



## Senate

General Assembly

**File No. 261**

*January Session, 2001*

Substitute Senate Bill No. 1392

*Senate, April 12, 2001*

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT CONCERNING PRIVACY RIGHTS FOR STATE EMPLOYEES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 (NEW) (a) No state employee shall be required to disclose any  
2 information or records concerning or confirming the employee's  
3 voluntary participation in an employee assistance program sponsored  
4 or authorized by the state or any of its agencies.

5 (b) Except as permitted under section 31-128f of the general statutes,  
6 no employee assistance program, by itself or its agents or  
7 representatives, shall disclose any information or records concerning  
8 or confirming a state employee's voluntary participation in such  
9 program without the prior written consent of the state employee.

10 (c) For purposes of this section, "state employee" means any  
11 employee in the executive, legislative or judicial branch of state  
12 government, whether in the classified or unclassified service and

13 whether full or part-time and any employee of a quasi-public agency.

**LAB**      *JOINT FAVORABLE SUBST.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

---

***OFA Fiscal Note***

***State Impact:***           None

***Affected Agencies:***   All State Agencies

***Municipal Impact:***   None

---

**OLR Bill Analysis**

sSB 1392

**AN ACT CONCERNING PRIVACY RIGHTS FOR STATE EMPLOYEES.**

**SUMMARY:**

This bill, with limited exceptions, prohibits employee assistance programs from disclosing information or records concerning a state employee's voluntary participation in a program without his prior written consent.

The bill also prohibits anyone from requiring state employees to release information concerning or confirming their voluntary participation in a state-sponsored or authorized employee assistance program.

A state employee is any employee in the executive, legislative or judicial branch, whether full-time or part-time, or in the classified or unclassified service, and any employee of a quasi-public agency.

EFFECTIVE DATE: October 1, 2001

**EXCEPTIONS**

Employee assistance programs may release information concerning a state employee without his prior written consent:

1. where the information is limited to verification of dates of employment, position, and salary;
2. to a third party that maintains or prepares employment-related services for the employer;
3. pursuant to lawfully issued administrative or judicial orders (including search warrants and subpoenas) or in response to a government audit or the investigation or defense of personnel-

related complaints against the employer;

4. pursuant to a request by a law enforcement agency for his home address and dates of attendance at work;
5. in response to an apparent medical emergency or to apprise his physician of a medical condition of which the employee may not be aware;
6. to comply with federal, state, or local laws or regulations; or
7. where the information is disseminated under the terms of a collective bargaining agreement.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 14    Nay 0