

# FINAL BILL REPORT

## SHB 1200

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C 204 L 23  
Synopsis as Enacted

**Brief Description:** Requiring public employers to provide employee information to exclusive bargaining representatives.

**Sponsors:** House Committee on Labor & Workplace Standards (originally sponsored by Representatives Alvarado, Bronoske, Fitzgibbon, Berry, Bateman, Reed, Simmons, Bergquist, Ramel, Doglio, Ormsby, Ortiz-Self, Fosse, Pollet and Chopp).

**House Committee on Labor & Workplace Standards**  
**Senate Committee on Labor & Commerce**

### **Background:**

#### Collective Bargaining.

Various statutes provide for collective bargaining between public employers and their employees. The Public Employees' Collective Bargaining Act (PECBA) provides for collective bargaining of wages, hours, and working conditions with employees of cities, counties, and other political subdivisions, as well as to certain employees of institutions of higher education. The Personnel System Reform Act provides for collective bargaining of wages, hours, and other terms and conditions of employment with classified employees of state agencies and institutions of higher education. Educational employees of school districts and academic employees of Community and Technical Colleges also bargain under their own separate statutes.

#### Public Records Act and Privacy.

The Public Records Act (PRA) requires all state and local government entities to make available to the public all public records, unless a specific exemption applies or disclosure is prohibited under other law. The PRA exempts certain information held by any public agency in personnel records, including residential addresses, phone numbers, personal email addresses, emergency contact information, and social security numbers. In addition, private information of public employees may be protected under the PRA to the extent that disclosure would be highly offensive to a reasonable person and is not of legitimate public

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

concern.

### **Summary:**

Certain public employers are required to provide employee information to the exclusive bargaining representative for each employee in a bargaining unit, if the employer has the information in the employer's records. The following information must be provided:

- the employee's name and date of hire;
- the employee's contact information, including: (i) cellular, home, and work telephone numbers; (ii) work and the most up-to-date personal email addresses; and (iii) home address or personal mailing address; and
- employment information, including the employee's job title, salary or rate of pay, and work site location or duty station.

The requirement applies to employers subject to PECBA, school district employers, the Community and Technical Colleges, and Western Washington University, Central Washington University, Eastern Washington University, and The Evergreen State College.

The employer must provide the information within 21 business days from the date of hire for new employees in an appropriate bargaining unit, and every 120 business days for all employees in an appropriate bargaining unit. In addition, the employer must provide the information in an editable format. When there is a state-level representative for a bargaining unit, the employer may provide the information to the state-level representative.

The exclusive bargaining representative may use the information only for representation purposes. The act does not authorize the exclusive bargaining representative to sell or provide access to employee lists or other information for commercial purposes.

If an employer fails to comply with the requirement to provide employee information the exclusive bargaining representative may bring a court action to enforce compliance. The court may order the employer to pay costs and reasonable attorneys' fees incurred by the exclusive bargaining representative.

The requirements do not apply to an employer specifically prohibited in its requirements as a cleared United States Department of Defense (DOD) contractor from providing employee information on those employees covered by such requirements. This exclusion does not limit the employee information the DOD contractor must provide under its duty to bargain in good faith or any other duty under collective bargaining and does not prohibit bargaining over the provision of employee information.

### **Votes on Final Passage:**

House	56	41	
Senate	29	20	(Senate amended)

House 57 39 (House concurred)

**Effective:** July 23, 2023