



POLICY
SUBJECT: **GBL**
APPROVAL DATE: December 8, 1987
REVISION DATE: **November 1, 2004**
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1. GENERAL

- 1.1 A personnel file shall be maintained in the Human Resources Department on each employee of the Division excepting those employees in the Administrative 11-20 Group and the Chief Superintendent.
- 1.2 A personnel file shall be maintained in the Secretary-Treasurer's Department on each employee in the Administrative 11-20 Group and the Chief Superintendent.
- 1.3 A payroll record shall be maintained by the Secretary-Treasurer's Department on each employee of the Division.
- 1.4 A working file may be maintained by the school principal/supervisor on each employee under his/her supervision.

2. MATERIAL IN FILES

- 2.1 Information relevant to an individual's employment shall be placed and maintained in the personnel file, including applications, resumes, performance appraisals, letters of commendation and reprimand, criminal and child abuse reference check, personal leave information and any other correspondence regarding an employee.
- 2.2 At the request of the employee, confidential material in the employee's file, such as reports from physicians or surgeons, summaries of counselling sessions, etc., shall be in a sealed envelope.
- 2.3 Information relevant to payment of salary or benefits to an employee shall be maintained in the payroll record and may include employee contract, TD1, information related to sick, vacation, personal or other leave, garnishment, assignment and/or attachments of employee salaries, inservice and other benefits, personal health information, designation of beneficiaries, pension and/or disability information.
- 2.4 At the request of the employee, the employee's written objection to, or explanation or interpretation of any matter contained in the personnel file, shall be included in the personnel file (S.92.1[b] PSA).
- 2.5 Upon transfer, resignation or retirement, any information regarding an employee maintained by a school administrator or supervisor shall be forwarded to the Human Resources Department for inclusion in the Personnel File.

3. ACCESS TO FILES

- 3.1 Access to the information on employees shall be restricted to individuals approved by the Chief Superintendent after providing acceptable reason(s) for access to the information.
- 3.2 Any employee, upon request, shall be given the opportunity to examine the contents of his/her personnel file in the presence of the Chief Superintendent or designee.
- 3.3 An employee may provide permission to an agent or representative to review his/her Human Resource file. This permission must be granted in letter form, addressed to the Division, identifying the agent or representative and must be signed by the employee and witnessed by a person other than the agent or representative.



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4. REFERENCES AND REQUESTS FOR INFORMATION

- 4.1 References requested in writing regarding an employee's or prior employee's work record in the Division shall be completed by the Director of Human Resources or designee.
- 4.2 References as noted in 4.1 will be provided only if written permission is provided by the employee, or previous employee, to do so.
- 4.3 Requests for information regarding an employee's or previous employee's employment status, conditions of employment, or benefits, shall be completed by the Director of Human Resources or designee.
- 4.4 Information referred to in 4.3 above will be provided only if written permission is provided by the employee or previous employee, to do so.

5. RECORDS RETENTION/DESTRUCTION

- 5.1 Personnel files will be maintained for a period of 20 years following the retirement or resignation of the employee.
- 5.2 Personnel records will be destroyed by shredding under the supervision of the Director of Human Resources or designee.
- 5.3 Payroll records will be maintained for a period of 55 years and destroyed by shredding under the supervision of the Payroll Manager.

6. EMPLOYEES COVERED BY COLLECTIVE AGREEMENTS

- 6.1 Where provisions regarding Human Resources records exist within a collective agreement, they shall apply.

LEGISLATIVE REQUIREMENTS

1. **The Freedom of Information and Protection of Privacy Act applies to the retention of, and access to, Personnel Records.**
2. **The Personal Health Information Act applies to the retention of, and access to, health information contained in Personnel files.**
3. **The Personal Investigations Act, Chapter P33 of the Statutes of Manitoba applies to the giving of references.**
4. **The Public School Act applies to teachers' personnel records.**