

FINAL BILL REPORT

EHB 1647

C 79 L 96
Synopsis as Enacted

Brief Description: Expanding the authority of the employment security department to share data.

Sponsors: Representatives Goldsmith, Romero and Lisk; by request of Employment Security Department.

House Committee on Commerce & Labor
Senate Committee on Labor, Commerce & Trade

Background: With certain exceptions, the Employment Security Department must keep its records regarding individuals and employers confidential. One exception permits disclosure of confidential information to private individuals and organizations who contract with the department to assist with the operation and management of department functions. When information is disclosed under this exception, the contracting party is bound by the same rules of privacy and confidentiality as Employment Security Department employees. Misuse or unauthorized release of confidential information subjects the contracting party to a civil penalty of \$500.

A government agency also had access to this confidential information when the information is needed by the agency for official purposes. Except for emergencies and other limited situations, the agency requesting information, other than the Legislature, must submit an application to the Employment Security Department specifically identifying the records sought, must verify the need for the specific information in writing, and must serve a copy of the application on the individual or employer whose records are sought. The person served has five days to object to release of the records, and the Employment Security Department must consider any objections raised in deciding whether the agency needs the information for official purposes. No civil penalties are specified for violations of these provisions.

Summary: The civil penalty for misuse or unauthorized release of confidential information received by private parties who contract with the Employment Security Department is increased from \$500 to \$5,000.

Government agencies are permitted to obtain employer information that the Employment Security Department holds for the purposes of its labor market and economic analysis functions. Access to the information is only for those individuals who are conducting authorized statistical analysis, research, and evaluation studies. To obtain access, the government entity must apply for access and verify the need for

the information, but is exempt from the requirement to serve a copy of the application on the individual or employing unit whose records are sought. Misuse or unauthorized release of the information is subject to the same civil penalty and other sanctions that apply to private parties who misuse confidential information or release it without authority.

Votes on Final Passage:

House	96	0	
Senate	49	0	(Senate amended)
House	90	0	(House concurred)

Effective: July 1, 1996