

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Personnel Record Review Act is amended by
5 changing Section 7 as follows:

6 (820 ILCS 40/7) (from Ch. 48, par. 2007)

7 Sec. 7. (1) An employer or former employer shall not
8 divulge a disciplinary report, letter of reprimand, or other
9 disciplinary action to a third party, to a party who is not a
10 part of the employer's organization, or to a party who is not a
11 part of a labor organization representing the employee, without
12 written notice as provided in this Section.

13 (2) The written notice to the employee shall be by
14 first-class mail to the employee's last known address and shall
15 be mailed on or before the day the information is divulged.

16 (3) This Section shall not apply if:

17 (a) the employee has specifically waived written
18 notice as part of a written, signed employment application
19 with another employer;

20 (b) the disclosure is ordered to a party in a legal
21 action or arbitration; or

22 (c) information is requested by a government agency as
23 a result of a claim or complaint by an employee, or as a

1 result of a criminal investigation by such agency.

2 (4) An employer who receives a request for records of a
3 disciplinary report, letter of reprimand, or other
4 disciplinary action in relation to an employee under the
5 Freedom of Information Act may provide notification to the
6 employee in written form as described in subsection (2) or
7 through electronic mail, if available.

8 (Source: P.A. 83-1104.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.