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HOUSE BILL 1754

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Huff, Lisk, Alexander, Cairnes, Carrell, Benson, Lambert and Barlean

Read first time . Referred to Committee on .

1 AN ACT Relating to information provided by former or current  
2 employers to a prospective employer; adding a new section to chapter  
3 4.24 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that employers are  
6 becoming increasingly discouraged from disclosing job reference  
7 information. The legislature further finds that full disclosure of  
8 such information will increase productivity and enhance the safety of  
9 the workplace.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW  
11 to read as follows:

12 An employer who discloses information about a former or current  
13 employee to a prospective employer is presumed to be acting in good  
14 faith and is immune from civil liability for such disclosure or its  
15 consequences if the disclosed information relates to: (1) The  
16 employee's ability to perform his or her job; (2) the diligence, skill  
17 or reliability with which the employee carried out the duties of his or  
18 her job; or (3) any illegal or wrongful act committed by the employee.

1 For purposes of this section, the presumption of good faith may only be  
2 rebutted upon a showing by clear and convincing evidence that the  
3 information disclosed by the employer was knowingly false or  
4 deliberately misleading.

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