

## **PERSONNEL FILES (Lay Employees) POLICY & PROCEDURES**

Right to privacy laws dictate that individual employee files and records must be held in the strictest confidence.

1. The Congregation President, Congregation Vice President, Pastor and Human Resources Committee Chairperson shall be responsible for establishing, placing documents in and maintaining each lay employee's personnel file.
2. Lay employees' personnel files shall be kept in a locked file cabinet in the Pastor's office. The key(s) shall be held by the Congregation President, Congregation Vice President, Pastor and Human Resources Committee Chairperson.
3. Individual employee files shall contain his/her:
  - Application for employment and resume'
  - Offer letter of employment
  - Wage or salary history with Grace Lutheran Church
  - Notices of commendation, warning, discipline or termination
  - Authorization for a deduction or withholding of pay
  - Fringe benefits information
  - Leave records
  - Employment history with Grace Lutheran Church, including compensation history, job titles, dates of promotion, transfers and other changes, attendance records, performance evaluations and separation from employment record
4. Lay employee's personnel files shall not be removed from the church property nor their contents reproduced except under the conditions described in paragraphs 5 of this document.
5. Current and former employees if requested in good faith, may access their personnel file every six months upon written request, when accompanied by either the Congregation President, Congregation Vice President, Pastor or Human Resources Committee Chairperson. Upon written notice by a separated employee, a copy of their personnel file shall be provided at no cost to them. In accordance with Minnesota Statute 181.960, access shall not be allowed for records of references, investigations, business operations, testing, records on another employee, medical reports, employee assistance and legally privileged information, all of which shall be kept separate from the employee's personnel file.

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6. Supervisors and evaluators of an employee may access the employee's personnel file with either the Congregation President, Congregation Vice President, Pastor or Human Relations Committee Chairperson present.
7. Lay employee personnel files shall be retained for at least seven years after an employee's separation from employment. Essential biographical and career information (including name, address, job title(s) and dates of employment) shall be maintained beyond seven years in the Congregation's archives and may be kept electronically digitized.
8. Documents in the personnel file of an employee separated from employment that are no longer required to be retained in accordance with this POLICY and applicable Federal and State laws shall be shredded.
9. The **personnel records** referred to in the following paragraphs shall be kept separate from the employee's personnel files.
10. Information relating to workers compensation claims and OSHA exposure records may require being maintained beyond seven years. Information regarding other unresolved claims by the employee shall be maintained until the matter is resolved.
11. Information relating to a possible claim or lawsuit by others involving the employee's conduct or duties, should be retained in the Synod office or under controlled access in the Synod's or ELCA's regional archives for 50 years after the employee's separation from employment.
12. Information relating to background checks and letters of recommendation attesting to the employee's fitness to fulfill a responsibility or perform a service should be retained for 50 years after separation from employment.