
SUBSTITUTE SENATE BILL 5678

State of Washington

64th Legislature

2015 Regular Session

By Senate Government Operations & Security (originally sponsored by Senators Pearson, Roach, Schoesler, and Hobbs)

READ FIRST TIME 02/13/15.

1 AN ACT Relating to requesting public records for the purpose of
2 obtaining exempted information relating to employment and licensing;
3 and amending RCW 42.56.250.

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

5 **Sec. 1.** RCW 42.56.250 and 2014 c 106 s 1 are each amended to
6 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, including the names
12 of applicants, resumes, and other related materials submitted with
13 respect to an applicant;

14 (3) The following information held by any public agency in
15 personnel records, public employment related records, volunteer
16 rosters, or included in any mailing list of employees or volunteers
17 of any public agency: Residential addresses, residential telephone
18 numbers, personal wireless telephone numbers, personal electronic
19 mail addresses, social security numbers, driver's license numbers,
20 identicard numbers, and emergency contact information of employees or
21 volunteers of a public agency, and the names, dates of birth,

1 residential addresses, residential telephone numbers, personal
2 wireless telephone numbers, personal electronic mail addresses,
3 social security numbers, and emergency contact information of
4 dependents of employees or volunteers of a public agency. For
5 purposes of this subsection, "employees" includes independent
6 provider home care workers as defined in RCW 74.39A.240. No party
7 obtaining the identity of employees or volunteers from a public
8 records request to any agency may use that information for the
9 purpose of obtaining information that is exempted under this section,
10 and in any suit brought regarding such a use, an aggrieved party
11 shall also recover five hundred dollars for each item of exempt
12 information obtained thereby, plus costs and reasonable attorneys'
13 fees. Before obtaining the identity of employees or volunteers from
14 any agency, the requester shall swear under oath never to use the
15 identity of employees or volunteers for the purpose of obtaining
16 information that is exempted under this provision for commercial
17 purposes;

18 (4) Information that identifies a person who, while an agency
19 employee: (a) Seeks advice, under an informal process established by
20 the employing agency, in order to ascertain his or her rights in
21 connection with a possible unfair practice under chapter 49.60 RCW
22 against the person; and (b) requests his or her identity or any
23 identifying information not be disclosed;

24 (5) Investigative records compiled by an employing agency
25 conducting an active and ongoing investigation of a possible unfair
26 practice under chapter 49.60 RCW or of a possible violation of other
27 federal, state, or local laws prohibiting discrimination in
28 employment;

29 (6) Criminal history records checks for board staff finalist
30 candidates conducted pursuant to RCW 43.33A.025;

31 (7) Except as provided in RCW 47.64.220, salary and benefit
32 information for maritime employees collected from private employers
33 under RCW 47.64.220(1) and described in RCW 47.64.220(2); and

34 (8) Photographs and month and year of birth in the personnel
35 files of employees and workers of criminal justice agencies as
36 defined in RCW 10.97.030. The news media, as defined in RCW
37 5.68.010(5), shall have access to the photographs and full date of
38 birth. For the purposes of this subsection, news media does not

1 include any person or organization of persons in the custody of a
2 criminal justice agency as defined in RCW 10.97.030.

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