



Happy New Year Campus Community

From Your Legal Team

As we welcome in the New Year, the Office of Legal Affairs would like to welcome each and every one of you to the inaugural edition of RAM Rights. RAM Rights is a legal note to keep the campus community abreast of legal information and issues that may be pertinent to our daily work routines and lives. As one of WSSU's many "*Team of Teams*," our team, which consists of Ivey Brown, Chief Legal Counsel, Venus Boston, Deputy Chief Legal Counsel and Tiffany Turner, Business Manager will be sending out RAM Rights regularly as a tool to communicate with the campus community. We encourage each of you to feel free to inquire about various legal issues and legal concerns that you are interested in.

If you have any legal topics that you would like to see discussed or want more information on please send an email to gencounsel@wssu.edu.

As the office has received a number of questions about what the public can pull from an employee's personnel record, we will begin our inaugural note on this topic.

What RIGHTS do you have to My Personnel Records?

North Carolina state law (NCGS §126-22) protects the confidentiality of employee personnel records. The law (NCGS §126-23) requires the University to permit the public access to ONLY the following information from an individual's personnel file:

- Name;
- Age;
- Date of original State employment or appointment to State service;
- The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the agency has the written contract or a record of the oral contract in its possession;
- Current position;
- Title;
- Current salary;

- Date and amount of each increase or decrease in salary with that department, agency, institution, commission, or bureau;
- Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification within that department, agency, institution, commission, or bureau;
- Date and general description of the reasons for each promotion with that department, agency, institution, commission, or bureau;
- Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the department, agency, institution, commission, or bureau. If the disciplinary action was a dismissal, 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 dismissal; and
- The office or department to which the employee is currently assigned.

Salary information includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity. In addition, the UNC Board of Governors has enacted a policy in which provisions specific to the contracts of head coaches and athletic directors in the UNC system can be found (see UNC Board of Governors Policy 1100.3.A.6).

As a general rule, all requests for access to personnel information from any person or agency except the subject employee or the employee's supervisors should be referred to the Department of Human Resources or the Office of Faculty Affairs (Faculty).

Employees responsible for maintaining personnel records and files of current WSSU employees should permit access to those records only in accord with the below requirements:

Access should be permitted to:

1. All supervisors who are above the employee who is the subject of the records in the supervisory chain, or persons authorized by those supervisors to carry out personnel administration functions, but only for purposes of official University business.
2. The employee, applicant for employment, or former employee who is the subject of a personnel record, who may have access to the personnel record in its entirety, except for confidential letters of recommendation solicited prior to employment, and certain medical records.

If any case of doubt about whether to disclose information from personnel records, contact the Department of Human Resources or the Office of Faculty Affairs.

Thank You for taking the time to read this first informational. We will bring forth many more throughout the year.