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SENATE BILL 6079

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State of Washington

65th Legislature

2018 Regular Session

By Senators Kuderer, Takko, Ranker, Rolfes, Cleveland, Hasegawa, Palumbo, Saldaña, Wellman, Darneille, Billig, Nelson, Dhingra, McCoy, Lias, Keiser, Hunt, Conway, and Chase

Prefiled 01/04/18. Read first time 01/08/18. Referred to Committee on State Government, Tribal Relations & Elections.

1 AN ACT Relating to exempting public employee dates of birth from  
2 public disclosure requirements; and reenacting and amending RCW  
3 42.56.250.

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

5 **Sec. 1.** RCW 42.56.250 and 2017 c 38 s 1 and 2017 c 16 s 1 are  
6 each reenacted and amended to read as follows:

7 The following employment and licensing information is exempt from  
8 public inspection and copying under this chapter:

9 (1) Test questions, scoring keys, and other examination data used  
10 to administer a license, employment, or academic examination;

11 (2) All applications for public employment, including the names  
12 of applicants, resumes, and other related materials submitted with  
13 respect to an applicant;

14 (3) Professional growth plans (PGPs) in educator license renewals  
15 submitted through the eCert system in the office of the  
16 superintendent of public instruction;

17 (4) The following information held by any public agency in  
18 personnel records, public employment related records, volunteer  
19 rosters, or included in any mailing list of employees or volunteers  
20 of any public agency: Dates of birth, residential addresses,  
21 residential telephone numbers, personal wireless telephone numbers,

1 personal email addresses, social security numbers, driver's license  
2 numbers, identicard numbers, and emergency contact information of  
3 employees or volunteers of a public agency, and the names, dates of  
4 birth, residential addresses, residential telephone numbers, personal  
5 wireless telephone numbers, personal email addresses, social security  
6 numbers, and emergency contact information of dependents of employees  
7 or volunteers of a public agency. For purposes of this subsection,  
8 "employees" includes independent provider home care workers as  
9 defined in RCW 74.39A.240;

10 (5) Information that identifies a person who, while an agency  
11 employee: (a) Seeks advice, under an informal process established by  
12 the employing agency, in order to ascertain his or her rights in  
13 connection with a possible unfair practice under chapter 49.60 RCW  
14 against the person; and (b) requests his or her identity or any  
15 identifying information not be disclosed;

16 (6) Investigative records compiled by an employing agency  
17 conducting an active and ongoing investigation of a possible unfair  
18 practice under chapter 49.60 RCW or of a possible violation of other  
19 federal, state, or local laws prohibiting discrimination in  
20 employment;

21 (7) Criminal history records checks for board staff finalist  
22 candidates conducted pursuant to RCW 43.33A.025;

23 (8) Except as provided in RCW 47.64.220, salary and benefit  
24 information for maritime employees collected from private employers  
25 under RCW 47.64.220(1) and described in RCW 47.64.220(2);

26 (9) Photographs and month and year of birth in the personnel  
27 files of employees and workers of criminal justice agencies as  
28 defined in RCW 10.97.030. The news media, as defined in RCW  
29 5.68.010(5), shall have access to the photographs and full date of  
30 birth. For the purposes of this subsection, news media does not  
31 include any person or organization of persons in the custody of a  
32 criminal justice agency as defined in RCW 10.97.030; and

33 (10) The global positioning system data that would indicate the  
34 location of the residence of a public employee or volunteer using the  
35 global positioning system recording device.

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