

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 158

H. P. 139

House of Representatives, January 24, 1979

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Mitchell of Vassalboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Require Personnel Files to Include Medical Records and Nurses' Station Notes.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 26 MRSA § 631, last sentence, as enacted by PL 1975, c. 694, § 2, is amended to read:

For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits **and any medical records or nurses' station notes relating to the employee** which the employer has in his possession.

Sec. 2. 26 MRSA § 631, as enacted by PL 1975, c. 694, § 2, is amended by adding at the end a new sentence to read:

Any employer who, following a request pursuant to this section, fails to provide an opportunity for review of a personnel file within 10 days of receipt of that request shall be subject to a fine of \$25 for each day that such a failure continues. The fine shall be payable to the affected employee or former employee.

STATEMENT OF FACT

The purpose of this bill is to insure that personnel files include any medical records and nurses' station notes that an employer may have concerning an employee.

The bill also provides a penalty when the employer fails to provide the employee with an opportunity to review his personnel file.