

Multiple Agency Fiscal Note Summary

Bill Number: 1320 E 2S HB S2.E. H-2261.1 FN	Title: Access to personnel records
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI	Fiscal note not available					
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of the Governor	Fiscal note not available											
Office of Lieutenant Governor	Fiscal note not available											
Public Disclosure Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Leadership Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of the Secretary of State	Fiscal note not available											
Governor's Office of Indian Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Commission on Asian Pacific American Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of State Auditor	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	Fiscal note not available											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Financial Institutions	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Commerce	Fiscal note not available											
Economic and Revenue Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Financial Management	Fiscal note not available											
Washington State Health Care Authority	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Administrative Hearings	Fiscal note not available											
State Lottery	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Gambling Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Commission on Hispanic Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Commission on African-American Affairs	.0	0	0	0	.0	0	0	0	.0	0	0	0
Human Rights Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Retirement Systems	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Investment Board	Fiscal note not available											

Department of Revenue	.0	0	0	0	.0	0	0	0	.0	0	0	0
Board of Tax Appeals	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Minority and Women's Business Enterprises	.0	0	0	0	.0	0	0	0	.0	0	0	0
Housing Finance Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Insurance Commissioner	Fiscal note not available											
Consolidated Technology Services	Fiscal note not available											
Board of Accountancy	.0	0	0	0	.0	0	0	0	.0	0	0	0
Board of Registration for Professional Engineers & Land Surveyors	.0	0	0	0	.0	0	0	0	.0	0	0	0
Forensic Investigations Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Enterprise Services	Fiscal note not available											
Horse Racing Commission	Fiscal note not available											
Board of Industrial Insurance Appeals	Fiscal note not available											
Liquor and Cannabis Board	Fiscal note not available											
Board of Pilotage Commissioners	.0	0	0	0	.0	0	0	0	.0	0	0	0
Utilities and Transportation Commission	Fiscal note not available											
Board for Volunteer Firefighters and Reserve Officers	Fiscal note not available											
Washington State Patrol	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Criminal Justice Training Commission	Fiscal note not available											
Traffic Safety Commission	Fiscal note not available											
Office of Independent Investigations	Fiscal note not available											
Department of Labor and Industries	.0	0	0	258,000	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	0	.0	0	0	0	.0	0	0	0
Military Department	Fiscal note not available											
Public Employment Relations Commission	Fiscal note not available											

Department of Social and Health Services	Fiscal note not available												
Department of Health	1.3	273,000	273,000	273,000	2.0	434,000	434,000	434,000	2.0	434,000	434,000	434,000	
Department of Veterans Affairs	Fiscal note not available												
Department of Children, Youth, and Families	Fiscal note not available												
Department of Corrections	Fiscal note not available												
Department of Services for the Blind	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Student Achievement Council	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Law Enforcement Officers' and Fire Fighters' Plan 2 Retirement Board	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Superintendent of Public Instruction	Fiscal note not available												
State School For The Blind	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Washington State Center for Childhood Deafness and Hearing Loss	Fiscal note not available												
Workforce Training and Education Coordinating Board	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Department of Archaeology and Historic Preservation	.0	0	0	0	.0	0	0	0	.0	0	0	0	
University of Washington	Fiscal note not available												
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Eastern Washington University	Fiscal note not available												
Central Washington University	Fiscal note not available												
The Evergreen State College	Fiscal note not available												
Western Washington University	Fiscal note not available												
Washington State Arts Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Washington State Historical Society	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Eastern Washington State Historical Society	.0	0	0	0	.0	0	0	0	.0	0	0	0	
Department of Transportation	Fiscal note not available												

County Road Administration Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Transportation Improvement Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Transportation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Freight Mobility Strategic Investment Board	Fiscal note not available											
Columbia River Gorge Commission	Fiscal note not available											
Department of Ecology	.0	0	0	0	.0	0	0	0	.0	0	0	0
Pollution Liability Insurance Program	.0	0	0	0	.0	0	0	0	.0	0	0	0
Energy Facility Site Evaluation Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Parks and Recreation Commission	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Recreation and Conservation Funding Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Environmental and Land Use Hearings Office	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Conservation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	Fiscal note not available											
Puget Sound Partnership	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.7	127,200	127,200	127,200	1.3	234,600	234,600	234,600	1.3	234,600	234,600	234,600
Department of Agriculture	.0	0	0	0	.0	0	0	0	.0	0	0	0
Employment Security Department	.3	0	0	63,534	.5	0	0	127,068	.5	0	0	127,068
Community and Technical College System	Fiscal note not available											
SWF Statewide Fiscal Note - OFM	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	2.3	400,200	400,200	721,734	3.8	668,600	668,600	795,668	3.8	668,600	668,600	795,668

