

**GENERAL ASSEMBLY GRANTS IMMUNITY TO EMPLOYERS FOR
DISCLOSURE OF INFORMATION REGARDING EMPLOYEES**

*By Christopher P. Gabriel, Esq., Campbell, Durrant & Beatty, P.C.
(As Prepared for and Published in the PELRAS Update for the
Pennsylvania League of Cities and Municipalities)*

On June 15, 2005, Governor Rendell signed the Employer Immunity from Liability for Disclosure of Information Regarding Former or Current Employees Act, which took effect on September 13, 2005. Under this new law, employers are immune from suit arising out of disclosures of information about former or current employees when that information is requested by a prospective employer. This immunity extends to liability for defamation as well as claims for interference with contractual relations. To pierce this immunity, a plaintiff/employee is required to show that the employer knew or should have known that the information disclosed was false, that the employer knew the information was materially misleading, that the disclosure was made with reckless disregard as to its truth or falsity, or that the disclosure was otherwise prohibited by law. This law provides a new layer of security for employers who are often reluctant to disclose employee information for fear of lawsuits filed on behalf of former employees. Public employers should contact their solicitors to update their information disclosure policies to reflect this new law.