

# EMPLOYEE NOTIFICATION OF RIGHTS AND RESPONSIBILITIES REGARDING PERSONNEL FILES

The following describe employees' rights and remedies regarding review of their personnel file under our policies and in compliance with Minnesota state law:

## **A. REVIEW OF PERSONNEL FILE.**

**How:** Employees may make a written request to the Director of Human Resources to review their personnel file; however, such requests may be limited to no more than once every six months and may be denied if we determined that the request was not made in good faith. Upon separation from employment a former employee may make such a written request once each year after separation for as long as the personnel record is maintained.

**When:** Upon receipt of a proper, written request from an employee or former employee to review his or her personnel file it is our practice to comply no later than 7 working days.

**What:** Arrangements will be made for current employees to inspect their personnel record during normal business hours, either on site or at another reasonable nearby location. An accurate copy of the personnel file may be used or simply provided; a copy will be mailed to any former employee at an address disclosed in a written request and on site inspections will not be allowed for former employees.

## **B. REMOVAL OR REVISION OF PERSONNEL FILE INFORMATION.**

If an employee disputes any of the specific information contained in his or her personnel file, there are three different courses of action that may be taken:

1. The employee may do nothing about the disagreement;
2. The employee may seek management's agreement to revise or remove the disputed information, which may or may not be granted; and
3. If no agreement is reached to revise or remove the disputed information, the employee may submit a written statement specifically identifying the disputed information and explaining his or her position on the information in question. This position statement may be no longer than 5 written pages and will be included with the employee's personnel file along with the disputed information, for as long as the disputed information is contained in the record.

**C. EMPLOYEE RECORDS.**

Our employment records also require that contract and other information be maintained current and updated as needed. Employees are responsible for notifying the Director of Human Resources promptly and accurately in writing of any changes relating to personal information, such as home address, telephone number, marital status, and/or number of dependents.

**D. REMEDIES/RETALIATION PROHIBITED.**

In addition to other remedies provided by law, if any, an employee may bring a civil action in an attempt to compel compliance with these provisions regarding their right to inspect his or her personnel file and potentially seeking the following relief:

1. Actual damages only, plus costs, under Minn. Stats. 181.960 to 181.963; and
2. Actual damages, back pay, and reinstatement or other make-whole equitable relief, plus reasonable attorneys fees, under Minn. Stat. 181.964.

Any employee who in good faith exercises his or her rights and remedies regarding review of the personnel record under these provisions may not be retaliated against.

# ACKNOWLEDGEMENT OF RECEIPT

I hereby acknowledge that I have received a copy of the foregoing Employee Notification Regarding Rights and Responsibilities Regarding Personnel Files and I understand that I am obligated to read and familiarize myself with its terms.

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_