

1 **Bainville K-12 Schools**

2
3 **PERSONNEL**

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4
5 Personnel Records

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7 The District shall maintain a cumulative personnel file in the administrative office for each of its
8 employees, as required by the Office of Public Instruction and current personnel policies. These
9 records are not to leave the administrative office except as specifically authorized by the
10 Superintendent, and then only by signed receipt. Payroll records are maintained separately.

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12 Contents of Personnel Files

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14 A personnel file may contain but is not limited to transcripts from colleges or universities,
15 information allowed by statute, a record of previous employment (other than college placement
16 papers for periods beyond active candidacy for a position), evaluations, copies of contracts, and
17 copies of letters of recommendation requested by an employee. All material in the personnel file
18 must be related to the employee's work, position, salary, or employment status in the District.
19 All documents, communications, and records dealing with the processing of a grievance shall be
20 filed separately from the personnel files of the participants.

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22 No material derogatory to an employee's conduct, service, character, or personality shall be
23 placed in the file, unless such placement is authorized by the Superintendent, as indicated by the
24 Superintendent's initials, and unless the employee has had adequate opportunity to read the
25 material. For the latter purpose, the Superintendent shall take reasonable steps to obtain the
26 employee's initials or signature verifying that the employee has received a copy of the material.
27 If the employee refuses to sign the document indicating that the employee has had an opportunity
28 to read it, the Superintendent will place an addendum to the document, noting that the employee
29 was given a copy but refused to sign. The Superintendent will date and sign the addendum.

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31 Disposition of Personnel Files

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33 An employee, upon termination, may request transcripts of college and university work. Any
34 confidential college or university placement papers shall be returned to the sender or destroyed at
35 the time of employment. All other documents shall be retained and safeguarded by the District
36 for such periods as prescribed by law.

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38 Record-Keeping Requirements Under the Fair Labor Standards Act

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40 1. Records required for ALL employees:
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 - 42 A. Name in full (same name as used for Social Security);
 - 43 B. Employee's home address, including zip code;
 - 44 C. Date of birth if under the age of nineteen (19);
 - 45 D. Sex (may be indicated with Male/Female, M/F, Mr./Mrs./Miss/Ms.);
 - 46 E. Time of day and day of week on which the employee's workweek begins;

- F. Basis on which wages are paid (such as \$5/hour, \$200/week, etc.);
- G. Any payment made which is not counted as part of the “regular rate”;
- H. Total wages paid each pay period.

2. Additional records required for non-exempt employees:

- A. Regular hourly rate of pay during any week when overtime is worked;
- B. Hours worked in any workday (consecutive twenty-four-(24)-hour period);
- C. Hours worked in any workweek (or work period in case of 207[k]);
- D. Total daily or weekly straight-time earnings (including payment for hours in excess of forty (40) per week but excluding premium pay for overtime);
- E. Total overtime premium pay for a workweek;
- F. Date of payment and the pay period covered;
- G. Total deductions from or additions to wages each pay period;
- H. Itemization of dates, amounts, and reason for the deduction or addition, maintained on an individual basis for each employee;
- I. Number of hours of compensatory time earned each pay period;
- J. Number of hours of compensatory time used each pay period;
- K. Number of hours of compensatory time compensated in cash, the total amount paid, and the dates of such payments;
- L. The collective bargaining agreements which discuss compensatory time, or written understandings with individual non-union employees.

All records obtained in the application and hiring process shall be maintained for at least two (2) years.

Legal Reference:	29 USC 201, et seq.	Fair Labor Standards Act
	§§ 2-6-101, et seq., MCA	Public Records Generally
	24.9.805, ARM	Employment Records

Procedure History:

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