

E-16

POLICY

Personnel Files & Workplace Privacy

Personnel Files

The College will maintain a personnel record secured in the Human Resources office for each employee and former employee of the College in accordance with state law. Current and former employees may:

- Have access to view their personnel file during regular business hours by request in the Human Resources area.
- Request, at their expense, a copy of their personnel file with 5 business days' notice.
- Will receive a written notification of any disciplinary information placed in the personnel file.
- Have an opportunity to provide a written response to any disciplinary action to be placed in the file.
- Shall have the right to attach a written response to any item in their file. Such right to attach a written response shall not be granted with respect to any letters of recommendation solicited by the employer which appear in the personnel file.
- In writing authorize any other person to have access to their file.

No other person except community college officials while engaged in their professional duties shall be granted access to such file, and the contents thereof shall not be divulged in any manner to any unauthorized person.

All employee personnel files are maintained by the Human Resources office and will be stored confidentially and in compliance with all state and federal records retention requirements.

Workplace Privacy

1. The College will abide by the Nebraska Workplace Privacy Act and will not:
 - a) Require or request that an employee or applicant provide or disclose any user name or password or any other related account information in order to gain access to the employee's or applicant's personal Internet account by way of an electronic communication device;
 - b) Require or request that an employee or applicant log into a personal Internet account by way of an electronic communication device in the presence of the College in a manner that enables the College to observe the contents of the employee's or applicant's personal Internet account or provides the College access to the employee's or applicant's personal Internet account;
 - c) Require an employee or applicant to add anyone, including the College, to the list of contacts associated with the employee's or applicant's personal Internet account or require or otherwise coerce an employee or applicant to change the settings on the employee's or applicant's personal Internet account which affects the ability of others to view the content of such account;
 - d) Take adverse action against, fail to hire, or otherwise penalize an employee or applicant for failure to provide or disclose any of the information or to take any of the actions prohibited by the Workplace Privacy Act.

PERSONNEL

- e) Require an employee or applicant to waive or limit any protection granted under the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

2. Notwithstanding anything to the contrary, all employees must abide by the College's technology policies, procedures and guidelines, including the College's Internet Use policy and/or practice. Pursuant to the Workplace Privacy Act, the College may also:

- a) Monitor, review, access, or block electronic data stored on an electronic communication device supplied by or paid for in whole or in part by the College or stored on the College's network, to the extent permissible under applicable laws;
- b) Access information about an employee or applicant that is in the public domain or is otherwise obtained in compliance with the Workplace Privacy Act;
- c) Conduct an investigation or require an employee to cooperate in an investigation if the College has specific information about potentially wrongful activity taking place on the employee's personal Internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct;
- d) Any other reason permitted by the Workplace Privacy Act.

Adopted: 12/13/22

Reviewed: 06/05/20, 08/04/21, 10/29/21, 12/10/21, 10/21/22, 11/08/22

Next Review: TBD

Web link:

Tags: