
SENATE BILL 6431

State of Washington

66th Legislature

2020 Regular Session

By Senators Hunt and Das; by request of Office of Financial Management

Read first time 01/16/20. Referred to Committee on State Government, Tribal Relations & Elections.

1 AN ACT Relating to exempting personal demographic details of
2 state employees from public disclosure; and reenacting and amending
3 RCW 42.56.250.

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

5 **Sec. 1.** RCW 42.56.250 and 2019 c 349 s 2 and 2019 c 229 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 other than for
12 vacancies in elective office, including the names of applicants,
13 resumes, and other related materials submitted with respect to an
14 applicant;

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

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

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

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

17 (6) Investigative records compiled by an employing agency in
18 connection with an investigation of a possible unfair practice under
19 chapter 49.60 RCW or of a possible violation of other federal, state,
20 or local laws or an employing agency's internal policies prohibiting
21 discrimination or harassment in employment. Records are exempt in
22 their entirety while the investigation is active and ongoing. After
23 the agency has notified the complaining employee of the outcome of
24 the investigation, the records may be disclosed only if the names of
25 complainants, other accusers, and witnesses are redacted, unless a
26 complainant, other accuser, or witness has consented to the
27 disclosure of his or her name. The employing agency must inform a
28 complainant, other accuser, or witness that his or her name will be
29 redacted from the investigation records unless he or she consents to
30 disclosure;

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

33 (8) Photographs and month and year of birth in the personnel
34 files of employees and workers of criminal justice agencies as
35 defined in RCW 10.97.030. The news media, as defined in RCW
36 5.68.010(5), shall have access to the photographs and full date of
37 birth. For the purposes of this subsection, news media does not
38 include any person or organization of persons in the custody of a
39 criminal justice agency as defined in RCW 10.97.030;

1 (9) The global positioning system data that would indicate the
2 location of the residence of a public employee or volunteer using the
3 global positioning system recording device; (~~and~~)

4 (10) Until the person reaches eighteen years of age, information,
5 otherwise disclosable under chapter 29A.08 RCW, that relates to a
6 future voter, except for the purpose of processing and delivering
7 ballots; and

8 (11) Voluntarily submitted information collected and maintained
9 by a state agency or higher education institution that identifies an
10 individual state employee's personal demographic details. "Personal
11 demographic details" means race or ethnicity, sexual orientation as
12 defined by RCW 49.60.040(26), national origin, or status as a person
13 with a disability. This exemption does not prevent the release of
14 state employee demographic information in a deidentified or aggregate
15 format.

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