
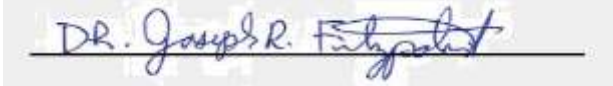


<b>POLICY TITLE: PERSONNEL RECORDS</b>		<b>PAGE 1 OF 3</b>
<b>POLICY NUMBER: 3.12</b>		
<b>CHAPTER 3: PERSONNEL</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT of CORRECTIONS</b>  <b>Approved by Commissioner:</b> 	<b>PROFESSIONAL STANDARDS:</b>  <b>See Section VII</b>
	<b>EFFECTIVE DATE:</b> <b>August 15, 2003</b>	<b>LATEST REVISION:</b> <b>December 1, 2016</b>

**I. AUTHORITY**

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

**II. APPLICABILITY**

Entire Maine Department of Corrections

**III. POLICY**

It is the policy of the Department to maintain up to date, accurate personnel records for each employee, ensure the confidentiality of those records, and provide access by an employee to his or her own records.

**IV. CONTENTS**

Procedure A: Confidentiality and Access to Personnel Records  
 Procedure B: Modifications to Personnel Records

**V. ATTACHMENTS**

None

**VI. PROCEDURES**

**Procedure A: Confidentiality and Access to Personnel Records**

1. The Human Resources Manager, or designee, shall comply with 5 M.R.S.A. Section 7070 and other legal requirements regarding the confidentiality of personnel records and the information contained in them.
2. Any information obtained as part of a required medical examination, and/or inquiry, regarding the medical condition or history of applicants and employees shall be maintained on separate forms and in separate files and treated as confidential medical information.

3. The Human Resources Manager, or designee, shall comply with 5 M.R.S.A. Section 7071 and other legal requirements regarding the right of an employee to review his or her own personnel file.
4. The Human Resources Manager, or designee, shall follow the relevant Archives schedule regarding retention of personnel records.

**Procedure B: Modifications to Personnel Records**

1. An employee may challenge the information contained in his or her own personnel records by making a written request for modification to the records giving the basis for the requested modification. A requested modification may consist of a correction of misinformation or a removal of information that should not be contained in a personnel record.
2. The written request must be made to the Human Resources Manager, or designee.
3. The Human Resources Manager, or designee, in charge of the record shall determine whether to grant the request.
4. If the employee does not agree with the determination, the employee, if a facility employee, may write to the Chief Administrative Officer, if a community corrections employee, may write to the Regional Correctional Administrator, or, if a Central Office employee, may write to the Commissioner, or designee, with a request for review of the determination or may file a grievance under the relevant collective bargaining agreement, if any.

**VII. PROFESSIONAL STANDARDS**

ACA

ACI

- 5-ACI-1C-20** The institution maintains a current, accurate, confidential personnel record on each employee except where state statutes require open public records and the personnel record cannot be maintained confidentially. Information obtained as part of a required medical examination (and/or inquiry) regarding the medical condition or history of applicants and employees is collected and maintained on separate forms and in separate medical files and treated as confidential medical records.
- 5-ACI-1C-21** Written policy, procedure, and practice provide that employees may challenge the information in their personnel file, and have it corrected or removed if it is proved inaccurate.
- 4-ACRS-7E-11** The institution maintains a current, accurate, confidential personnel record on each employee except where state statutes require open public records and the personnel record cannot be maintained confidentially. Information obtained as part of a required medical examination (and/or inquiry) regarding the medical condition or history of applicants and employees is collected and maintained

<b>POLICY NUMBER/TITLE</b>	<b>CHAPTER NUMBER/TITLE</b>	<b>PAGE NUMBER</b>
<b>3.12 Personnel Records</b>	<b>3. Personnel</b>	<b>Page 2 of 3 12/01/16R</b>

on separate forms and in separate medical files and treated as a confidential medical record.

- 4-ACRS-7E-12** Employees may challenge the information in their personnel file. The information will be corrected or removed, if proved inaccurate.
- 4-JCF-6D-11** The institution maintains a current, accurate, confidential personnel record on each employee except where state statutes require open public records and the personnel record cannot be maintained confidentially. Information obtained as part of a required medical examination (and/or inquiry) regarding the medical condition or history of applicants and employees is collected and maintained on separate forms and in separate medical files and treated as a confidential medical record.
- 4-JCF-6D-12** Employees may challenge the information in their personnel file. The information is removed or corrected if proven inaccurate.

<b>POLICY NUMBER/TITLE</b>	<b>CHAPTER NUMBER/TITLE</b>	<b>PAGE NUMBER</b>
<b>3.12 Personnel Records</b>	<b>3. Personnel</b>	<b>Page 3 of 3 12/01/16R</b>