



LAWS OF ALASKA

1993

Source
HCS SB 122(JUD)

Chapter No.
12

AN ACT

Relating to the disclosure of information by an employer about the job performance of an employee or former employee.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 7, 1993
Actual Effective Date: August 5, 1993

AN ACT

1 Relating to the disclosure of information by an employer about the job performance of an
2 employee or former employee.

3 _____
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 employer or former
12 employer

13 (1) recklessly, knowingly, or with a malicious purpose disclosed false
14 or deliberately misleading information; or

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- 1 (2) disclosed information in violation of a civil right of the employee
2 or former employee that is protected under AS 18.80 or under comparable federal law.