

Chapter 192-810 WAC
PUBLIC DISCLOSURE AND PRIVACY FOR PAID FAMILY AND MEDICAL LEAVE

NEW SECTION

WAC 192-810-010 Definitions. (1) The definitions set forth in RCW 42.56.010 apply to this chapter unless context clearly requires otherwise.

(2) "Public records officer" means the departmental employee responsible for responses to requests for public records or that person's designee.

(3) "Department" means the employment security department.

(4) An employer's "own records" as used in RCW 50A.25.040 means records and information provided to the department by the employer or the employer's predecessor in interest.

NEW SECTION

WAC 192-810-020 Purpose. The purpose of this chapter is to provide rules for the paid family and medical leave program in implementing chapter 42.56 RCW relating to public records and chapter 50A.25 RCW relating to records and information deemed private and confidential by the paid family and medical leave program.

NEW SECTION

WAC 192-810-030 How do individuals and entities request records from the department? (1) The department will manage all records requests consistent with the provisions of chapter 42.56 RCW.

(2) Requests for public records shall be submitted to the public records officer. Contact the public records officer at:

Public Records Officer
P.O. Box 9046
Olympia, WA 98507-9046
Phone: 1-844-766-8930
Email: Recordsdisclosure@esd.wa.gov

(3) If an individual requests records or information concerning that individual held by the department under RCW 50A.25.040(1), those records must be released only to the requesting individual.

(4) If an individual submits a records request and asks that the requested records be sent to a third party directly, the individual must follow the provisions of RCW 50A.25.040(3).

NEW SECTION

WAC 192-810-040 Misuse or unauthorized disclosure. (1) If misuse or an unauthorized disclosure of records or information deemed private and confidential under chapter 50A.25 RCW occurs, each party involved in the data-sharing that is aware of the misuse or unauthorized disclosure must inform the department within two business days of the discovery of the data security breach.

(2) In addition to informing the department of the misuse or unauthorized disclosure, the party responsible for the disclosure must take all reasonably available actions to rectify the disclosure to the department's standards. In most cases, these actions will include, at a minimum:

- (a) Ceasing any continued release;
- (b) Informing all individual whose data may have been released improperly of the situation; and
- (c) Providing identity protection mechanisms at no charge to the individuals whose data may have been released.