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**SUBSTITUTE SENATE BILL 6422**

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**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** Senate Committee on Commerce & Labor (originally sponsored by Senators Schow, Heavey and Winsley; by request of Employment Security Department)

Read first time 02/02/98.

1 AN ACT Relating to support for collaborative efforts toward worker  
2 reemployment; amending RCW 50.12.190; creating new sections; and  
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that jobseekers would  
6 be better served by integrating employment and training services to  
7 form a comprehensive network of state and local programs, called a one-  
8 stop career development system. Successful integration of employment  
9 and training services demands prompt and efficient exchange of  
10 information among service providers. Current restrictions on  
11 information exchange hamper this coordination, resulting in increased  
12 administrative costs, reduced levels of service, and fewer positive  
13 outcomes than could otherwise be achieved.

14 **Sec. 2.** RCW 50.12.190 and 1945 c 35 s 58 are each amended to read  
15 as follows:

16 (1) The commissioner shall take all appropriate steps to reduce and  
17 prevent unemployment; to encourage and assist in the adoption of  
18 practical methods of vocational training, retraining and vocational

1 guidance; to investigate, recommend, advise, and assist in the  
2 establishment and operation by municipalities, counties, school  
3 districts, and the state, of reserves for public works to be used in  
4 times of business depression and unemployment; to promote the  
5 reemployment of unemployed workers throughout the state in every other  
6 way that may be feasible; and to these ends to carry and publish the  
7 results of investigations and research studies.

8 (2)(a) To promote the reemployment of jobseekers, the commissioner  
9 may enter into data-sharing contracts with partners of the one-stop  
10 career development system. The contracts shall provide for the  
11 exchange of data only to the extent that such exchange is necessary for  
12 the efficient provision of employment and training services to eligible  
13 individuals and the evaluation of outcomes. The exchange of  
14 information under contracts with one-stop partners is exempt from the  
15 requirements of RCW 50.13.060 (1) (a), (b), and (c), (5), and (6).

16 (b) Information provided to a partner by the department conditioned  
17 upon privacy and confidentiality will be held private and confidential  
18 according to the contract between the department and the partner.

19 (c) Persons requesting disclosure of information held by a partner  
20 under (a) of this subsection shall request the disclosure from the  
21 department rather than from the partner.

22 (d) This section supersedes any provisions of chapter 42.17 RCW to  
23 the contrary.

24 (e) The misuse or unauthorized release of records or information by  
25 any person or organization to which access is permitted by this section  
26 shall subject the person or organization to a civil penalty of five  
27 thousand dollars and other applicable sanctions under state and federal  
28 law. Suit to enforce this section shall be brought by the attorney  
29 general and the amount of any penalties collected shall be paid into  
30 the employment security department administrative contingency fund.  
31 The attorney general may recover reasonable attorneys' fees for any  
32 action brought to enforce this section.

33 NEW SECTION. Sec. 3. If any part of this act is found to be in  
34 conflict with federal requirements that are a prescribed condition to  
35 the allocation of federal funds to the state or the eligibility of  
36 employers in this state for federal unemployment tax credits, the  
37 conflicting part of this act is inoperative solely to the extent of the  
38 conflict, and the finding or determination does not affect the

1 operation of the remainder of this act. Rules adopted under this act  
2 must meet federal requirements that are a necessary condition to the  
3 receipt of federal funds by the state or the granting of federal  
4 unemployment tax credits to employers in this state.

5 NEW SECTION. **Sec. 4.** If any provision of this act or its  
6 application to any person or circumstance is held invalid, the  
7 remainder of the act or the application of the provision to other  
8 persons or circumstances is not affected.

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