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI	Fiscal note not available								
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of the Governor	Fiscal note not available								
Office of Lieutenant Governor	Fiscal note not available								
Public Disclosure Commission	.0	0	0	.0	0	0	.0	0	0
Washington State Leadership Board	.0	0	0	.0	0	0	.0	0	0
Office of the Secretary of State	Fiscal note not available								
Governor's Office of Indian Affairs	.0	0	0	.0	0	0	.0	0	0
Commission on Asian Pacific American Affairs	.0	0	0	.0	0	0	.0	0	0
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Office of State Auditor	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	Fiscal note not available								
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Financial Institutions	.0	0	0	.0	0	0	.0	0	0
Department of Commerce	Fiscal note not available								
Economic and Revenue Forecast Council	.0	0	0	.0	0	0	.0	0	0
Office of Financial Management	Fiscal note not available								
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Office of Administrative Hearings	Fiscal note not available								
State Lottery	.0	0	0	.0	0	0	.0	0	0
Washington State Gambling Commission	.0	0	0	.0	0	0	.0	0	0
Commission on Hispanic Affairs	.0	0	0	.0	0	0	.0	0	0
Commission on African-American Affairs	.0	0	0	.0	0	0	.0	0	0
Human Rights Commission	.0	0	0	.0	0	0	.0	0	0
Department of Retirement Systems	.0	0	0	.0	0	0	.0	0	0
State Investment Board	Fiscal note not available								
Department of Revenue	.0	0	0	.0	0	0	.0	0	0
Board of Tax Appeals	.0	0	0	.0	0	0	.0	0	0

Office of Minority and Women's Business Enterprises	.0	0	0	.0	0	0	.0	0	0
Housing Finance Commission	.0	0	0	.0	0	0	.0	0	0
Office of Insurance Commissioner	Fiscal note not available								
Consolidated Technology Services	Fiscal note not available								
Board of Accountancy	.0	0	0	.0	0	0	.0	0	0
Board of Registration for Professional Engineers & Land Surveyors	.0	0	0	.0	0	0	.0	0	0
Forensic Investigations Council	.0	0	0	.0	0	0	.0	0	0
Department of Enterprise Services	Fiscal note not available								
Horse Racing Commission	Fiscal note not available								
Board of Industrial Insurance Appeals	Fiscal note not available								
Liquor and Cannabis Board	Fiscal note not available								
Board of Pilotage Commissioners	.0	0	0	.0	0	0	.0	0	0
Utilities and Transportation Commission	Fiscal note not available								
Board for Volunteer Firefighters and Reserve Officers	Fiscal note not available								
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	Fiscal note not available								
Traffic Safety Commission	Fiscal note not available								
Office of Independent Investigations	Fiscal note not available								
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Military Department	Fiscal note not available								
Public Employment Relations Commission	Fiscal note not available								
Department of Social and Health Services	Fiscal note not available								
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Veterans Affairs	Fiscal note not available								
Department of Children, Youth, and Families	Fiscal note not available								
Department of Corrections	Fiscal note not available								

Department of Services for the Blind	.0	0	0	.0	0	0	.0	0	0
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
Law Enforcement Officers' and Fire Fighters' Plan 2 Retirement Board	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	Fiscal note not available								
State School For The Blind	.0	0	0	.0	0	0	.0	0	0
Washington State Center for Childhood Deafness and Hearing Loss	Fiscal note not available								
Workforce Training and Education Coordinating Board	.0	0	0	.0	0	0	.0	0	0
Department of Archaeology and Historic Preservation	.0	0	0	.0	0	0	.0	0	0
University of Washington	Fiscal note not available								
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	Fiscal note not available								
Central Washington University	Fiscal note not available								
The Evergreen State College	Fiscal note not available								
Western Washington University	Fiscal note not available								
Washington State Arts Commission	.0	0	0	.0	0	0	.0	0	0
Washington State Historical Society	.0	0	0	.0	0	0	.0	0	0
Eastern Washington State Historical Society	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	Fiscal note not available								
County Road Administration Board	.0	0	0	.0	0	0	.0	0	0
Transportation Improvement Board	.0	0	0	.0	0	0	.0	0	0
Transportation Commission	.0	0	0	.0	0	0	.0	0	0
Freight Mobility Strategic Investment Board	Fiscal note not available								
Columbia River Gorge Commission	Fiscal note not available								
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Pollution Liability Insurance Program	.0	0	0	.0	0	0	.0	0	0

