



General Assembly

**Substitute Bill No. 5392**

February Session, 2004

\*        HB05392GAE        042204        \*

**AN ACT CONCERNING ENFORCEMENT OF THE PERSONNEL FILES ACT.**

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

1       Section 1. (NEW) (*Effective October 1, 2004*) In connection with any  
2 investigation by the Labor Department regarding any provision of  
3 chapter 563a of the general statutes, the Labor Commissioner or the  
4 Labor Commissioner's duly authorized agent may summon by  
5 subpoena an employer, an employee who has filed a complaint that is  
6 the subject of such investigation, or any other person having custody  
7 or control of such employee's medical records or personnel file and  
8 whose testimony may be pertinent to the matter under investigation,  
9 together with any records or other documents relevant to such  
10 investigation. Any such records or documents obtained by the Labor  
11 Department pursuant to such subpoena shall be confidential and shall  
12 not be subject to disclosure under the Freedom of Information Act, as  
13 defined in section 1-200 of the general statutes. In case of contumacy or  
14 refusal to obey a subpoena issued pursuant to this section, the Superior  
15 Court, upon application of the Labor Commissioner, shall have  
16 jurisdiction to make such order as may be appropriate to aid in the  
17 enforcement of this section.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**JUD**      *Joint Favorable Subst.*

**GAE**      *Joint Favorable*