

ARTICLE XX.
EMPLOYMENT RECORDS

Section A. "Employment record" shall include documents maintained by the ~~Corporation~~ University, including but not limited to letters of appointment or reappointment to a position covered under this agreement; revision or termination of such appointment; related work evaluations; information relating to the Employee's academic and professional accomplishments submitted by the Employee or placed in the file at their request; and any disciplinary action related to such appointment.

Section B. Documents related to filed union grievances will be kept separate from other employment records.

Section C. Upon request to their departmental administrators, ~~e~~Employees shall be granted access to their University employment records within five (5) business days following such a request.

Section D. Employees shall have the right to review and have a copy made of their employment records.

Section E. Employees shall have the right to request removal or correction of any factually incorrect material from their employment record. The ~~Corporation~~ University shall correct any such factual errors or shall remove the factually incorrect material within seven (7) business days of the employee's request. "Factually incorrect material" is defined as a misspelled name, incorrect date of birth, incorrect degree received, and incorrect job title, or other objectively verifiable information, but in no event shall "factually incorrect material" include statements of opinion, such as student evaluations, supervisory evaluative judgments or similar documents.

Employees shall have the right to request, in writing, the removal of any other disputed material. The ~~Corporation~~ University shall consider such requests in good faith and may or may not agree to remove such material ~~in its discretion~~.

Section F. If an Employee disagrees with any information that is contained in their employment records, the employee may submit a written statement commenting upon the information. Such a statement shall be maintained as part of the employment records.

Section G. Employment records are kept confidential. The ~~Corporation~~ University shall not share such records except:

1. with appropriate University personnel as may be necessary for them to perform their duties;
2. when the ~~Corporation~~ University receives a written authorization from the Employee;
2. ~~when formally requested by the Union through a request for information~~ that reasonably relates to and is necessary for the Union to carry out its duties, including contract negotiations and grievance processing.
3. ~~when requested by an authorized Union representative;~~
4. when it may be required by law, regulation, or a government body or agency, including but not limited to federal background checks;
5. when it may be required by subpoena or court order; or when disclosure is made as part of arbitration or other legal proceedings.

If the ~~Corporation~~ University receives a lawful subpoena, ~~or~~ court order, ~~or any other government body or agency request~~ for an Employee's personnel file (i.e., the entire employment record maintained by the ~~University Corporation~~) ~~with which the Corporation is compelled to comply under Section G.4;~~ the ~~Corporation~~ University ~~will~~ shall notify the Employee of such a request when deemed reasonable and permissible under the law.