



August 2026

Honorable Kathy Hochul, Governor
Executive Chamber, State Capitol
Albany, NY 12224

RE: Employment Record Access

Dear Governor Hochul,

As a member of the New York State Public Employees Federation (PEF), I urge you to approve legislation recently passed by both houses of the State Legislature to provide employees access to their employment records (S.3460 by Sen. Gounardes/A.2107 by Asm. Gonzalez Rojas).

This legislation would allow employees the opportunity to access their personnel records at least twice per year at all worksites in New York State. Employers would need to furnish records within five business days of receiving a written request from an employee and notify employees when negative information affecting qualification for employment, promotion, transfer, additional compensation, or the possibility that an employee will be subject to disciplinary action is filed against them. Employees would also be able to submit a written statement into their personnel file if they disagree with its content, and to pursue an action for injunctive relief to remove false information. The Attorney General could bring an action, at their discretion, against violators of the bill and subject them to a fine between \$500-2,500. Individual employees who face illegal discrimination or retaliation for exercising their rights under the statute may also bring a claim.

This bill recognizes the basic right of employees to know what kind of reports are being officially filed about them and how this information could impact their future employment prospects. This legislation will encourage transparent dialogue between employees and their supervisors around performance while also providing some recourse for employees to address errors or incorrect information in their records. In providing a state right of action, this bill will also deter retaliatory use of personnel records against employees.

In sum, this bill affirms basic labor rights while also ensuring that personnel records are only used as an element to track and improve employee performance.

It is for these reasons that I urge you to sign this legislation into law.

Sincerely,

Name: _____

Address: _____

Signature: _____