

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Richard R. Tisei

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Employer Liability Protection.

PETITION OF:

NAME:

Richard R. Tisei

DISTRICT/ADDRESS:

Middlesex and Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO EMPLOYER LIABILITY PROTECTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Section 52C of chapter 149 of the general laws, as appearing in the 2006 official addition, is
2 amended by inserting at the end of said Section 52C the following new section: -

3 “Section 52D. (A) Unless otherwise provided by law, an employer, or an employer’s designee, who
4 discloses information about a current or former employee to a prospective employer of the employee
5 shall be absolutely immune from civil liability if the disclosed information includes any or all of the
6 following: (1) date of employment; (2) pay level; (3) job description and duties; and (4) wage history. An
7 employer who responds in writing to a written request concerning a former employee from a
8 prospective employer of that employee shall be absolutely immune from civil liability if the disclosed
9 information includes either or both of the following: (1) written employee evaluations which were
10 conducted prior to the employee’s separation from the employer; and (2) whether the employee was
11 voluntarily or involuntarily released from service and the reasons for the separation.”

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