

## NOTICE OF EMPLOYEE RIGHTS UNDER MINNESOTA LAW TO REVIEW PERSONNEL RECORD

*This Notice of Rights is provided to all new hires and current employees:*

**Personnel Record:** Strom Engineering Corporation (hereinafter “Strom”) maintains a personnel record on each employee, which may include: the employee’s application for employment, wage or salary history, notices of personnel action, authorizations for payroll deductions, fringe benefit information, leave of absence records, salary history, job titles, dates of promotions, transfers, and other changes, attendance records, performance evaluations, and retirement records. Personnel records are the property of Strom.

**Right to Review Personnel Record:** Employees may review their personnel record as defined by Minnesota law upon submitting a written request to Strom’s Human Resources Department. Employees may review their personnel record once each six months during their employment. Upon separation from service, former employees may review their personnel record once each year after separation for as long as Strom maintains the personnel record.

**Right to Review & Copy:** Strom will make available the personnel record (or an accurate copy, without charge) for review by the employee or former employee during its normal hours of business operation at the employee’s place of employment or nearby location, which may or may not be during the employee’s working hours. A Company representative may be present while the employee reviews his or her personnel record. Strom may deny the employee or former employee the right to review his or her personnel record if such individual’s request to review is not made in good faith.

**Right to Dispute Information and Resolution of Dispute:** If an employee disputes specific information in his or her personnel record, Strom and the employee may agree to remove or revise the disputed information. If an agreement is not reached, the employee may submit a written statement of no more than 5 pages specifically identifying the disputed information and explaining the employee’s position. Strom will include the position statement in the employee’s personnel record for as long as the disputed information remains in the employee’s personnel record. Strom will provide the position statement to any other person who receives a copy of the disputed information from Strom after the position statement is submitted.

**No Retaliation:** Strom will not retaliate against any employee for asserting his or her rights or remedies with respect to his or her personnel file.

**Remedies:** If Strom fails to follow any of its obligations, an employee may bring a civil action to compel compliance and for violations of Strom’s duties, the employee may seek actual damages plus costs. In instances of retaliation, the employee may seek actual damages, back pay and reinstatement or other make-whole, equitable relief, plus reasonable attorneys’ fees. Any civil action maintained by the employee under this paragraph must be commenced within one year of the actual or constructive discovery of the alleged violation. No communication by an employee of information obtained through a review of his or her personnel record may be

made the subject of any action by the employee for libel, slander, or defamation, unless the employee has requested that Strom comply with any employee right under “removal or revision of information” above and Strom did not so comply. No communication by Strom of information contained in an employee’s personnel record after the employee has exercised his or her right to review his or her personnel record may be made the subject of any common law civil action for libel, slander, or defamation unless: (1) the employee disputed the information in the personnel record; (2) Strom refused to remove or revise the disputed information; (3) the employee has submitted a written position statement; and (4) Strom either (i) has refused or negligently failed to include a copy of the employee’s position statement along with the disputed information or thereafter provide a copy of the statement to other persons as required above; or (ii) thereafter communicated the disputed information with knowledge of its falsity or in reckless disregard of its falsity. A common law civil action for libel, slander, or defamation based upon a communication of disputed information contained in an employee’s personnel record is not prohibited if the communication is made after Strom and the employee reach an agreement to remove or revise disputed information and the communication is not consistent with the agreement.

The Department of Labor is responsible for the enforcement of Strom’s obligations and may assess a fine for any violation, which is in addition to any other remedy provided by law.

***I received a copy of the Notice of Rights upon being hired by Strom.***

***Dated:*** \_\_\_\_\_

\_\_\_\_\_  
***Employee Signature***

\_\_\_\_\_  
***Printed Employee Name***