL
Human Resources/ Employee Benefits	Office of Employee Services	512-499-4587	<a href="mailto:esc@utsystem.edu">esc@utsystem.edu</a>

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## **DEFINITIONS**

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### **Benefits Records:**

Documents relating to the employee's benefits, including, but not limited to, the following: retirement documents, tax-sheltered annuity documents, benefit plan enrollment forms, beneficiary information, garnishments, and any leave requests not related to medical reasons.

### **Medical Records:**

Documents of a sensitive medical nature, including, but not limited to, the following: injury reports, notes and reports from a health care provider, Family and Medical Leave Act medical documents, disability leave documentation, leave requests due to medical reason, documentation of sick leave pool requests, and benefits claim forms.

### **Official Personnel File:**

Contains only official documents relating to the employee-employer relationship and may include, but is not limited to the following: appointment letters, performance evaluations, commendations, employment application, resume, employment verifications, grievances, disciplinary actions, and reports or charges filed with an external entity such as the Equal Employment Commission or Texas Human Rights Commission. The Office of Employee Services maintains this file.

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## **RESPONSIBILITIES**

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### **Office of Employee Services and Appropriate Supervisory Department**

- Maintains official personnel files in accordance with policy

### **Employee or the Employee's Designated Representative**

- Contact a representative of the Office of Employee Services in order to review the employee's official personnel file.

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## **PROCEDURES**

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**1.1** An employee or the employee's designated representative who wishes to review the employee's official personnel file should contact a representative of the Office of Employee Services.

**1.2** It is the policy of The University of Texas System to recover the full costs for retrieving and copying public records, including employment records.

Employees will be assessed charges for copies in accordance with U. T. System policy UTS139 – Texas Public Information Act.

**1.3** All third-party inquiries about and requests for employee records must be directed, in writing, to the Public Information Officer for The University of Texas System, the Vice Chancellor and General Counsel. Former employees are considered third parties for purposes of this policy.

If it is determined that the personnel file of a System employee may contain information excepted from disclosure under the Texas Public Information Act, a request to withhold the information will be submitted to the Texas Attorney General.

**1.4** Verbal inquiries or requests for employment records concerning employees of a component institution are not valid and must be submitted in writing.

Written requests for employment records addressed to U. T. System that concern employees of a component institution should be forwarded immediately to the Public Information Officer for the University of Texas System, the Vice Chancellor and General Counsel so that the Requestor may be informed that the request should be submitted directly to the component institution.

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## **FORMS AND TOOLS/ONLINE PROCESSES**

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None

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## **APPENDIX**

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None

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Keywords: records, employee records, HR, human resources

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