



Current Status: Active

PolicyStat ID: 7395593



Origination: 10/2019
Effective: 12/2019
Last Approved: 12/2019
Last Revised: 12/2019
Next Review: 12/2022
Owner: *Bertha Carter: HCS Dir HR
Customer Svc Ctr*
Policy Area: *Human Resources*
Policy Tag Groups:
Applicability: *UNCHCS - All owned entities
(no managed)*

Release of Employee Records and Records Retention

APPLICABILITY:

This policy applies to the following entities (collectively referred to as "UNC Health Care" or "UNCHCS" in this policy):

✓ UNC Health Care System / UNC Medical Center*	Johnston Health
✓ UNC Physicians Network	Lenoir Memorial Hospital
✓ UNC Physicians Network Group Practices	Margaret R. Pardee Memorial Hospital
✓ Rex Healthcare / Rex Hospital	Nash Healthcare System/Nash Hospitals
✓ Chatham Hospital	Wayne Memorial Hospital
✓ Caldwell Memorial Hospital	
✓ UNC Rockingham Health Care / UNC Rockingham Hospital	

*UNC Medical Center includes all UNC Hospitals' facilities and the clinical patient care programs of the School of Medicine of UNC-Chapel Hill (including UNC Faculty Physicians).

I. Description

This policy sets forth the guidelines and requirements for the release & retention of employee records of all current and former UNCHCS employees, excluding medical residents at UNC Hospitals in a program accredited by the Accreditation Council for Graduate Medical Education ("ACGME") and dental residents at UNC Hospitals in a program accredited by the Commission on Dental Accreditation ("CODA") (together, "Residents"), whose records are maintained by the UNC Hospitals Graduate Medical Education Office.

Certain provisions of this policy apply exclusively to UNCHCS State employees, and are designated accordingly. A provision applies to all UNCHCS employees (State employees and employees of UNCHCS affiliates), unless the provision expressly states it is applicable exclusively to State

employees.

Where any entity or departmental policies are in conflict with the system policy, then the system policy will prevail.

II. Rationale

Human Resources is responsible for maintaining the official employee records of all current and former UNCHCS employees, excluding Residents. Human Resources advises departments on the state laws and UNCHCS policies concerning the privacy of employee records. Human Resources also reviews requests for access to or disclosure of an employee record and releases this information as provided by state law and UNCHCS policy. Employees may access their own Human Resources file (except for references) upon request by submitting a request via the [myHR portal](#).

III. Policy

A. Employment Verification

Non-State Employees

Non-state employees should contact their entity's HR department for employment verification requests.

State Employees

State employees should contact The Work Number, a third party vendor, that responds to all requests for employment verifications on behalf of current or former UNCHCS employees; see the [myHR portal](#) (state employees only) for details about The Work Number. UNCHCS does not provide references on behalf of current or former employees.

The Work Number will disclose the following factual information about a current or former employee in response to an employment verification request:

- Name
- Job title/position; and
- Dates of employment.

Additional information may not be disclosed during employment verification without written authorization from the employee, with the exception of the information of State employees subject to public examination, inspection, and copying pursuant to N.C. Gen Stat. §§ 126-23 and 126-24

B. Security of Human Resource Files

A Human Resource employee file is confidential to all persons except those who have a right to access its contents. Each office that maintains files concerning employees will establish controls to protect information from unauthorized access and disclosure.

C. Employee Human Resource Records (State employees only)

Public Information

UNCHCS will maintain all current and former employee information subject to public examination, inspection, and copying in accordance with N.C. Gen Stat. §§ 126-23 and 126-24. Under North Carolina law, the following information about UNC Health Care System State employees is subject to public examination, inspection, and copying and must be shared upon request. MyHR Employee Services reviews requests for access to or disclosure of Human Resources records and releases as described in [Table A: State Public Information](#). Requested public information will be provided within a reasonable time period.

Confidential Information

All requests for access to confidential information about any State employee should be submitted in writing to HR Employee Services, 1025 Think Place, Morrisville, NC 27560 or a request may be submitted via the [myHR portal](#).

