



Employment Practices

Courtesy of Meridian Benefits Consulting

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Are employees allowed unconditional access to their personnel files?

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Whether or not employees are permitted to access their personnel files is most often determined by state law.

Most states have laws regarding access rights, which explain the records an employee may have access to as well as the limitations of the access. Some states also have “open records” laws that allow certain parts of government employees’ personnel files to be publicly accessible. Certain states do not have laws addressing access rights, in which case the employer may create its own policy. The employer must then consistently follow said policy, and document all policy changes in writing.

If you have employees in multiple states, you may need to create separate policies regarding personnel files for employees in each state, unless you prefer to create a plan for your company that complies with the laws of all applicable states.