S-3346.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5564**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Keiser, Kuderer, Conway, Hunt, Lovick, Randall, Stanford, and C. Wilson

AN ACT Relating to protecting the confidentiality of employees using employee assistance programs; and adding a new section to chapter 49.44 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 49.44 RCW to read as follows:

(1) It is unlawful for an employer to obtain individually identifiable information regarding an employee's participation in an employee assistance program. Individually identifiable information gathered in the process of conducting an employee assistance program must be kept confidential.

(2) An employee's participation or nonparticipation in an employee assistance program must not be a factor in a decision affecting an employee's job security, promotional opportunities, corrective or disciplinary action, or other employment rights.

**--- END ---**