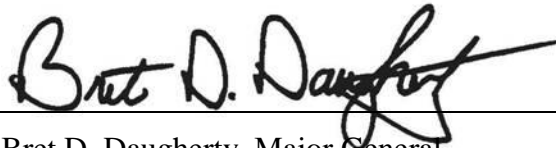




Department Policy No. HR-242-05

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| Title: | Supervisory Files |
| Former Number: | 03-800-05 |
| References: | RCW 42.56.250, WFSE and WPEA Collective Bargaining Agreements |
| Information Contact: | Human Resources Director Building #33 (253)512-7940 |
| Effective Date: | June 23, 2005 |
| Mandatory Review Date: | February 12, 2023 |
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| Approved By: |  Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director |

Purpose

The purpose of this policy is to provide guidance regarding the setup, maintenance, and destruction of supervisory desk files.

Scope

This policy applies to all state employees and federal supervisors of state employees of the Washington Military Department (WMD). It does not apply to guard members on state active duty or federal personnel to include Active Guard Reservists (AGRs), traditional guard personnel in federal military status or military technicians.

Definitions

Supervisory File: A working desk file maintained by supervisors to assist in the evaluation/development of their employee.

Policy

The WMD will properly establish and maintain confidential supervisory files for each employee in compliance with applicable federal and state laws, regulations and collective bargaining agreements.

A. Supervisor responsibilities

- 1) Supervisors shall maintain a confidential supervisory file for each employee they supervise. If properly maintained, these files are a valuable management tool to document events and discussions supervisors have with their employees concerning performance, recognition, training and conduct. This will help in the evaluation/development of their employees.
- 2) Following completion of the annual evaluation process, supervisors are to purge and properly dispose of items in the file of the previous year's job performance, unless circumstances warrant otherwise. Supervisors may maintain possession of items that are on-going in nature or for which there is reason to believe there may be a legal issue.
- 3) Only direct supervisors can maintain a supervisor working file. No clerical or other administrative staff is authorized to maintain these files.
- 4) **Supervisory files are to be kept in a locked and secure location.**

B. File structure

- 1) In order to ensure consistency across the WMD, supervisory files are to contain the following sections:
 - a. Section 1: Emergency Contact Information/Supervisory File Structure Guidance
 - b. Section 2: Position Description Form
 - c. Section 3: Expectations/Evaluation/Training
 - d. Section 4: Performance Management
 - e. Section 5: Time and Attendance
 - f. Section 6: Correspondence/Forms and Miscellaneous Documents

C. Example of file items

- 1) Position Description Form
- 2) Last and/or current Performance Development Plan (PDP) Expectations/Evaluation
- 3) Documentation of special assignments/projects
- 4) Training plans/profiles/history
- 5) Supervisory file log which documents accomplishments and/or performance concerns discussed with employee
- 6) Correspondence related to performance (Letters of Accommodation, commendation, expectation, counseling, etc.)
- 7) Timesheets/leave slips

- 8) Employee Advisory Service Work Performance Calendar (Optional)

D. Items that should not be maintained in the file (Note: These are examples and should not be considered all inclusive)

- 1) Medical documents with the exception of the following:

Supervisory notification of approved FMLA, Reasonable Accommodation, and Return to Work agreements between the Agency and the employee where there are medical restrictions. All other medical documents should be forwarded and placed in the Employee Occupational Health Record file maintained in the Human Resources Office)

- 2) Unsubstantiated comments or accusations
- 3) Personal opinions
- 4) Grievances
- 5) Investigations
- 6) Financial Information
- 7) Hiring interview notes, screening criteria, selection, rating, and reference checks
- 8) Employment verifications

E. Storage of files

Supervisory files must be in a locked area with appropriate physical safeguards established to ensure the security and confidentiality of the information that is enclosed

F. Access to supervisory files

The following are authorized to access supervisory files:

- 1) Employee, upon request to their supervisor [as long as request is reasonable (i.e. frequency, timeliness, etc.)].
- 2) The employee's representative, with written authorization from the employee. A copy of the authorization will be maintained in the supervisory file.
- 3) Official representatives of government agencies with legal authorization to view supervisory files for specific purposes.
- 4) WMD supervisors and managers in the employee's direct chain of command.
- 5) Other WMD staff whose duties require access to the supervisory file (Agency Directors, Division Directors, Human Resources Staff, Public Disclosure, etc.).

G. Confidentiality

The confidentiality of the supervisory file will be preserved to the extent possible under the state's public disclosure law.

H. Disputing information in the supervisory file

Employees who question the accuracy or completeness of information in their supervisory

files should discuss their concerns with their supervisor. The supervisor will consider the objections and determine if they want to remove and/or revise the document. Should the disputed information be retained in the file, the employee may submit a brief written statement identifying the alleged errors or inaccuracies. The statement will remain in the file as long as the disputed information is retained.

I. Audit process

In order to ensure compliance with WAC and collective bargaining agreements, the Human Resources Office will conduct random continuous audits of supervisory files. The intent of these audits is not to penalize but to educate supervisors regarding proper retention of documents within the employee working file and to avoid potential grievances and /or litigation.

J. Responsibilities

- 1) ***Creation of file:*** When an employee is hired, the Human Resources Office will create the supervisory file and send it to the hiring supervisor to maintain.
- 2) ***Maintenance of the file:*** Supervisor will maintain the file. This includes ensuring that the file is purged of the previous year's job performance information following completion of the annual performance evaluation unless circumstances warrant otherwise.
- 3) ***Transfer of file:*** If an employee accepts a transfer within the WMD, the supervisor is to hand-carry the supervisory file to the Human Resources Office or send it via certified mail within 5 working days of the effective date of the transfer. The Human Resources Office will review the file for compliance with agency procedures/collective bargaining agreements. After the review is completed, the Human Resources Office will forward via hand delivery or certified mail the file to the new supervisor.
- 4) ***Destruction of file:*** In the event of an employee separation or retirement, the supervisor must hand carry the file to the Human Resources Office within 5 working days of the employee departure date. The Human Resources Office will follow the Secretary of State's guidance regarding the destruction of the file.