

SENATE No. 964

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 employer liability protection..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	
<i>Michael R. Knapik</i>	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>

SENATE No. 964

By Mr. Tarr, petition (accompanied by bill, Senate, No. 964) of Ross, Knapik and Tarr for legislation relative to employer liability protection [Joint Committee on Labor and Workforce Development].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 721 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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
2 2008 official addition, is amended by inserting at the end of said Section 52C the following new
3 section: -

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

11 both of the following: (1) written employee evaluations which were conducted prior to the
12 employee's separation from the employer; and (2) whether the employee was voluntarily or
13 involuntarily released from service and the reasons for the separation.”