

# SENATE BILL REPORT

## SB 5227

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As Reported By Senate Committee On:  
Labor & Workforce Development, February 15, 1999

**Title:** An act relating to employee copies of personnel files.

**Brief Description:** Permitting employees to copy personnel files.

**Sponsors:** Senators Heavey, McCaslin and Deccio.

**Brief History:**

**Committee Activity:** Labor & Workforce Development: 2/1/99, 2/15/99 [DPS, DNPS].

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### SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 5227 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Franklin, Vice Chair; Kline and Wojahn.

**Minority Report:** Do not pass substitute.

Signed by Senator Hochstatter.

**Staff:** David Pringle (786-7448)

**Background:** All employers are required to permit employees to inspect their own personnel files. These files include all information in the employee's personnel files that are regularly maintained by the employer or are subject to reference for information given to persons outside of the company. An employer must make any such files available locally within a reasonable amount of time after the employee's request.

**Summary of Substitute Bill:** Employees are permitted to copy the contents of their own personnel files held by employers or employer associations. No fee may be charged by an employer for locating a personnel file and making it available for inspection and copying. An employer or employer association may charge the lesser of 15 cents per page copied or actual costs directly incident to the copying.

**Substitute Bill Compared to Original Bill:** Employer associations, in addition to employers, are subject to the disclosure and copying requirements if they keep personnel files.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This is a good bill, but should be extended to employer associations. This would address the concerns of individuals who work out of hiring halls, like many union employees. Though the cost is currently set low, perhaps some copies should be available to employees without any charge. The contents of these files can have a big impact on people's lives, and they should be able to make copies. We have heard extreme situations of employers charging as much for copies as \$5 per page, so we are comfortable with this nominal fee.

**Testimony Against:** None.

**Testified:** PRO: Richard King, International Brotherhood of Electrical Workers; Robert Stern, Washington State Labor Council; Larry Shannon, Washington State Trial Lawyers Association.