Except for the 12 types of public information listed in the Public Information section, all other information contained in an employee file is confidential and shall not be disclosed except to the following persons:

1. The employee (including applicants and former employees), or the employee's properly authorized agent, who may examine the employee's own file in its entirety except for letters of reference solicited prior to employment;
2. The supervisor of the employee;
3. A potential State or local government supervisor, during the interview process, only with regard to performance management documents;
4. Members of the General Assembly;
5. A party pursuant to a valid court order; and
6. An official of an agency of the federal government, State government or any political subdivision when such inspection is deemed by UNC Health Care System as necessary and essential to the pursuance of a proper function of said agency (but not for purposes of a criminal prosecution or a tax investigation).

An Authorization to Release Confidential Personnel Information Form must be completed by the employee in connection with all requests for confidential information (except those to which the employee has no right of access pursuant to N.C. Gen. Stat. § 126-24(1)), including requests to furnish confidential information to third parties.

Department Files

Individual departments maintain a department file on each of their employees. Information in department files is generally not considered public, and only persons authorized under North Carolina law may access department files (which includes access by the employee, department management, and internal hiring managers). Department files may be accessed as part of certain legal proceedings. If the employee transfers to another department, the department file transfers to the new department. Each department will establish controls to protect employee information from unauthorized disclosure.

Disclosure Records

UNCHCS retains written records of disclosure of Human Resource employee information (public and/or confidential). A written record of disclosure is not required for official records processing or

routine credit or employment verifications. The disclosure record is available to the employee to whom it pertains. A record of disclosure must be completed by any individual requesting access to confidential information, except the employee and the supervisor. This record is placed in the Human Resource file.

D. Records Retention and Disposition Schedule

This Schedule applies to records in all media, unless otherwise specified. No destruction of records may take place if litigation or audits are pending or reasonably anticipated or foreseeable.

Personnel Records

Comply with applicable provisions of G.S. § 126-22, § 126-23, § 126-24 and § 131 E-97.1 regarding the confidentiality of personnel records and G.S. § 131E- 97.2 regarding confidentiality of credentialing information. HR maintains official records. See [B. Table: Personnel Records Schedule](#) for details.

IV. Tables

A. Table: State Public Information

1. Name.	7. Current salary (includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity).
2. Age.	8. Date and amount of each increase or decrease in salary.
3. Date of original employment or appointment to State Service or appointment to State Service.	9. Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification.
4. The terms of any contract by which the employee is employed whether written or oral, past and current.	10. Date and general description of the reasons for each promotion.
5. Current position.	11. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken. If the corrective action was a termination, a copy of the written notice of the final decision of the head of the department setting forth the specific acts or omissions that are the basis of the termination.
6. Title.	12. The office or station to which the employee is currently assigned.

B. Table: Personnel Records Schedule

Title	Description	Disposition
Applications for Employment	Completed application forms for employment with resumes and other related documentation. Includes	A. Transfer applications, resumes, transcripts, and other records as

	recommendation forms submitted by interviewers of applicants for vacant positions.	<p>applicable for individuals hired to appropriate personnel file when individual accepts position.</p> <p>B. Destroy in office after 2 years all remaining records concerning individuals hired.</p> <p>C. Destroy in office applications and other records that are unsolicited and for individuals not hired 3 years after date of receipt if no charge of discrimination has been filed. If charge has been filed, destroy in office 1 year after resolution of charge.</p>
Benefits Records	Records concerning benefits available to employees.	Destroy in office 1 year after plan is terminated [see 29 CFR 1627.3(b)(2)].
Corrective Action Records [amended 2-9-2018]	Correspondence and other records concerning corrective actions taken against employees.	Destroy in office 30 years after employee separation.
Dual Employment	Records concerning employees.	Maintain until Medicaid Cost.
Records	Requesting and engaging in dual employment within state government or universities.	<p>Report Audit closes.</p> <p>A. Destroy in office approved requests and related records 1 year after employee terminates outside employment.</p> <p>B. Destroy in office disapproved requests and related records after 6 months.</p>
Employee Work Schedules		<p>A. Medical Personnel: Destroy in office after 5 years if no claim, audit or pending audit, or other official action involving the records has been initiated.</p> <p>B. Other Personnel: Destroy in office after 1 year.</p>
Employment Eligibility Verification	Completed I-9 forms (federal employment eligibility verification forms) and related records for each organization employee.	Mandatory retention throughout the duration of an individual's employment. After separation, destroy records in office 3 years from date of hire or 1 year from separation, whichever occurs later,

