

- Are there limitations for confidential information such as former employer reference checks and confidential investigations?
- Should the organization limit the frequency of an employee's access to his or her personnel file, such as the number of times per year or other time frame?

A multistate employer needs a flexible policy, so it is applicable to all employees. For example, a statement such as "Access to personnel files will be provided according to state law" is appropriate.

Common Mistakes in Personnel file Management

- Lack of Training on Proper Documentation. Employee files are company records, just like any other files. This means that documents in an employee file may become exhibits in a lawsuit years later. This makes it particularly important for supervisors and managers to prepare performance reviews and internal communications and complaints in a thorough, accurate and professional manner. You can save a lot of headaches (and possibly some money) if you train your managers on the right way to handle these matters.
- Failing to Implement Documentation Practices. Not every document belongs in a personnel file. Employee files should include the job description, application, and resume, offer letter, employment and terms of employment, performance evaluations, disciplinary actions and termination documents also should be included. Train your human resources manager or other designated employee on documentation practices. Supervisors and managers also should be trained on the importance of documenting relevant performance issues and discipline.
- Not Limiting Access to Employee Records. Employers should limit access to personnel files. Personnel files contain information about employees' addresses, job histories, health information and disciplinary actions. Employers should restrict access to personnel files to only those who truly need to see the information, such as the human resources manager and owner.
- Maintaining Health Records in Personnel Files. Employers are required to maintain employee medical and health information in a separate file
- Not Maintaining Personnel Files. The biggest mistake employers can make regarding personnel files is not keeping them at all. A well-documented personnel file is key to protecting the employer in audits and lawsuits.