

ILLINOIS STATE POLICE DIRECTIVE PER-061, EMPLOYEE FILES

RESCINDS: PER-061, 2022-094, revised 02-28-2022.	REVISED: 01-03-2023 2023-117
RELATED DOCUMENTS: ADM-137, PER-009, PER-012, PER-029, PER-030, PER-043, SRV-016, and applicable labor agreements	RELATED CALEA STANDARDS (6th Edition): 26.1.8, 82.1.3

I. POLICY

The Illinois State Police (ISP) will maintain employee files in a secure, confidential manner in order to prevent unauthorized access, alteration, disclosure, or destruction of files.

II. AUTHORITY

- II.A. 5 ILCS 160/1, et seq., "State Records Act"
- II.B. 5 ILCS 179/1, et seq., "Identity Protection Act"
- II.C. 815 ILCS 530/1, et seq., "Personal Information Protection Act"
- II.D. 820 ILCS 40/0.01, et seq., "Personnel Record Review Act"
- II.E. 80 Ill. Admin. Code Part 304, Personnel Rules, Pay Plans, and Position Classifications – General Provisions
- II.F. RC-164, RC-14, RC-28, RC-29, RC-42, RC-62, RC-63, SRC-018, SRV-120, SRV-200, VR-704, and all other applicable bargaining unit contracts.

III. DEFINITIONS

III.A. Agency Personnel File - maintained by the Director, the Office of Human Resources (OHR), or designee. See Addendum 1 for a list of items found in the Agency Personnel File. (The Department of Central Management Services also maintains an official personnel file on code personnel.)

III.B. Employee File Custodians

III.B.1. Agency Personnel File Custodian - the Director, OHR, or designee, who is responsible for the maintenance and security of Agency Personnel Files.

III.B.2. Facility Personnel File Custodian - ISP employee designated by the Commander, or designee, who is responsible for the maintenance and security of Facility Personnel Files.

III.B.3. Regional Office Personnel File Custodian - ISP employee designated by the Commander, or designee, who is responsible for the maintenance and security of Regional Office Personnel Files.

III.C. Facility Employee File - maintained at the employee's work facility by the Facility Personnel File Custodian. See Addendum 1 for a list of items found in the Facility Personnel File.

NOTE: This file must be transferred with sworn and code employees.

III.D. Regional Office Personnel File - AFSCME bargaining unit contracts permit maintaining a "regional" office personnel file for code employees only. The Regional Office Personnel File may be maintained at the Division/Command/Troop/Zone/Bureau/Lab/Office level.

NOTE: A regional and facility file can be one and the same file.

- III.E. Supervisor's File - a file maintained by an employee's immediate supervisor (contains any job-related notes, project assignments, time slips, etc.). Refer to the appropriate collective bargaining agreement for disposition of the file when an employee transfers, resigns, retires, or is terminated.
- IV. RESPONSIBILITIES
- IV.A. The Agency File Custodian is responsible for the maintenance and security of Agency Personnel Files for department employees.
- IV.B. Each Facility Personnel File Custodian is responsible for the maintenance and security of Facility Personnel Files for department employees.
- IV.C. Each Regional Office Personnel File Custodian is responsible for the maintenance and security of Regional Office Personnel Files for department employees.
- V. Limitations - The following is a list of records **NOT** maintained in an employee's Agency Personnel File:
- V.A.1. Background Investigation - maintained by the Division of Internal Investigation (DII).
- V.A.2. Cadet Applicant Files - pre-employment records and files of applicants not selected are maintained by the Merit Board.
- V.A.3. Equal Employment Opportunity Records - maintained by the Office of Equal Employment Opportunity. (See ISP Directive PER-009, "Equal Employment Opportunity.")
- V.A.4. Internal Investigation Files - maintained by DII. (See ISP Directive PER-030, "Complaint and Disciplinary Investigation.")
- NOTE:** This does not apply to discipline letters, memoranda, or other correspondence that would indicate that discipline has been issued to the employee within the timeline of the appropriate bargaining unit's contractual guidelines.
- V.A.5. Labor Relations Records - maintained by the Office of Labor Relations and Special Projects (OLR). (See ISP Directive, PER-043, "Office of Labor Relations and Special Projects.")
- V.A.6. Physician statements and/or any medical information. This information is kept separate and secure from the Agency Personnel File in the OHR.
- V.A.7. Psychological Evaluations - maintained by the OHR, but not as a part of the Agency Personnel File. (See ISP Directive SRV-016, "Human Services.")
- V.A.8. Summary Punishment Files - maintained by the DII. (See ISP Directive PER-030, "Complaint and Disciplinary Investigations.")
- NOTE:** This does not apply to discipline letters, memoranda, or other correspondence that would indicate that discipline has been issued to the employee within the timeline of the appropriate bargaining unit's contractual guidelines.
- V.A.9. Training Records - maintained by the Illinois State Police Academy. (See ISP Directive PER-012, "Education and Training.")
- V.A.10. Workers' Compensation, Payroll, and Insurance Records - maintained by the appropriate unit, but not as part of the Agency Personnel File. (See ISP Directive PER-029, "Workers' Compensation.")
- V.A.11. Sworn monthly Shift Briefings.

