

# SENATE NO. 1075

## AN ACT RELATIVE TO PERSONNEL RECORDS

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Section 27C of Chapter 149 of the General Laws, as  
2 appearing in the 1998 official Edition is hereby amended in lines 3 and 11 by inserting after the  
3 number “27H” the following “52C”.

4 SECTION 2. Section 52C of said Chapter 149, as so appearing, is hereby amended by striking lines 9  
5 through 11 and inserting in place thereof the following: --

6 “Employer” an individual, corporation, partnership, labor organization, unincorporated association,  
7 any political subdivision, including any city, town, county, or other governmental entity or created by  
8 state law, including public corporations, and

9 authorities, or any other legal business, public or private or commercial entity including agents of the  
10 employer

11 SECTION 3. Said Section 52C of said Chapter 149 its so appearing, is hereby amended by striking  
12 lines 37 to 41 and inserting in place thereof the following: --

13 An employer shall notify an employee within 10 days of the employer placing in the employee’s  
14 personnel record any information to the extent that the information is used or has been used or may be

15 used to negatively affect the employee's qualification for employment, promotion, transfer, additional  
16 compensation or disciplinary action. Any employer receiving a written request from an employee  
17 shall provide the employee with an opportunity to review his personnel record within five business  
18 days of such request. The review shall take place at the place of employment and during normal  
19 business hours. An employee shall be given a copy of his personnel record within five business days  
20 of submission of a written request for such copy to his employer. An employer shall not be required to  
21 allow an employee to review his personnel record on more than two (2) separate occasions in any  
22 calendar year, provided however that the notification and review caused by the placing of any negative  
23 information in the personnel record shall not be considered on of the two annually permitted reviews.

24 SECTION 4. Said Section 52C of said Chapter 149 of the General Laws, is hereby amended by  
25 inserting at the end thereof the following: --

26 Any employer who violates this section shall be punished or shall be subject to a civil citation or order  
27 as provided in Section 27C.

