**TOWN OF MARSHFIELD**

**PERSONNEL RECORDS POLICY**

1. **Introduction**

The Human Resources Manager shall be responsible for establishing and maintaining the official personnel records for all employees who work for the Town of Marshfield (“Town”). The personnel records maintained in the Human Resources Manager’s office shall be the official records of the Town and shall include all original documentation pertaining to each employee as required by law. All employees and appointing authorities shall comply with and assist in producing reports, records, and information as may be requested by the Human Resources Manager or his or her designee.

1. **Right to Examine- Current and Former Employees**

All current and or former Town employees have the right to examine their personnel record and may also receive a copy of any documents contained in their personnel record, provided the employee follows the requirements described in Section V- Procedure to Access Personnel Record. Employees do not have the right to examine the personnel record of any other Town employee. An employee may request to review their personnel record a maximum of two (2) times in a calendar year. However, an employee request that is made as a result of being notified of negative information being placed in the employee’s personnel record will not be deemed to be one (1) of the two (2) permitted requests.

1. **Contents of Personnel Record**

Pursuant to G. L. c. 149, § 52C, all personnel records shall contain all original information that is used, has been used, or could be used in relation to an employee’s qualifications for employment, promotion, transfer, additional compensation or disciplinary action. A personnel record will not contain any personal information about an individual other than the specific employee, if the disclosure of such information would constitute an unwarranted invasion of privacy under Massachusetts’ law. All employee medical records will be kept separate from all other personnel record information and will be secured and maintained by the Benefits/Payroll staff.

An employee’s personnel record may include, but is not limited to, the following information:

* 1. the employee’s name, address, and date of birth;
	2. rate of pay and any other compensation paid to the employee;
	3. starting date of employment;
	4. the employment application and/or resume;
	5. results of any and all performance evaluations, including but not limited to, documents related to employee evaluations, written warnings for inadequate performance, lists of probationary periods, waivers signed by the employee, copies of dated termination notices, and any other documents related to disciplinary actions taken against the employee.
1. **Notice to Employee of Negative Information Placed in Personnel Record**

In accordance with G. L. c. 149, § 52C, the Town will notify an employee within ten (10) days of placing information in an employee’s personnel record that is used, has been used, or could be used to negatively impact the employee’s qualifications for employment, promotion, transfer, additional compensation, or subject said employee to disciplinary action.

1. **Procedure to Access Personnel Record**

As noted above, current and former employees of the Town have the right to review their personnel records. Employees must make a written request by completing the employee personnel access form. The Personnel Record Review Request form must be signed, dated, and countersigned by the Human Resources Manager. Upon the completion and submission of the employee personnel access form, the Human Resources Manager will provide the employee with the opportunity to review their personnel record within five (5) business days of the request being made. The review of the employee’s personnel record shall take place in the presence of the Human Resources Manager during normal business hours.

An employee may also receive a copy of their personnel record by making a written request by completing the Personnel Record Request form. Once the form has been properly completed and submitted, the Human Resources Manager will provide the employee with a copy of the employee’s personnel record within (5) business days of the request.

1. **Violation of Policy**

It shall be a violation of this policy for an employee to remove any documents from their personnel record. Removing any letters, evaluations, correspondence or any other document from an employee’s personnel record will result in discipline, up to and including termination.