Energy Facility Site Evaluation Council	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Recreation and Conservation Funding Board	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
State Conservation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	Fiscal note not available								
Puget Sound Partnership	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Department of Agriculture	.0	0	0	.0	0	0	.0	0	0
Employment Security Department	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	Fiscal note not available								
SWF Statewide Fiscal Note - OFM	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI	Fiscal note not available								
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Anna Minor, OFM	Phone: (360) 790-2951	Date Published: Preliminary 1/ 8/2024
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Judicial Impact Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/04/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/04/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/08/2024

188,648.00

Request # 008-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

The bill would require employers to allow requesting employees or former employees to inspect their own personnel file annually. The bill outlines requirements on the employer and provides for a private Superior Court cause of action to enforce the requirements and for damages.

II. B - Cash Receipts Impact

None

II. C - Expenditures

None

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

None

188,648.00

Form FN (Rev 1/00)

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Request # 008-1

Bill # 1320 E 2S HB S2.E. H-2261.1 FN

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 082-Public Disclosure Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Bret Skipworth	Phone: 360-407-8121	Date: 01/04/2024
Agency Approval: Seth Flory	Phone: 3604078165	Date: 01/04/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 2 requires an employer to provide complete personnel files to current or former employees within 16 days of an employee's request at no cost to the employee. These personnel files can be provided in paper or electronic form. This section also adds a requirement for employers to provide a written and signed reason for discharge upon request. Public employers must treat personnel file requests as made under this section and not subject to the requirements and exemptions of chapter 42.56 RCW. Public employers must apply the redactions required under RCW 42.56.250 (6). Public employers must treat requests for any other files accompanying the personnel file request as it would under chapter 42.56 RCW.

Section 4 allows legal recourse and provides for penalties in the event of non-compliance.

The Public Disclosure Commission (PDC) purchases human resource services from the Department of Enterprise Services (DES). The DES Small Agency Human Resources unit maintains the personnel files for all active PDC employees. It is assumed that DES would be managed by DES and PDC would provide files for separated employees. The PDC assumes that requests from current and former employees would be infrequent and could be absorbed within existing means. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 083-Washington State Leadership Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Seth Flory	Phone: 3604078165	Date: 12/28/2023
Agency Approval: Audrey Baker	Phone: 5649997308	Date: 12/28/2023
OFM Review: Brian Fechter	Phone: (360) 688-4225	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. The legislation further grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Washington State Leadership Board (WSLB) and maintains personnel files. The responsibility of meeting records requests and performing reviews would fall to DES.

As a small agency, this bill is not expected to have a fiscal impact for WSLB, as personnel file requests from former employees will be very infrequently. If issues related to personnel records escalate to legal action, related cost would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 086-Governor's Office of Indian Affairs
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Seth Flory	Phone: 360-407-8165	Date: 12/28/2023
Agency Approval: Seth Flory	Phone: 360-407-8165	Date: 12/28/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/02/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of being requested.

The Department of Enterprise Services (DES) provides HR Services to the Governor's Office of Indian Affairs (GOIA) and maintains personnel files for current employees. Records for former employees are handed over to GOIA, for storage. Therefore, only requests from former employees would create work for GOIA.

As a small agency, this bill is not expected to have a fiscal impact for GOIA, as personnel file requests from former employees will be very infrequently. If issues related to personnel records escalate to legal action, related cost would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 087-Commission on Asian Pacific American Affairs
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Gwen McClanahan	Phone: 3604078132	Date: 01/02/2024
Agency Approval: Gwen McClanahan	Phone: 3604078132	Date: 01/02/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Commission on Asian Pacific American Affairs (CAPAA) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 090-Office of State Treasurer
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 01/02/2024
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 01/02/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

E2SHB 1320 H-2261.1 requires employers to furnish employees, former employees, or their designee, the employee's personnel file at no cost to the employee, former employee, or their designee.

The cost to the office is negligible, therefore this fiscal note reflects a no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 095-Office of State Auditor
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Charleen Patten	Phone: 564-999-0941	Date: 01/04/2024
Agency Approval: Janel Roper	Phone: 564-999-0820	Date: 01/04/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 2 (1) Requires that requests made for a copy of the unredacted personnel file by an employee, former employee, or their attorney, agent, or fiduciary is made available at no cost to the employee or former employee within 16 days.

Section 2 (4) Requires that within 16 days of receiving a written request from a former employee, or their attorney, agent, or fiduciary a signed written statement must be furnished to the former employee stating the effective date of discharge and reasons of discharge, if the employer had reason.

