
OLR Bill Analysis

sSB 910 (File 314, as amended by Senate "A")*

AN ACT CONCERNING EMPLOYEE ACCESS TO PERSONNEL FILES.

SUMMARY:

This bill specifies how quickly an employer must provide a current or former employee with access to his or her personnel file. It also requires employers to (1) provide employees with copies of documentation of any disciplinary action or termination and (2) notify employees that they can include a written statement in their personnel file.

Current law requires employers to let employees inspect their personnel files within a reasonable time after receiving a written request. The bill requires employers to provide this access and allow employees to copy their files within (1) seven business days for current employees and (2) 10 business days for former employees. Under the bill, former employees must request their files within one year of their termination by the employer. By law, employers must keep a former employee's records for at least one year.

The bill requires employers to provide an employee with a copy of any documentation of any disciplinary action imposed on that employee within one business day. It also requires employers to immediately provide an employee with a copy of any documented notice of the employee's termination from employment.

Under the bill, whenever an employer documents an employee's disciplinary action, termination notice, or performance evaluation, the employer must include a clear statement that the employee can submit a written statement disagreeing with anything in the disciplinary action, termination notice, or performance evaluation. The employer must keep the employee's statement in the personnel file and include it

whenever the file is transmitted or disclosed to a third party.

*Senate Amendment "A" (1) gives an employer seven, instead of five, business days to allow an employee access to his or her files and (2) allows an employee to disagree with an employer's disciplinary action, termination notice, or performance evaluation instead of disagreeing with the employer's statement notifying the employee of his or her right to submit a written disagreement.

EFFECTIVE DATE: October 1, 2013

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 10 Nay 0 (03/19/2013)