

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1597 Session of
1987

INTRODUCED BY COHEN, WOGAN, MORRIS, LASHINGER, KOSINSKI,
STABACK, BATTISTO, KUKOVICH, BELFANTI, JOSEPHS, PISTELLA,
RYBAK, MELIO, MICHLOVIC, McHALE, MAINE, VEON, BELARDI, ITKIN
AND TIGUE, JUNE 24, 1987

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 24, 1987

AN ACT

1 Amending the act of November 26, 1978 (P.L.1212, No.286),
2 entitled "An act authorizing an employee to inspect certain
3 personnel files of his employer," further defining
4 "employee"; further providing for the inspection of personnel
5 files; and making an editorial change.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The definition of "employee" in section 1 and
9 section 2 of the act of November 26, 1978 (P.L.1212, No.286),
10 referred to as the Inspection of Employment Records Law, are
11 amended to read:

12 Section 1. Definitions.

13 The following words and phrases when used in this act shall
14 have, unless the context clearly indicates otherwise, the
15 meanings given to them in this section:

16 "Employee." Any person currently or formerly employed, laid
17 off with reemployment rights, terminated or on leave of absence.
18 The term "employee" shall not include applicants for employment,

1 designated agents, or any other person.

2 * * *

3 Section 2. Inspection of personnel files.

4 An employer shall, at reasonable times, upon request of an
5 employee permit that employee or an agent designated by the
6 employee to inspect his or her own personnel files used to
7 determine his or her own qualifications for employment,
8 promotion, additional compensation, termination or disciplinary
9 action. The employer shall make these records available during
10 the regular business hours of the office where these records are
11 usually and ordinarily maintained, when sufficient time is
12 available during the course of a regular business day, to
13 inspect the personnel files in question. The employer may
14 require the requesting employee to inspect such records on the
15 free time of the employee. At the employer's discretion, the
16 employee may be required to file a written form to request
17 access to the personnel file or files. This form is solely for
18 the purpose of identifying the requesting individual or the
19 designated agent of the requesting individual to avoid
20 disclosure to ineligible individuals. To assist the employer in
21 providing the correct records to meet the [employees] employee's
22 need, the employee shall indicate in his written request, either
23 the purpose for which the inspection is requested, or the
24 particular parts of his personnel record which he wishes to
25 inspect.

26 Section 2. This act shall take effect in 60 days.