

DEPARTMENT OF PUBLIC WORKS MANAGEMENT MANUAL

**Personnel
Directive**

Subject: REVIEW OF DEPARTMENTAL
PERSONNEL FOLDERS

ADOPTED BY THE BOARD OF PUBLIC WORKS, CITY OF LOS ANGELES

June 20, 2007

PERSONNEL DIRECTIVE NO. 40

BACKGROUND

The Office of Management-Employee Services maintains the Departmental Personnel Folder for each employee in the Department of Public Works. A typical folder contains information pertaining to the employee's performance evaluations, leaves of absence, outside employment, Notices to Correct Deficiencies, Notices of Commendation, Form General 41 documents and other such items.

While employee folders are not public records, they are frequently useful to management in connection with such personnel matters as commendations and awards, disciplinary investigations, background checks, promotions and evaluation of potential employees.

Employee folders are in constant use by the Office of Management-Employee Services due to continuous processing of employee personnel records. Therefore, in order to provide a uniform and convenient method of making employee history folders available to Bureau Directors, the following procedure is hereby established:

Section 1198.5 of the California Labor Code requires that every employer, at reasonable times upon request of an employee, permit the employee to inspect his/her personnel files that are used or have been used to determine that employee's qualifications for employment, promotion, additional compensation, termination or other disciplinary action. In addition, articles in applicable Memoranda of Understanding for Public Works employees indicate that an employee shall be entitled to review the contents of his/her official departmental personnel folder at reasonable intervals, upon request, during the hours when the personnel office is normally open for business. Such review shall not interfere with the normal business of the department, office or bureau.

PROCEDURE

I. Review of Departmental Personnel Folders

A. Where and When Folders May be Reviewed:

1. Departmental personnel folders for Public Works employees are maintained by the Office of Management-Employee Services in Room 1805, City Hall. Office hours for reviewing these folders are from 7:00 a.m. to 4:30 p.m. Monday through Friday, except holidays and the business day before Christmas.

2. An employee shall make a reasonable effort to review his/her Departmental folder on the employee's own time. However, if sufficient time is not available, a supervisor may authorize an employee to review the folder on City time if such review does not interfere with the normal business of the work unit.
3. An employee shall only review his/her folder at reasonable intervals (Once a year is appropriate unless there is a specific reason for more frequent reviews).
4. When an employee arrives at the Office of Management-Employee Services, he/she shall request the review of his/her personnel folder. A staff member shall assist the employee in the review process.
5. The employee must show City I.D. card or other valid identification to the staff member since an employee is allowed to review only his/her own folder.
6. The staff member shall then present the folder to the employee and remain with the employee throughout the review.

B. Removal/Reproduction of Personnel Folder Material

1. Removing or altering any material in the personnel folder is a felony under State Government Code 6201.
2. An employee may request copies of material in the personnel folder. If approved, requests for copies should be filed in the employee's personnel folder and are subject to the following fee requirements:
 - a. In accordance with Ordinance No. 158,563, the photocopying fee is \$1.00 per request and 10 cents for each page;
 - b. All fees must be paid by cash in advance;
 - c. Reproductions shall be limited to one copy of each page requested; and
 - d. If the employee requests that copies be mailed, then he/she must provide a stamped, self-addressed envelope in addition to the fee.
3. An employee may request that material be added to or sealed in the personnel folder. Such requests must be in writing to the Director of the Office of Management-Employee Services and the material to be added must contain the current date and signature of the employee. The employee will be notified at a later date if his/her request has been granted or denied.

II. Obtaining Departmental Personnel Folders

Bureau heads (or designated representative) and Bureau personnel sections may request to temporarily obtain a Departmental Personnel Folder. The authorized Bureau representative must pick up the folder in person at the Office of Management-Employee Services. A logbook must be signed prior to the release of the folder. The folder must be returned in person within three working days.

III. Review of Civil Service Personnel Folders Maintained by Personnel Department

An employee may request review of his/her Civil Service personnel folder in writing or by telephoning the Personnel Department, Employee Folders Unit, 700 E. Temple St., Room 235, (213) 485-5256. The request must be made at least one day in advance.

In general the same procedural rules apply as those stated previously for reviewing Public Works Departmental folders.

Reference: Personnel Department Procedure Manual Section 17.600
Appropriate Memorandum of Understanding

Supersedes: Personnel Directive No. 40, Revised July 31, 1987