DEPARTMENT OF INDUSTRIAL RELATIONS Division of Labor Standards Enforcement



ACCESS TO PERSONNEL RECORDS

All employees have the right to inspect, at a reasonable time, their personnel files that are used or have been used to determine the employee's qualifications for employment, promotion, additional compensation, termination or other disciplinary action. (Labor Code § 1198.5) Employers are required to permit current or former employees to inspect or copy records maintained which provide payroll information.

An employer must provide an employee or applicant a copy of any document signed by the employee or applicant relating to obtaining or holding employment, if requested. (Labor Code § 432)

All employers must provide employees or the employee's representative(s) access to accurate records of employee exposure to potentially toxic materials or harmful physical agents. (Labor Code \S 6408(d))

Employment records may be subpoenaed from a current or former employer by a third party. If employment records are subpoenaed, the employee must be notified and has the right to object to production of the records. (Code of Civil Procedure § 1985.6)