

#### **151B.045 Personnel files.**

- (1) The records of the Office of Career and Technical Education shall be public records and shall be open to public inspection, as provided in KRS 61.870 to 61.884.
- (2)
  - (a) A personnel file shall be maintained by the Education and Workforce Development Cabinet for each employee. The files maintained by the Education and Workforce Development Cabinet shall be the official personnel file for the employees.
  - (b) Each file shall include but not be limited to the employee's name, address, title of positions held, classifications, rates of compensation, and all changes in status, including evaluations, promotions, demotions, layoffs, transfers, disciplinary actions, commendations, and awards. Each file shall contain the complete record and supporting documentation for each personnel action.
  - (c) When an employee is reprimanded for misconduct, other infraction, or failure to perform duties in a proper or adequate manner, the supervising employee taking the action shall document the action in detail, and shall provide the employee with a copy of the documentation. The supervising employee shall inform the employee of his or her right to prepare a written response to the action taken after the employee has reviewed the written documentation prepared by the supervising employee. The employee's response shall be attached to the documentation prepared by the supervising employee. The supervising employee shall place a copy of the documentation and response in the employee's personnel file and shall transmit a copy to be placed in the central office personnel file of the employee. The supervising employee shall notify the employee that copies of the documentation and the response provided for in this subsection have been placed in the employee's personnel files.
- (3) Upon written request, an employee shall have the right to examine his or her personnel file. An employee may comment in writing on any item in the file. The comments shall be made a part of the file and shall be attached to the specific record or document to which they pertain.
- (4) No public agency, as defined by KRS 61.870, and no officer or employee shall deny, abridge, or impede the exercise of the rights granted in any manner by this section and by KRS 61.878.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 11, sec. 16, effective June 25, 2009. -- Amended 2006 Ky. Acts ch. 211, sec. 26, effective July 12, 2006. -- Amended 2000 Ky. Acts ch. 526, sec. 20, effective August 15, 2000. -- Amended 1994 Ky. Acts ch. 469, sec. 11, effective July 15, 1994. -- Created 1990 Ky. Acts ch. 470, sec. 7, effective July 1, 1990.