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**SENATE BILL 5586**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators King, Robinson, and Wellman

AN ACT Relating to employees' paid family or medical leave data; and amending RCW 50A.25.040.

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

**Sec.**  RCW 50A.25.040 and 2019 c 13 s 73 are each amended to read as follows:

(1) An individual shall have access to all records and information concerning that individual held by the department unless the information is exempt from disclosure under RCW 42.56.410.

(2) An employer shall have access to:

(a) Its own records relating to any claim or determination for family or medical leave benefits by an individual;

(b) Records and information relating to a decision to allow or deny benefits if the decision is based on material information provided by the employer; and

(c) Records and information related to that employer's premium assessment.

(3)(a) Any interested party, as defined by rule, may have access to certain records and information related to an employee's paid family or medical leave claim.

(b) The interested party may have access in a manner defined by rule to the following information related to the employee's claim:

(i) Type of leave being taken;

(ii) Requested duration of leave including the approved dates of leave;

(iii) Remaining hours of leave available in the employee's entitlement;

(iv) Weekly benefit amount; and

(v) Actual benefits paid and hours claimed.

(c) Any information provided under this subsection shall be considered accurate to the extent possible based on information available to the department at the time the request is processed.

(d) Any information provided under this subsection may only be used for the purpose of administering internal employer leave or benefit practices under established employer policies.

(4) The department may disclose records and information deemed confidential under this chapter to a third party acting on behalf of an individual or employer that would otherwise be eligible to receive records under subsection (1) or (2) of this section when the department receives a signed release from the individual or employer. The release must include a statement:

(a) Specifically identifying the information that is to be disclosed;

(b) That state government files will be accessed to obtain that information;

(c) Of the specific purpose or purposes for which the information is sought and a statement that information obtained under the release will only be used for that purpose or purposes; and

(d) Indicating all the parties who may receive the information disclosed.

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