

Introduced by

Senators Heitkamp, Lindaas, D. Mathern

Representatives Gulleson, Lundgren, Mahoney

1 A BILL for an Act to create and enact a new section to chapter 34-02 of the North Dakota
2 Century Code, relating to accessing an employee's personnel file.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 34-02 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Employee access to personnel file - Civil penalty.** Upon receipt of a written request
7 by an employee, an employer shall allow that employee to review that employee's personnel
8 file. Personnel file information an employee may review under this section includes pay level
9 information, the employee's job description and duties, the employee's wage history, and
10 information regarding the employee's job performance, regardless of whether this information is
11 physically located in the employee's personnel file. An employer violating this section is subject
12 to a civil penalty not exceeding one hundred dollars for each violation. The civil penalty may be
13 imposed by a court in a civil proceeding or by the commissioner through an administrative
14 hearing pursuant to chapter 28-32.