



The Plain-Language Project

Article 4





ARTICLE 4

GRADUATE ASSISTANT FILE

Article 4 Graduate Assistant File

A file exists which contains all your evaluations, amongst other things.

4.1 Policy

4.1 Policy. All written materials used to evaluate employee performance will be maintained in one (1) file, which may also contain additional materials including, but not limited to, admission and academic records. These records will be kept within the graduate assistant's department.

All your written evaluations have to be kept in 1 place.

That 1 place may also include things like your admissions records, transcripts, &c.

It may contain other things not listed here!

This file lives somewhere in your department.

4.2 Access

4.2 Access. An employee may examine his or her file upon reasonable advance notice, during the regular business hours of the office in which the file is kept, normally within the same business day as the employee requests to see it and under such conditions as are necessary to insure its integrity and safekeeping.

You can ask to check out your own file, but they might need some time to get it to you.

They'll try to get it to you same-day but don't be a jerk about it.

They might have some conditions to make sure you don't, I dunno, set fire to the original copy or something.

4.2 Access (con't)

Upon request, an employee may paginate with successive whole numbers the materials in the file, and may attach a concise statement in response to any item therein. Upon request, an employee is entitled to one (1) free copy of any material in the file. Additional copies may be obtained by the employee upon payment of a reasonable fee for photocopying. A person designated by the employee may examine that employee's evaluation file with the written authorization of the employee concerned and subject to the same limitations on access that are applicable to the employee.

You can get one free copy if you ask and more copies if you pay for the copying.

You can request to number all the pages of your file (useful if you want to submit it somewhere), but only in “successive whole numbers.”

If you provide written authorization, anyone else that you choose (ex: your union representative in a grievance case) can also read your file.

4.3 Indemnification

“Indemnification”

Technical term for freedom from legal liability.

“Indemnify”

AKA, stuff FSU is NOT responsible for.

To release from legal responsibility.

4.3 Indemnification (con't)

4.3 Indemnification. UFF-FSU-GAU agrees to indemnify and hold the University, and its officials, agents, and representatives harmless from and against any and all liability for any improper, illegal, or unauthorized use by UFF-FSU-GAU of information contained in such employee file.

If we (GAU) mess up and accidentally misuse the information in an employee file, FSU (the University) isn't liable for our mistake.

4.4 Use of Evaluative Material

4.4 Use of Evaluative Material. In the event a grievance proceeds to arbitration, the University, UFF-FSU-GAU, the arbitrator, and the grievant shall have the right to use copies of materials from the grievant's file relevant thereto in the arbitration proceedings.

If we're helping out a GA with a grievance, and that grievance goes all the way to "arbitration" (technical term, see Article 11.8.F for this), then the people involved in "arbitration" get to use the relevant stuff in the GAs evaluations file in the arbitration process.

Those people include FSU, GAU, the GA, and the "arbitrator"--see Article 11 for more details on this.

4.5 Anonymous Material

4.5 Anonymous Material. No anonymous material regarding a graduate assistant's employment shall be placed in the file.

No anonymous material can be put in a GA's file.

This does not include student evals (which are anonymous), but the GA does have to REQUEST these to be put in; they're not put in by DEFAULT.

4.6 Materials in Evaluation File

4.6 Materials in Evaluation File. Evaluative materials or summaries thereof, prepared as part of a regular employee evaluation system, may be placed in an employee evaluation file after a copy has been presented to the employee for signature. The employee's signature does not necessarily indicate agreement with the contents of the document. The employee may append a written statement to the evaluation expressing their interpretation of the evaluation.

Those observation evaluations get put into your files, after they give you a copy to sign .

Signing your evaluation or observation record does NOT mean that you necessarily agree with your evaluation.

You can always add your own statement to staple onto your observation evaluation, subject to the time limits in Article 3.

4.7 Removal of Contents

4.7 Removal of Contents. Materials shown to be contrary to fact shall be removed from the file. This section shall not authorize the removal of materials from the employee evaluation file when there is a dispute concerning a matter of judgment or opinion rather than fact. Materials may also be removed pursuant to the resolution of a grievance.

Anything outright false will get removed from your file.

But if it's up for debate, it stays in.

If it's a matter of opinion and not **FACT**, it stays in.

You cannot file a grievance specifically to have something removed from your file (unless it's FALSE and your department has refused to remove it). However, you may have filed an unrelated grievance that then ends up having, as part of its resolution, something removed from your file: that's a-ok!

4.7 Removal of Contents (con't)

The parties to this Agreement acknowledge the requirements of the public records law and nothing contained herein shall authorize any action contrary to law. The union encourages employees to collect information from their own file and make it available for viewing to their representative if necessary, so the University and its staff are not unduly burdened with compliance.

Florida is under the “Sunshine Law”, i.e. all government documents are public records.

So the material in your file is public records and subject to public records requests.

Meaning if you burn your file, you're not just violating your contract with FSU, but state law.

If possible, it's nice for you to get copies from your file yourself if you need to show it to the GAU or something. Helps administrative assistants have less work.

4.8

4.8 Only University officials with a business need may inspect information reflecting evaluations of employee performance in accordance with applicable law.

Your file is supposed to be relatively private; University employees need an actual **REASON** to go in there and read it.

i.e., a professor who hates you can't just go in and read your file for chucks.