

HOUSE BILL NO. 147

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MACLEAN, Phillips, Porter

Introduced: 2/10/93

Referred: Labor & Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the disclosure of information by an employer about the job
2 performance of an employee or former employee."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 09.65 is amended by adding a new section to read:

5 Sec. 09.65.160. **JOB REFERENCES.** An employer who discloses information
6 about the job performance of an employee or former employee to a prospective
7 employer of the employee or former employee at the request of the prospective
8 employer or the employee or former employee is presumed to be acting in good faith
9 and, unless lack of good faith is shown by a preponderance of the evidence, may not
10 be held liable for the disclosure or its consequences. For purposes of this section, the
11 presumption of good faith is rebutted upon a showing that the information disclosed
12 by the former employer was knowingly false or deliberately misleading, was given
13 with a malicious purpose, or violated a civil right of the employee or former employee
14 that is protected under AS 18.80 or under federal law.