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**SUBSTITUTE HOUSE BILL 1349**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** House State Government (originally sponsored by Representative S. Hunt)

READ FIRST TIME 02/20/15.

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 may  
11 also recover five hundred dollars for each item of exempt information  
12 obtained thereby, plus costs and reasonable attorneys' fees. Before  
13 obtaining the identity of employees or volunteers from any agency,  
14 the requester shall swear under oath never to use the identity of  
15 employees or volunteers for the purpose of obtaining information that  
16 is exempted under this provision, or for commercial purposes;

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

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

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

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

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

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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