VI. PROCEDURES

VI.A. Access/Release of Agency Personnel File Information

VI.A.1. The following is a list of individuals having access to an employee's Agency Personnel File:

- VI.A.1.a. Employee
- VI.A.1.b. Employee's chain-of-command
- VI.A.1.c. Members of the ISP Legal Office
- VI.A.1.d. Chief, OHR, or designee
- VI.A.1.e. Former employee - up to one year from separation
- VI.A.1.f. An attorney, union representative, etc., having written permission from the employee

NOTE: An access log for each file will be a part of the file that will include date of access, name of person accessing, reason for access, and file custodian's initials.

VI.A.2. The individual requesting to inspect the Agency Personnel File will contact the OHR to make an appointment.

- VI.A.2.a. The inspection will take place in the OHR during normal business hours.
- VI.A.2.b. The Director, OHR, or designee, will monitor the file inspection in order to prevent documents being removed from the file.

VI.A.3. Requests by the employee to make additions, deletions, and comments must be routed through the chain-of-command to the OHR.

VI.A.4. All formal requests for information about an employee's current or past employment records, salary records, or other personnel information will be forwarded through the chain-of-command to the OHR, or designee (e.g., subpoena, court order).

NOTE: Verification of employment for loan applications/mortgages may be sent directly to the OHR, by the originating unit or troop or it may be handled at the work location.

VI.A.5. The Agency Personnel File should contain only those documents as required in Addendum 1 and other like documents that are essential to the personnel management functions of the OHR.

VI.A.6. Materials contained in Agency Personnel File may be subject to inspection and/or reproduction when requested by the employee, courts, attorneys, prospective employers, etc., and may also be disclosed to other entities or individuals as the OHR deems appropriate.

VI.A.7. Anyone having questions about materials to be included in the agency file should contact the OHR.

VI.B. Access/Release of Facility Personnel File Information

VI.B.1. The following is a list of individuals having access to the Facility Personnel File:

- VI.B.1.a. Employee
- VI.B.1.b. Employee's chain-of-command
- VI.B.1.c. Employee's union representative with written permission from the employee
- VI.B.1.d. Facility Personnel File Custodian or designee

NOTE: An access log for each file will be a part of the file that will include date of access, name of person accessing, reason for access, and file custodian's initials.

VI.B.2. The individual requesting to inspect the Facility Personnel File will contact the Facility Personnel File Custodian, or designee, to make an appointment.

- VI.B.2.a. The inspection will take place at the facility during normal business hours.
- VI.B.2.b. The Facility Personnel File Custodian will monitor the file inspection in order to prevent documents being removed from the file.
- VI.B.2.c. Reasonable requests for copies of any document within the file will be honored.
- VI.B.3. Requests by the employee to make additions, deletions, and/or comments must be directed to the employee's supervisor.
- VI.B.4. When an employee receives an intra- or inter-divisional transfer, the Facility Commander must review the Facility Personnel File in order to determine its administrative, legal, and/or fiscal value prior to forwarding to the new Facility Personnel File Custodian. Collective bargaining agreements will be adhered to in determining the file's administrative, legal, and/or fiscal value.
- VI.C. Access/Release of Regional Office Personnel File Information
 - VI.C.1. The following is a list of individuals having access to the Regional Office Personnel File:
 - VI.C.1.a. Employee
 - VI.C.1.b. Employee's chain-of-command
 - VI.C.1.c. Members of the ISP Legal Office
 - VI.C.1.d. Employee's union representative with written permission from the employee
 - VI.C.1.e. Regional Office Personnel File Custodian or designee

NOTE: An access log for each file will be a part of the file that will include date of access, name of person accessing, reason for access and file custodian's initials.
 - VI.C.2. The individual requesting to inspect the Regional Office Personnel File will contact the commander at that location to make an appointment.
 - VI.C.2.a. The inspection will take place at the facility during normal business hours.
 - VI.C.2.b. The Regional Office Personnel File Custodian will monitor the file inspection in order to prevent documents being removed from the file.
 - VI.C.2.c. Reasonable requests for copies of any document within the file will be honored.
 - VI.C.3. Requests by the employee to make additions, deletions, and comments must be directed to the employee's supervisor.
 - VI.C.4. When an employee receives an intra- or inter-divisional transfer, and this transfer results in a change of the Regional Office Personnel File Custodian, the Regional Office Personnel File Custodian must review the employee file in order to determine its administrative, legal, and/or fiscal value prior to forwarding the Regional Office Personnel File to the new Regional Office Personnel File Custodian. Collective bargaining agreements will be adhered to in determining the file's administrative, legal, and/or fiscal value.
- VI.D. Retention/destruction of Employee Files

After separation, all ISP employee records will be retained/destroyed in order to conform with the State Records Act, and in accordance with ISP Directive ADM-137, "Records Retention/Destruction Schedules."

| Indicates new or revised items.

