

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 611**

February 29, 2000 – Offered by Representative VRAKAS.

1     **AN ACT to amend** 103.13 (3), 103.13 (5) and 103.13 (6) (intro.) of the statutes;  
2             **relating to:** inspection of an employe’s personnel records by an authorized  
3             representative of the employe and providing a penalty.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4             **SECTION 1.** 103.13 (3) of the statutes is amended to read:

5             103.13 (3) PERSONNEL RECORD INSPECTION BY REPRESENTATIVE. An employe who  
6     is involved in a current grievance against the employer may ~~designate~~ authorize in  
7     writing a representative of the employe’s union, or collective bargaining unit or some  
8     other ~~designated~~ authorized representative to inspect the employe’s personnel  
9     records which may have a bearing on the resolution of the grievance, except as  
10    provided in sub. (6). The employer shall allow such a ~~designated~~ an authorized  
11    representative to inspect that employe’s personnel records in the same manner as  
12    provided under sub. (2). An authorized representative who inspects any personnel

1 records under this subsection may use those records or any information contained  
2 in those records only for purposes of the current grievance against the employer. Any  
3 authorized representative who discloses any personnel records obtained under this  
4 subsection or any information contained in any personnel records obtained under  
5 this subsection in violation of this subsection shall be liable to the person injured by  
6 that disclosure for all damages sustained by reason of that disclosure and may be  
7 required to forfeit not more than \$500.

8 **SECTION 2.** 103.13 (5) of the statutes is amended to read:

9 103.13 **(5)** MEDICAL RECORDS INSPECTION. The right of the employe or the  
10 employe's ~~designated~~ authorized representative under sub. (3) to inspect personnel  
11 records under this section includes the right to inspect any personal medical records  
12 concerning the employe in the employer's files. If the employer believes that  
13 disclosure of an employe's medical records would have a detrimental effect on the  
14 employe, the employer may release the medical records to the employe's physician  
15 or through a physician designated by the employe, in which case the physician may  
16 release the medical records to the employe or to the employe's immediate family.

17 **SECTION 3.** 103.13 (6) (intro.) of the statutes is amended to read:

18 103.13 **(6)** EXCEPTIONS. (intro.) The right of the employe or the employe's  
19 ~~designated~~ authorized representative under sub. (3) to inspect his or her personnel  
20 records does not apply to any of the following:

21 (END)