
SUBSTITUTE SENATE BILL 5227

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Labor & Workforce Development (originally sponsored by Senators Heavey, McCaslin and Deccio)

Read first time 02/18/1999.

1 AN ACT Relating to employee copies of personnel files; and amending
2 RCW 49.12.240 and 49.12.250.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.12.240 and 1985 c 336 s 1 are each amended to read
5 as follows:

6 Every employer or association of employers shall, at least
7 annually, upon the request of an employee, permit that employee to
8 inspect and copy any or all of his or her own personnel file(s).

9 No fee may be charged for inspecting the personnel file or for
10 locating the personnel file and making it available for copying.
11 However, a charge may be imposed to reimburse the employer or
12 association of employers for providing the copies and for the use of
13 the employer equipment to copy the personnel file. The charge shall be
14 for either the actual costs directly incident to the copying or fifteen
15 cents per page, whichever is less.

16 **Sec. 2.** RCW 49.12.250 and 1985 c 336 s 2 are each amended to read
17 as follows:

1 (1) Each employer or association of employers shall make such
2 file(s) available locally within a reasonable period of time after the
3 employee requests the file(s).

4 (2) An employee annually may petition that the employer or
5 association of employers review all information in the employee's
6 personnel file(s) that are regularly maintained by the employer or
7 association of employers as a part of his business records or are
8 subject to reference for information given to persons outside of the
9 company. The employer or association of employers shall determine if
10 there is any irrelevant or erroneous information in the file(s), and
11 shall remove all such information from the file(s). If an employee
12 does not agree with the employer's determination, the employee may at
13 his or her request have placed in the employee's personnel file a
14 statement containing the employee's rebuttal or correction. Nothing in
15 this subsection prevents the employer or association of employers from
16 removing information more frequently.

17 (3) A former employee shall retain the right of rebuttal or
18 correction for a period not to exceed two years.

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