

By Mr. McKinnon, a petition (accompanied by bill, Senate, No. 231) of Edward Milano and Allan R. McKinnon for legislation to regulate the use of information from the Department of Employment Security. Commerce and Labor.

The Commonwealth of Massachusetts

In The Year One Thousand Nine Hundred and Seventy-Three.

AN ACT REGULATING THE USE OF INFORMATION FROM THE DEPARTMENT OF EMPLOYMENT SECURITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 46 of chapter 151 A is amended by striking it out
 2 and inserting instead the following new section: —
 3 *Section 46.* Information secured pursuant to this chapter,
 4 shall be confidential and for the exclusive use and information
 5 of the division in the discharge of its duties hereunder. Such
 6 information shall not be open to the public, nor shall it be ad-
 7 missible in any action or proceeding unless the division of
 8 the commonwealth is a party to such action or proceeding, or
 9 unless such action or proceeding is in the nature of a criminal
 10 prosecution under some provision of federal law or under
 11 chapter 264, or in the trial of a person for homicide in which
 12 case such information shall be produced upon summons of the
 13 commonwealth or of the defendant, any employer upon re-
 14 quest, shall be supplied by the division with information con-
 15 cerning his own record which is necessary to him in his rela-
 16 tions with the division; but any claimant upon request, shall
 17 have supplied to him or to his authorized agent, by the
 18 division, information concerning his own record which is nec-
 19 essary to him. Whoever, except with authority of the director
 20 or pursuant to his rules and regulations, or as otherwise re-
 21 quired or authorized by law, shall disclose the same, shall be
 22 punished by a fine of not more than one hundred dollars or
 23 by imprisonment for not more than six months, or both; pro-

24 vided, that nothing herein shall be construed to prevent the
25 director from complying with the provisions of section 64 or
26 from conducting any investigation he deems relevant in con-
27 nection herewith, nor to prevent the director from publishing
28 in statistical form the results of any such investigation without
29 disclosing the identity of the individuals involved.

30 (a) All information transmitted to the director or his duly
31 authorized representative pursuant to this chapter shall be ab-
32 solutely privileged and shall not be made the subject matter or
33 basis in any action of slander or libel in any court of the com-
34 monwealth.