

**SENATE . . . . . No. 964**

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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:

*Bruce E. Tarr*

*Michael R. Knapik*

*Richard J. Ross*

*Norfolk, Bristol, and Middlesex*

**SENATE . . . . . No. 964**

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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].

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

The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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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.”