

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-999)
107TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 2121, L.D. 2270, Bill,
"AN ACT to Permit an Employee to Review His Personnel File."

Amend said Bill by striking out everything after the
enacting clause and inserting in place thereof the following:

Sec. 1. 5 MBSA §638 is enacted to read:

§638. Employee right to review personnel file

The director shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file. Such reviews shall take place in the Department of Personnel and during its normal office hours. Time spent by an employee in reviewing his personnel file shall not be considered as time worked. For the purposes 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 which the director has in his possession.

Sec. 2. 26 MBSA §631 is enacted to read:

§631. Employee right to review personnel file

The employer shall, upon written request from an employee or former employee, provide the employee, former employee or his

duly authorized representative with an opportunity to review his personnel file if the employer has a personnel file for the employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office hours. The employer may at his discretion allow the review to take place at such other location and time as would be more convenient for the employee. 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 which the employer has in his possession.

Sec. 3. 30 MRSA § 64 is enacted to read:

§ 64. Employee right to review personnel file

The county commissioner shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file, if the county commissioner has a personnel file for that employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office hours. For the purposes 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 which the county commissioner has in his possession.

Sec. 4. 30 MRSA §2257 is enacted to read:

§ 2257. Employee right to review personnel file

The municipal officer shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file, if the municipal officer has a personnel file for that employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office hours. For the purposes 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 which the municipal officer has in his possession.'

Statement of Fact

The purpose of this amendment is to clarify the bill.

Reported by the Committee on Legal Affairs.

Reproduced and distributed under the direction of the Clerk
of the House.
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