

**HOUSE . . . . . No. 1920**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Joseph D. McKenna***

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*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 adoption of the accompanying bill:

An Act relative to employee references.

\_\_\_\_\_

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/11/2023</i>

**HOUSE . . . . . No. 1920**

By Representative McKenna of Webster, a petition (accompanied by bill, House, No. 1920) of Joseph D. McKenna relative to employee reference liability. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2027 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act relative to employee references.

*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. Chapter 149 of the General Laws as appearing in the 2002 Official Edition,  
2 is amended by inserting at the end of Section 52C. the following new section: --

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

11 separation from the employer; and (2) whether the employee was voluntarily or involuntarily  
12 released from service and the reasons for the separation.

13 (B) This section shall apply to causes of action accruing on and after the effective date of  
14 this act.