

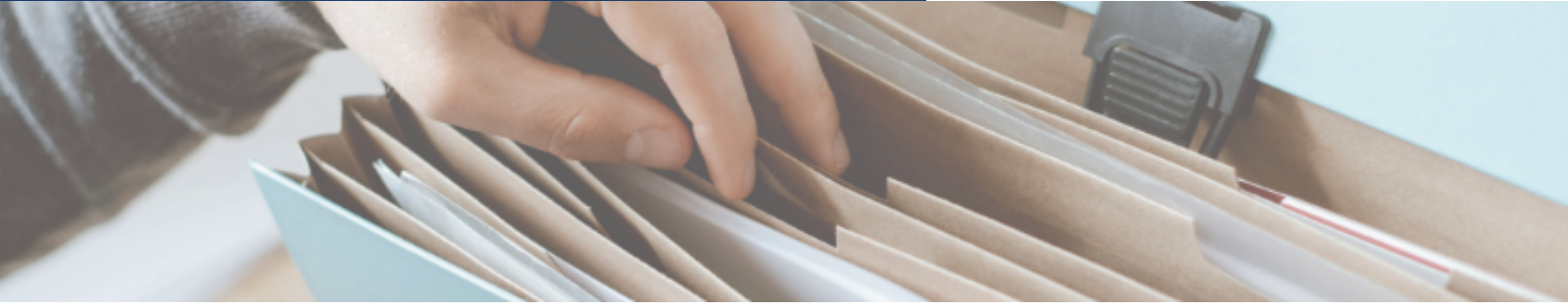
EMPLOYMENT LAW ALERT

September 23, 2026

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Personnel File Access Is Here in New York: Is Your Business Ready?

On September 9, 2026, Governor Kathy Hochul signed into law the legislation discussed in our [July 27, 2026 alert, *Is Personnel File Access Coming to New York?*](#), significantly expanding employee access rights to personnel records in New York. This law will go into effect on **November 8, 2026** (60 days from September 9, 2026).

As outlined in detail in our prior alert, the new law creates, for the first time, a statutory right for New York current and former employees to inspect and obtain copies of their personnel records and imposes additional recordkeeping and notification obligations on employers. Under the legislation, employers will be required to:

- Maintain employee personnel files for three years following separation from employment;
- Provide copies of personnel records within five business days of a written request, at no cost to the employee;
- Permit employees to make up to two personnel file requests per calendar year;
- Notify employees within ten days whenever negative information is placed in their personnel file; and
- Allow employees to submit written rebuttals to disputed information, which must be maintained as part of the personnel record and provided whenever the disputed information is shared with a third party.

The law also contains broad anti-retaliation protections and authorizes enforcement by the New York Attorney General, with civil penalties ranging from \$500 to \$2,500 per violation.

Importantly, as this law goes into effect on November 8, 2026, employers have a limited window to prepare for compliance. Employers should promptly review their personnel file practices and document retention procedures and consider whether their process for handling disciplinary and performance-related documentation requires modification.

If you have questions regarding the new law or would like assistance preparing for compliance, please contact:

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UPCOMING CLE/HRCI

**PERSONNEL FILE ACCESS RIGHTS ARE HERE
— IS YOUR ORGANIZATION READY?**

Wednesday, October 14, 2026

SPEAKERS:

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