
SENATE BILL 5538

State of Washington

60th Legislature

2007 Regular Session

By Senators Fairley, Pridemore, Shin and Roach; by request of Department of Personnel

Read first time 01/23/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the employee assistance program; and amending
2 RCW 41.04.730.

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

4 **Sec. 1.** RCW 41.04.730 and 1990 c 60 s 304 are each amended to read
5 as follows:

6 Individual employees' participation in the employee assistance
7 program and all individually identifiable information gathered in the
8 process of conducting the program shall be held in strict confidence;
9 except that agency management may be provided with the following
10 information about employees referred by that agency management due to
11 poor job performance:

- 12 (1) Whether or not the referred employee made an appointment;
13 (2) The date and time the employee arrived and departed;
14 (3) Whether the employee agreed to follow the advice of counselors;
15 and
16 (4) Whether further appointments were scheduled.

17 Participation or nonparticipation by any employee in the employee
18 assistance program shall not be ((a)) the sole factor in any decision

1 affecting an employee's job security, promotional opportunities,
2 corrective or disciplinary action, or other employment rights.

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