

ARTICLE 32

PERSONNEL FILES AND OTHER EMPLOYEE INFORMATION

32.1 There will be one (1) official secure personnel file maintained for each employee by the Employer. The location of personnel files will be determined by the employing agency. All references to “supervisory file” in this Agreement refer to the file kept by the employee’s first-line supervisor. Additional employee files may include, but are not limited to, the following files related to: affirmative action, attendance, background, L&I, legal defense, medical, payroll ,and telework. File-keeping varies by agency.

32.2 An employee may examine their own personnel file, supervisory file, attendance file, payroll file, and medical file. The Employer will provide access as soon as possible, but no later than, fourteen (14) calendar days of a request. Written authorization from the employee is required before any representative of the employee will be granted access to the personnel file. The employee and/or representative may not remove any contents; however, an employee may provide a written rebuttal to any information in the file that they consider objectionable. The Employer may charge a reasonable fee for copying any materials beyond the first copy requested by the employee or their representative. Review of these files will be in the presence of an Employer representative during business hours, unless otherwise arranged. An employee will not be required to take leave to review these files.

32.3 A copy of any material to be placed in an employee’s personnel file that might lead to disciplinary action will be provided to the employee. An employee may have documents relevant to their work performance placed in their personnel file.

32.4 Adverse material or information related to alleged misconduct that is determined to be false, and all such information in situations where the employee has been fully exonerated of wrongdoing will be removed from all of the employee’s files, except files kept by WSP Office of Professional Standards (OPS). The Employer may retain this information in a legal defense file and will only be used or released when

1 required by regulatory agency (acting in their regulatory capacity), in the defense
2 of an appeal or legal action, or otherwise required by law.

3 **32.5** Medical files will be kept separate and confidential in accordance with state and
4 federal law.

5 **32.6** Immediate supervisors may keep a working file (supervisory file) of documentation
6 relevant to employee performance. The previous year's job performance information will
7 be removed from the supervisor's working file following the completion of the annual
8 performance evaluation, unless circumstances warrant otherwise. Supervisors who keep
9 working files will ensure that they are maintained in a manner that preserves the
10 confidentiality and security of the information consistent with [Article 26](#), Section 26.2. **32.7**

11 Removal of Documents

12 A. Oral reprimand(s) will be maintained in the supervisor's working file and
13 removed from the supervisor's working file following the completion of the
14 annual performance evaluation, unless circumstances warrant otherwise.

15 B. Written reprimands will be removed from an employee's personnel file or
16 WSP Office of Professional Standards file after three (3) years if:

- 17 1. Circumstances do not warrant a longer retention period;
18 2. There has been no subsequent discipline; and
19 3. The employee, or a Union representative with written authorization
20 from the employee, submits a written request for its removal.

21 C. Records of disciplinary actions involving reductions-in-pay, reductions in
22 accrued annual leave, suspensions, or demotions, and written reprimands
23 not removed after three (3) years will be removed after six (6) years if:

- 24 1. Circumstances do not warrant a longer retention period;
25 2. There has been no subsequent discipline; and

3. The employee, or a Union representative with written authorization from the employee, submits a written request for its removal.

D. Performance Development Plan – Evaluations and Expectations will be removed from an employee’s personnel file after five (5) years if:

1. Circumstances do not warrant a longer retention period;
2. There have been no documented performance deficiencies in a subsequent performance evaluation; and
3. The employee submits a written request for its removal.

E. If the Employer determines that a record will not be removed under Subsections A, B and C, above, it will provide the employee with written response indicating that the record remains in the personnel file. The notice will include specific reasons for retaining the record.

F. Nothing in this Section will prevent the Employer from agreeing to an earlier removal date, unless to do so would violate RCW 41.06.450.

TENTATIVE AGREEMENT REACHED

An electronic signature to this Agreement shall be given effect as if it were an original signature.

For the Employer



Date 8/12/26

James Dannen, Labor Negotiator
OFM/SHR Labor Relations & Compensation
Policy Section

For the Union



Date 8/12/26

Amanda Hacker, President
Washington Public Employees Association