

2SHB 1320 - H AMD 120

By Representative Reed

ADOPTED 03/01/2023

1 On page 1, line 20, after "complete" strike ", unredacted"

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3 On page 2, line 3, after "former employee" insert ". The  
4 personnel file must be unredacted unless redaction is required under  
5 this section"

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7 On page 3, line 6, after "actually" insert "included and"

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9 On page 3, line 7, after "however" insert "the file is"

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11 On page 3, line 13, after "created" insert "and included in a  
12 personnel file"

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14 On page 3, line 37, after "RCW." insert "The public employer bears  
15 the burden of proving that it redacted only such information as  
16 required and is subject to liability under this section for bad faith  
17 redaction."

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EFFECT: Amends the requirement that employers must furnish unredacted personnel files in order to account for the exception in the underlying substitute bill requiring redaction.

Specifies that, in the definition of "personnel file," the term "however designated" refers to the file in which records are maintained.

Specifies that records to be furnished are those records that the employer actually included in a personnel or employment file.

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Provides that a public employer has the burden of proving that it redacted only information as required and is subject to liability for bad faith redaction.

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