

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 715
Committee Substitute Favorable 4/27/05

Short Title: Protect State Employee Records.

(Public)

Sponsors:

Referred to:

March 17, 2005

A BILL TO BE ENTITLED

AN ACT AMENDING THE STATE PERSONNEL ACT TO PROTECT THE
PRIVACY OF CERTAIN PERSONAL AND EMPLOYMENT-RELATED
INFORMATION PERTAINING TO STATE EMPLOYEES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 126-22 reads as rewritten:

"§ 126-22. **Personnel files not subject to inspection under § 132-6.**

Personnel files of State employees, former State employees, or applicants for State employment shall not be subject to inspection and examination as authorized by G.S. 132-6. This does not include records open to inspection pursuant to G.S. 126-23 or information released pursuant to G.S. 126-24. For purposes of this Article, a personnel file consists of any employment-related or personal information gathered by the ~~department,~~ department, university, division, bureau, commission, council, or other agency subject to Article 7 of this Chapter which employs an individual, previously employed an individual, or considered an individual's application for employment, or by the ~~office~~-Office of State Personnel, and which information relates to the individual's application, selection or nonselection, promotions, demotions, transfers, leave, salary, benefits, suspension, performance evaluation forms, potential or actual disciplinary actions, and termination of employment wherever located and in whatever form. Personnel files of former State employees who have been separated from State employment for 10 or more years may be open to inspection and examination except for papers and documents relating to demotions and to disciplinary actions resulting in the dismissal of the employee."

SECTION 2. This act is effective when it becomes law.