

Subject: Employee Records and Review
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POLICY

The Kaw Nation maintains a personnel file on each employee. It is the policy of the Kaw Nation to keep accurate and updated information deemed pertinent by Kaw Nation in every employee personnel file. The personnel file includes such information as the employee's job application, resume, performance reviews, salary increases, and other employment records.

Personnel files are the property of the Kaw Nation and access to the information they contain is restricted. Generally, only supervisors, HR personnel, and management personnel who have a legitimate reason to review information in a file are allowed to do so. An active employee, who wishes to review his/her own personnel file, will be permitted reasonable access to his/her own file during business hours and must contact HR with a written request. HR upon receipt of the written request shall set an appointment time so that the employee may review his/her own personnel file in the HR office and in the presence of HR staff. These files will not be altered in any way. The employee may submit separate written statements to express disagreement with file information for inclusion in the file, but the employee is not allowed to alter or remove any information in the file.

It is important for the employee to inform HR in writing of any changes in personal information that may affect the employee's personnel records. The employee must notify HR in writing of any changes in his/her personal status, including name, address, telephone number, emergency contact, driving or criminal status, beneficiary, marital status, leave status, number of children or other dependents in the employee's immediate family, and/or any COBRA qualifying event. This information may have a direct bearing on payroll, insurance premiums, benefits, and taxes. Supporting documentation may be required. If the employee has a change in the number of dependents or marital status, the employee must complete a new Federal Form W-4 for income tax withholding purposes. "Satellite" personnel files (files maintained by supervisors about subordinate employees) must be maintained in a confidential manner, and adhere to the same guidelines as the main personnel files, however employee medical information must be kept in the personnel files maintained by HR. Upon termination of employment all personnel records and satellite files held by the supervisor, or others, will be submitted to Human Resources for inclusion into the personnel file. Personnel files are the property of the Kaw Nation and will not be released to anyone without a court order or subpoena.

Access to Personnel Records or Personnel Information

A. The following persons may have access to a personnel folder:

- The Chair;
- Human Resources Personnel;
- Employees immediate supervisor, up through the direct supervisory/management channel to the Chair;
- Employees—may examine their own personnel records at a reasonable time with a prior appointment during business hours, with reasonable frequency. Such reviews will take place in the Human Resource Dept., in the presence of a Human Resource representative;
- Prospective supervisors of internal applicants;
- Attorney General and/or legal counsel as authorized by the Chair.

B. Personnel records contain confidential information about employees of the Kaw Nation. With the exceptions of routine verification of employment, to meet legal standards, or to meet requirements for licenser or accreditation, the contents of personnel records will not be released to any outside source without the employee's written consent or subpoena. Routine verification requests from prospective employers or legitimate credit inquiries should be referred to Human Resources, and only the following information will be released:

- Dates of Employment
- Last position held
- Confirmation of current salary on active employees
- Confirmation of final wage on inactive employees
- It is not authorized for any employee to provide a reference or verification on an active or former employee, except for designated Human Resource personnel. If an employee does so, they do so at their own risk and liability and are subject to disciplinary action up to and including termination of employment.

Retention of Personnel Files

Personnel files of terminated employees shall be retained for a period of seven (7) years.