

DISCLOSURE OF EMPLOYEE JOB PERFORMANCE (EXCERPT)
Act 90 of 1996

423.452 Disclosure of information relating to employee's job performance; immunity; exception.

Sec. 2. An employer may disclose to an employee or that individual's prospective employer information relating to the individual's job performance that is documented in the individual's personnel file upon the request of the individual or his or her prospective employer. An employer who discloses information under this section in good faith is immune from civil liability for the disclosure. An employer is presumed to be acting in good faith at the time of a disclosure under this section unless a preponderance of the evidence establishes 1 or more of the following:

- (a) That the employer knew the information disclosed was false or misleading.
- (b) That the employer disclosed the information with a reckless disregard for the truth.
- (c) That the disclosure was specifically prohibited by a state or federal statute.

History: 1996, Act 90, Imd. Eff. Feb. 27, 1996.