



General Assembly

Substitute Bill No. 910

January Session, 2013



AN ACT CONCERNING EMPLOYEE ACCESS TO PERSONNEL FILES.

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

1 Section 1. Section 31-128b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) Each employer shall, [within a reasonable time] not more than
4 five business days after receipt of a written request from an employee,
5 permit such employee to inspect, and if requested, copy his or her
6 personnel file if such a file exists. Such inspection shall take place
7 during regular business hours at a location at or reasonably near the
8 employee's place of employment. Each employer who has personnel
9 files shall be required to keep any personnel file pertaining to a
10 particular employee for at least one year after the termination of such
11 employee's employment.

12 (b) Each employer shall, not more than ten business days after
13 receipt of a written request from a former employee, permit such
14 former employee to inspect, and if requested, copy his or her
15 personnel file if such a file exists, provided the employer receives such
16 written request not later than one year after the termination of such
17 former employee's employment with the employer. Such inspection
18 shall take place during regular business hours at a location at or
19 reasonably near the former employee's former place of employment
20 with the employer.

21 (c) Each employer shall provide an employee with a copy of any
22 documentation of any disciplinary action imposed on that employee
23 not more than one business day after the date of imposing such action.
24 Each employer shall immediately provide an employee with a copy of
25 any documented notice of that employee's termination of employment.

26 Sec. 2. Section 31-128e of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2013*):

28 (a) If, upon inspection of his or her personnel file or medical
29 records, an employee disagrees with any of the information contained
30 in such file or records, removal or correction of such information may
31 be agreed upon by such employee and his or her employer. If such
32 employee and employer cannot agree upon such removal or correction
33 then such employee may submit a written statement explaining his or
34 her position. Such statement shall be maintained as part of such
35 employee's personnel file or medical records and shall accompany any
36 transmittal or disclosure from such file or records made to a third
37 party.

38 (b) Each employer shall include a statement in clear and
39 conspicuous language in any documented disciplinary action, notice of
40 termination of such employee's employment or performance
41 evaluation that the employee may, should the employee disagree with
42 any of the information contained in such statement, submit a written
43 statement explaining his or her position. Such employee statement
44 shall be maintained as part of such employee's personnel file and shall
45 accompany any transmittal or disclosure from such file or records
46 made to a third party.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	31-128b
Sec. 2	<i>October 1, 2013</i>	31-128e

LAB *Joint Favorable Subst.*