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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

Read first time 01/26/23. Referred to Committee on Labor & Commerce.

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

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

4 **Sec. 1.** RCW 50A.25.040 and 2019 c 13 s 73 are each amended to  
5 read as follows:

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

9 (2) An employer shall have access to:

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

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

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

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

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

1       (i) Type of leave being taken;  
2       (ii) Requested duration of leave including the approved dates of  
3 leave;  
4       (iii) Remaining hours of leave available in the employee's  
5 entitlement;  
6       (iv) Weekly benefit amount; and  
7       (v) Actual benefits paid and hours claimed.  
8       (c) Any information provided under this subsection shall be  
9 considered accurate to the extent possible based on information  
10 available to the department at the time the request is processed.  
11       (d) Any information provided under this subsection may only be  
12 used for the purpose of administering internal employer leave or  
13 benefit practices under established employer policies.  
14       (4) The department may disclose records and information deemed  
15 confidential under this chapter to a third party acting on behalf of  
16 an individual or employer that would otherwise be eligible to receive  
17 records under subsection (1) or (2) of this section when the  
18 department receives a signed release from the individual or employer.  
19 The release must include a statement:  
20       (a) Specifically identifying the information that is to be  
21 disclosed;  
22       (b) That state government files will be accessed to obtain that  
23 information;  
24       (c) Of the specific purpose or purposes for which the information  
25 is sought and a statement that information obtained under the release  
26 will only be used for that purpose or purposes; and  
27       (d) Indicating all the parties who may receive the information  
28 disclosed.

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