

5033

Sponsor(s): Senators Fairley and Costa

Brief Description: Revising employee personnel file inspection provisions.

**SB 5033 - DIGEST**

(SEE ALSO PROPOSED 2ND SUB)

Provides that every employer shall, at least annually, upon the request of an employee, permit that employee or that employee's representative to inspect and copy without charges, except a reasonable copying charge, any or all of his or her own personnel file(s). These file(s) shall be retained by the employer for a minimum of three years after the employee ceases work for that employer.

Provides that the director shall assess any employer found to be in violation of this act, or rules or orders adopted or issued pursuant to this act, a civil penalty of not less than five thousand dollars a day for each violation.

Declares that in addition to any other penalty provided by law, an employee whose request to inspect and copy personnel files has been denied in violation of this act may bring an action in any court of competent jurisdiction to recover damages for the violation in the amount of five thousand dollars. The court shall award reasonable attorney fees to a prevailing plaintiff.

Repeals RCW 49.12.240.