

1017 10.6 Employee Assistance Programs. Neither the fact of an employee's participation in an employee
1018 assistance program nor information generated by participation in the program, shall be used as evidence
1019 of a performance deficiency within the evaluation process described in this Article, except for information
1020 relating to an employee's failure to participate in an employee assistance program consistent with the
1021 terms to which the employee and the University have agreed.

1022 1023 1024 **Article 11 - Evaluation ~~File~~Files**

1025 11.1 Policy. ~~There shall be one (1) evaluation file containing a dated copy of all documents used in the~~
1026 ~~evaluation process, other than evaluation for tenure and promotion and successive fixed multi-year~~
1027 ~~appointments.~~ When evaluations and other personnel decisions are made, ~~other than for tenure and~~
1028 ~~promotion, and successive fixed multi-year appointments,~~ the only documents which may be used are
1029 those contained in that file/evaluation files. Such documents shall be placed in the evaluation files_s within a
1030 reasonable time after receipt by the custodian of the file. Employees shall be notified, upon written request,
1031 of the locations_s of the evaluation files_s and the identity of the custodians_s.

1032
1033 11.2 Access. An employee may examine ~~the~~ evaluation files_s, upon reasonable advance notice, during
1034 the regular business hours of the offices_s in which the files_s ~~is~~ are kept, normally within the same business
1035 day as the employee requests to see it, and under such conditions as are necessary to insure ~~its~~ their
1036 integrity and safekeeping. Upon request, an employee may paginate with successive whole numbers the
1037 materials in the file, and may attach a concise statement in response to any item therein. Upon request, an
1038 employee is entitled to one (1) free copy of any material in the evaluation files_s. Additional copies may be
1039 obtained by the employee upon the payment of a reasonable fee for photocopying. A person
1040 designated by the employee may examine that employee's evaluation files_s with the written authorization
1041 of the employee concerned, and subject to the same limitations on access that are applicable to the
1042 employee. If the evaluation files are online, the employee will be given access to them following processes
1043 similar to those outlined above for paper files.

1044
1045 11.3 Indemnification. The UFF agrees to indemnify and hold the University, its officials, agents, and
1046 representative's harmless from and against any and all liability for any improper, illegal, or unauthorized
1047 use by the UFF of information contained in such evaluation files.

1048
1049 11.4 Use of Evaluative Materials. In the event a grievance is filed, University and UFF grievance
1050 representatives, the arbitrator, and the grievant shall have the right to use, in the grievance proceedings,
1051 copies of materials from the grievant's evaluation files_s.

1052
1053 11.5 Anonymous Material. There shall be no anonymous material in the evaluation files_s except for
1054 numerical summaries of student evaluations that are part of a regular evaluation procedure of classroom
1055 instruction and/or written comments from students obtained as part of that regular evaluation procedure. If
1056 written comments from students in a course are included in the evaluation files_s, all of the comments
1057 obtained in the same course must be included.

1058
1059 11.6 Peer Committee Evaluations. Prior to being placed in an evaluation file, a copy of all evaluative
1060 materials and all summaries thereof prepared by the peer committee shall be provided to the employee.
1061 The employee shall have ten (10) days after receipt of same to present written materials to the peer
1062 committee regarding same. If the employee does not present written materials to the peer committee
1063 within said ten (10) days, the original evaluative materials or summaries thereof may be placed in the
1064 employee's evaluation files_s when signed by a representative of the committee. If the employee presents
1065 written materials to the peer committee within the ten (10) days as stipulated above, the peer committee
1066 shall review any such written material and may or may not modify the evaluative materials and summaries
1067 thereof. The peer committee may then place all of the original, or if modified, the modified evaluative
1068 materials and summaries thereof in the employee's evaluation files_s when signed by a representative of the
1069 committee along with all written material presented by the employee to the peer committee. The peer
1070 committee shall ~~provide~~ a copy of all modified evaluative materials and summaries thereof to the
1071 employee prior to the employee's meeting with the unit head/chair.