

1. Title

Employment Records

2. Policy

Sec. 1 Policy Statement. This policy provides for the maintenance of official employment records for employees of The University of Texas System.

Sec. 2 Responsibility. 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.

Sec. 3 Content and Maintenance of Employment Records.

3.1 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.

3.2 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.

Sec. 4 Access to Employment Information.

4.1 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.

4.2 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.

- Sec. 5 Review of Personnel File by Current Employee. 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.
- Sec. 6 Costs and Charges. It is the policy of the U. T. 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*.
- Sec. 7 Third-Party Requests and Disclosure Exceptions.
- 7.1 All third-party inquiries about and requests for employee records must be directed, in writing, to the Public Information Officer for the U. T. System, the Vice Chancellor and General Counsel. Former employees are considered third parties for purposes of this policy.
- 7.2 If it is determined that the personnel file of a U. T. 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.
- Sec. 8 Verbal and Written Requests for Institutional Records.
- 8.1 Verbal inquiries or requests for employment records concerning employees of an institution are not valid and must be submitted in writing.
- 8.2 Written requests for employment records addressed to U. T. System that concern employees of an institution should be forwarded immediately to the Public Information Officer for the U. T. System, the Vice Chancellor and General Counsel so that the requestor may be informed that the request should be submitted directly to the institution.

3. Definitions

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.

4. Relevant Federal and State Statutes

[Texas Public Information Act, Texas Government Code, Chapter 552](#)

5. Relevant System Policies, Procedures, and Forms

[UTS139, Texas Public Information Act](#)

6. System Administration Office(s) Responsible for Policy

Office of Employee Services

7. Dates Approved or Amended

April 1, 2001

August 27, 2009

July 5, 2011