HOUSE DOCKET, NO. 1126 FILED ON: 1/19/2011

HOUSE . . . . . No. 1384

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to employee references.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	*8th Suffolk*
Cory Atkins	*14th Middlesex*
Jennifer E. Benson	*37th Middlesex*
Sarah K. Peake	*4th Barnstable*
Dennis A. Rosa	*4th Worcester*
Bruce E. Tarr	
	☐ *[District]*
	☐

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HOUSE . . . . . No. 1384

By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 1384) of Martha M. Walz and others relative to the disclosure of information about current or former employees to prospective employers. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1589* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to employee references.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immunity from liability for reference disclosure , therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after Section 52D the following section:- Section 52E. (A) Unless otherwise provided by law, an employer, or an employer's designee, who discloses information about a current or former employee to a prospective employer of the employee shall be absolutely immune from civil liability if the disclosed information includes any or all of the following: (1) date of employment; (2) pay level; (3) job description and duties; and (4) wage history. An employer who responds in writing to a written request concerning a former employee from a prospective employer of that employee shall be absolutely immune from civil liability if the disclosed information includes either or both of the following: (1) written employee evaluations which were conducted prior to the employee's separation from the employer; and (2) whether the employee was voluntarily or involuntarily released from service and the reasons for the separation.

(B) This section shall apply to causes of action accruing on and after the effective date of this act.