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86

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF
HB 86

Employee Access to Own Personnel File

Received February 1, 1989
by the Labor and Commerce Committee

Heard February 14, 1989

Passed Out of Committee February 14, 1989
4 Do Pass
1 No Recommendation

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HOUSE COMMITTEE REPORT

(7)

Date Referred: February 1, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: _____

The STATE AFFAIRS Committee recommends that:

HOUSE BILL NO. 86 [EMPLOYEE ACCESS TO OWN PERSONNEL FILE]
"An Act requiring employers to permit employees and former employees to have access to their personnel files."

[] be replaced with _____ [] the same title
[] a new title

[] have attached amendment(s)

- do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- [] fiscal impact
- [] zero fiscal note
- [] zero with analysis

APPROVES PREVIOUS:

- [] fiscal note(s) published: _____
- zero fiscal notes(s) published:
2/1/89 Labor

SIGNING DO PASS:

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

Dave Douley
Carl J...
Steven R. ...
W.A. ...

Alex ... (No-Rec)
W.A. ...
Chairman's signature

HOUSE COMMITTEE REPORT

Item 2

(5)

Date Referred: 1/17/89

FURTHER REFERRALS: STATE AFFAIRS
JUDICIARY

Date of Committee Action: 1/31/89

The LABOR & COMMERCE Committee recommends that:

HOUSE BILL NO. 86 [EMPLOYEE ACCESS TO OWN PERSONNEL FILE]
"An Act requiring employers to permit employees and former employees to have access to their personnel files."

[] be replaced with _____ [] the ~~same~~ title
[] a new title

[] have attached amendment(s)

- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- zero fiscal note
- zero with analysis

APPROVES PREVIOUS:

- fiscal note(s) published: _____
- zero fiscal notes(s) published: _____

SIGNING DO PASS:

David Donley

Mark Boyer

W. J. ...

Bob ...

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

John ... no rec

Alvin ... no rec

David Donley

Chairman's signature

Item 3

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION : HB 86
PUBLISH DATE : _____

FISCAL NOTE

REQUEST:

Revision Date: _____	Agency Affected: <u>Labor</u>
Title: <u>"An Act requiring employers to permit access to ...personnel files."</u>	BRU: <u>Labor Standards & Safety</u>
Sponsor: <u>House Labor & Commerce</u>	Components: <u>Wage & Hour</u>
Requestor: <u>House Labor & Commerce</u>	

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: <u>Tom Stuart, Director</u>	Phone: <u>465-2725</u>
Division: <u>Labor Standards & Safety</u>	Date: <u>1/26/89</u>
Approved by Commissioner: <u>Jim Sampson</u>	Date: <u>1/26/89</u>
Agency: <u>Department of Labor</u>	

- Distribution (by preparer) :
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

Item 4

HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE
Chairman - Representative Dave Donley

P.O. BOX V, JUNEAU 99811

(907) 465-3892



January 10, 1989

M E M O R A N D U M

- To: Members, House Labor and Commerce Committee
- From: Representative Dave Donley, Chair
House Labor and Commerce Committee
- Re: Proposed Committee Legislation - Access to Personnel Files

The attached bill, identical to the final version of HB 540 from last year, authorizes employees to have access (including copying) to any information contained in their personnel files.

The bill covers all employees in Alaska including the state, the University of Alaska, the Alaska Railroad and political subdivisions of the state.

Item 5

Bill No. House Bill 86

Date January 30, 1989

Title "An Act requiring employers to permit employees and former employees to have access to their personnel files."

Contact: Tom Stuart
264-2452
Eileen Plate
465-2700

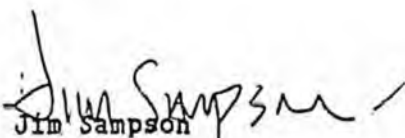
House Bill 86 requires employers to provide an employee or former employee access to his or her respective personnel records and to permit the employee to make copies of the records. The employer may charge the employee for the costs of duplicating the records.

Employees should have access to employer kept personnel records as provided in this bill. The accuracy of such records may have a direct bearing on a worker's employability should a prospective employer contact the worker's current or former employer as a reference. Under the provisions of this bill, a worker would have an opportunity to at least be aware of any discrepancies in the employer's personnel records.

The Department supports the provisions of this bill which provide workers a right to access and copy employer kept personnel records.

House Bill 86 would not have a fiscal impact on the Department of Labor.

APPROVED


Jim Sampson
Commissioner

Item 6

STATE OF ALASKA THE LEGISLATURE

FOUCH Y STATE CAPITOL
BUREAU ALASKA 99511
707 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 13, 1989

SUBJECT: Scope of HB 86
(Access to personnel files)

TO: Representative Dave Donley

FROM: Teresa B. Cramer *ABC*
Legislative Counsel

You have asked whether HB 86 requires an employer to keep personnel files on employees. In my opinion, the answer is no. Under subsection (a), if an employer maintains personnel files, the employer must allow access to the information. There is nothing that affirmatively requires that the information be maintained in the first place.

If I may be of further assistance, please advise.

TC:kb
wkk1/119