		(see 8 USC 1324a(b)(3)).
Evaluation of Employee Performance	Joint Commission on Accreditation of Health-care Organizations (JCAHO).	Destroy in office 3 years after employee leaves, unless pending litigation or proceedings.
Family Medical Leave Act (FMLA) Records	Records concerning leave under the FMLA. (Comply with applicable provisions of G.S. § 130A-374 regarding confidentiality of medical records.)	Destroy in office 3 years after date of last activity, (see 29 CFR 825.500(b)).
Garnishments Records	Records concerning the garnishments of employees' wages.	Destroy in office 3 years after termination of deduction if no litigation, claim, audit or pending audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.
Grievance Records	Includes initial complaint, investigations, actions, summary, and disposition. File may also include corrective action correspondence.	Destroy in office 3 years after resolution of grievance.
Insurance Enrollments	Records concerning health, life, and related insurance plans available to organization employees.	Destroy in office 2 years after account is closed if no litigation, claim, audit or pending audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.
Leave Records	Records concerning leave by organization personnel.	Maintain until Medicaid Cost Report Audit closes. Destroy in office after 5 years if no litigation, claim, audit or pending audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.
Longevity Pay Records	Records concerning employees eligible for longevity pay.	Destroy in office when released from all audits.
Military Leave Records	Requests for and approval of military leave.	Destroy in office 3 years after leave ends.
Personnel Records: maintained in the Human Resource	Records concerning personnel maintained by HR Department. File includes applications for employment, resumes, personnel action forms, and similar records. (Comply with applicable provisions of G.S. § 126-22, § 126-23, and	Destroy in office 30 years after employee separation.

Services file [amended 2-9-2018]	§ 12624 regarding the confidentiality of personnel records.)	
Personnel Records: Departmental [added 2-9-2018]	Records maintained at the department such as reference copies of HR personnel records, training and orientation records, PTO and leave requests, and similar department-related records. (Comply with applicable provisions of G.S. § 126-22, § 126-23, and § 126-24 regarding the confidentiality of personnel records.)	<ul style="list-style-type: none"> A. Forward to the new department in the event that an employee transfers internally. B. Destroy remaining records in office 3 years after employee separation from UNCHCS
Personnel Correspondence	Office correspondence and memorandum concerning personnel matters.	Destroy in office after 3 years, unless pending litigation or other proceedings.
Position Descriptions	Includes information on job title, grade, duties, and responsibilities.	Destroy in office when superseded or obsolete.
Retirement Benefits	Records concerning retirement beneficiaries for death benefits, personal data of employees who plan to retire or have retired, descriptive information about retirement system, and other related topics.	<ul style="list-style-type: none"> A. Transfer original forms concerning beneficiaries to Human Resources when received. B. Destroy in office remaining records when superseded or obsolete
Service Awards	Lists of employees eligible for and receiving awards.	Destroy in office 5 years from date of award.
Training Records	Records concerning the training of organization personnel, including the training, testing, or continuing education of employees.	<ul style="list-style-type: none"> A. Transfer original records of HCS required training to Personnel (Active File) upon completion of training. B. Destroy in office remaining records after 1 year
Unemployment Compensation Claims	Claim forms and other related records concerning unemployment compensation cases.	Destroy in office after 3 years if no litigation, claim, audit or pending audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.
Unemployment Insurance Records	Employment Security Commission (ESC) forms used to report wage records of terminated employees.	<ul style="list-style-type: none"> A. Transfer original records to Human Resources when received. B. Destroy in office remaining records after 2 years
Vacant Positions	Records concerning vacant positions.	Destroy in office when superseded or obsolete.

Verification of Employment	Inquiries and responses concerning verification of employee's previous employment.	Destroy in office 1 year after employee leaves, unless pending litigation or proceedings.
Voluntary Shared Leave	Records concerning participation in the voluntary shared leave program.	Destroy in office after 5 years.
Workers' Compensation Program	Includes program policies, guidelines, and related administrative documentation.	Destroy in office when superseded or obsolete.

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
	Scott Doak: Chief Human Resources Officer	12/2019
SYSTEM Site Administrator	Emilie Hendee: HCS Attorney Sr	12/2019
	Bertha Carter: HCS Dir HR Customer Svc Ctr	12/2019

Applicability

Caldwell Memorial Hospital, Chatham Hospital, UNC Health Care System, UNC Medical Center, UNC Physicians Network, UNC Rex Healthcare, UNC Rockingham Health Care