-End of Directive-

**ILLINOIS STATE POLICE DIRECTIVE
PER-061, EMPLOYEE FILES
ADDENDUM 1, AGENCY PERSONNEL FILE**

RESCINDS: PER-061, Addendum 1, 2022-094, revised 02-28-2022.	REVISED: 01-03-2023 2023-117
RELATED DOCUMENTS: ADM-137, PER-009, PER-012, PER-029, PER-030, PER-043, SRV-016, and applicable labor agreements	RELATED CALEA STANDARDS (6th Edition): 26.1.8, 82.1.3

At a minimum, the following items must be in the Agency Personnel File if available.

Sworn Employees Only

1. Merit Board decisions
2. Officer Action Request (OAR) ISP 2-094
3. Performance Evaluation Rating Summary

Code Employees Only

1. Authorization for Release of Personal Information, ISP 4-028
2. Authorization Form for Employee Credit Report
3. CMS transaction and Personnel/Position Action forms
4. Code Vacancy Posting & Result Memo
5. Disclosure Statement for Employee Credit Report
6. Employment Application, CMS-100
7. Ethnic Origin Survey, IL 442-0255
8. Executive Order No. 2, which bans political solicitation of financial contributions from state employees and prohibits state employees from soliciting financial contributions for the Governor's Campaign Finance Committee
9. Flexible Hours/Four-Day Workweek Request Form, ISP 2-002
10. Performance Evaluations
11. Personal Information for Background Investigations
12. Personal references
13. Personnel Action Request (PAR), ISP 2-039
14. Pre-qualification Form, CMS-96 and/or Skill Tests, CMS-96A
15. Receipt of Code Employee Handbook
16. Survey for Disabled Employees, IL 442-0254
17. Verification of Selective Service Registration
18. Verification of previous employment

Both Sworn and Code Employees

1. Administrative messages (status of officer)
2. Appointment letter
3. Certificates
4. College transcripts
5. Commendations
6. Completed performance evaluation forms and attachments and the Career Development Resource Guide
7. Disciplinary actions
8. Employment Eligibility Verification, I-9
9. Exit Interview, ISP 2-293
10. Leave of Absence (LOA) (initial application, approval, denial, or extension)
11. Letters of appreciation
12. Military orders
13. Receipt of ID Card
14. Reinstatement records
15. Resumes (if available)
16. Retirement or resignation forms
17. Request for Secondary Employment, ISP 2-072
18. Traffic Crash Review Board decisions

**PER-061, Employee Files
Addendum 1, Agency Personnel File**

Page 2 of 2

19. Transfer transactions
20. Tuition Reimbursement, ISP 2-090, and documentation

-End of Addendum-

**ILLINOIS STATE POLICE DIRECTIVE
PER-061, EMPLOYEE FILES
ADDENDUM 2, REGIONAL AND FACILITY PERSONNEL FILES**

RESCINDS: PER-061, Addendum 2, 2022-094, revised 02-28-2022.	REVISED: 01-03-2023 2023-117
RELATED DOCUMENTS: ADM-137, PER-009, PER-012, PER-029, PER-030, PER-043, SRV-016, and applicable labor agreements	RELATED CALEA STANDARDS (6th Edition): 26.1.8, 82.1.3

At a minimum, the following items must be in the Regional and Facility Personnel Files if available.

Sworn Employees only

1. Troop/zone activity report
2. Inspection and inventory forms
3. Officer Action Request (OAR) ISP 2-094
4. Permission to relocate residence

Code Employees only

1. Employment application, CMS-100
2. Ethnic Origin Survey, IL442-0255
3. Flexible Hours/Four-Day Workweek Request Form, ISP 2-002
4. Personnel Action Request (PAR), ISP 2-039
5. Promotional applications CMS-100B
6. Survey for Disabled Employees, IL 442-0254
7. Verification of selective service registration

Both Sworn and Code Employees

1. Counseling reports
2. Disciplinary actions
3. Documentation for leaves of absence
4. Military Documentation
5. Performance evaluations
6. Release of information form
7. Request for new equipment
8. Request for Secondary Employment form, ISP 2-072
9. Time sheets
10. Timekeeping/Attendance records
11. Tuition Reimbursement, ISP 2-090, and documentation

| Indicates new or revised items.

-End of Addendum-