The State Auditor's Office's current process is to release the personnel files upon request to current employees. For any other requests the process is handled per RCW 42.56. The changes to our current process would be considered negligible therefore, no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 101-Caseload Forecast Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Erik Cornellier	Phone: 360-664-9375	Date: 01/04/2024
Agency Approval: Erik Cornellier	Phone: 360-664-9375	Date: 01/04/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Specifies that an employer must provide the employee's personnel file as defined by the bill within 16 business days of a request from the employee, former employee, or their designee.

Requires an employer to provide to a former employee, upon request, a statement of the employee's discharge date and reasons, if any, for the discharge.

Creates a private cause of action with statutory damages.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The fiscal impact to the Caseload Forecast Council (CFC) is indeterminate and negligible.

The CFC must already furnish employee records within a reasonable time at no cost to former employees.

The 16-day deadline could possibly require an increase in effort to provide the records more quickly, and that cost would be negligible.

The requirements to provide employers with information about their obligations and employee rights do not apply to the CFC.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 102-Department of Financial Institutions
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Cale Zimmerman	Phone: (360) 902-0507	Date: 01/05/2024
Agency Approval: Emily Fitzgerald	Phone: (360) 902-8780	Date: 01/05/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill requires employers to provide personnel records from the employee's files upon request. This version changes the timeframe that the employer must provide the requested personnel records from 14 days to 16 business days. This version of the bill also extends rights for the employee, or former employee, including retaining rights to request personnel files for 3 years after separation. This version also adds a section that if the employee or former employee intends to sue employer, they must provide a reference that they have the right to bring legal action under Washington state law. The Department of Financial Institutions (DFI) does not receive a large number of these requests and the resources spent on compiling these files would be absorbed by current FTE's. DFI does not foresee any fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 104-Economic and Revenue Forecast Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Seth Flory	Phone: (360) 407-8165	Date: 01/02/2024
Agency Approval: Seth Flory	Phone: (360) 407-8165	Date: 01/02/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Economic and Revenue Forecast Council (ERFC) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact, as personnel file requests would be handled by DES. If issues regarding personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 107-Washington State Health Care Authority
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Joseph Cushman	Phone: 360-725-5714	Date: 01/05/2024
Agency Approval: Catrina Lucero	Phone: 360-725-7192	Date: 01/05/2024
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

See attached.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HCA Fiscal Note

Bill Number: 1320 E2SHB

HCA Request #: 24-002-1

Title: Alt Prof Licensing Standards.

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

HCA Fiscal Note

Bill Number: 1320 E2SHB

HCA Request #: 24-002-1

Title: Alt Prof Licensing Standards.

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

II. B - Cash Receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

NONE

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

NONE

Passage of this legislation will not have fiscal impact on the Health Care Authority (HCA) because the HCA already provides copies of employee personnel files to employees, former employees, and their legal representatives upon request. This bill will require HR to implement a process to ensure compliance with the requirement that a written statement be furnished to a former employee or their legal representative within 16 business days of the request that describes the date and reason for discharge. This additional requirement can be completed within existing resources.

Part III: Expenditure Detail

III. A - Operating Budget Expenditure

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

HCA Fiscal Note

Bill Number: 1320 E2SHB

HCA Request #: 24-002-1

Title: Alt Prof Licensing Standards.

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout: Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

NONE

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 116-State Lottery
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: John Iyall	Phone: 360-810-2870	Date: 01/04/2024
Agency Approval: Josh Johnston	Phone: 360-810-2878	Date: 01/04/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

There is no fiscal impact to the Lottery.

- Section 1 amends RCW 49.12.240 to define “personnel file.”
- Section 2 amends RCW 49.12.250 to require an employer to provide a copy of a personnel file within 16 business days after a request from the employee, former employee, or their designee; grant a former employee these rights for three years after discharge; and require an employer to provide certain discharge information to a former employee within 16 business days of receiving a request.
- Section 3 amends RCW 49.12.260 to require the Department of Labor and Industries to develop and furnish to employers' information that describes employer obligations and employee rights under this act.
- Section 4 creates a new section to chapter 42.12 RCW that describes the penalties for violations of this act.

The Lottery assumes it will receive 6-8 requests for personnel files and/or discharge statements per year, both of which must be completed within 16 business days. Many of the requests will require coordination with DES and/or OFM. Each request for a personnel file will take approximately 12 hours to complete. Each request for a discharge statement will take approximately 8 hours to complete. Depending on the timing of requests, overtime may be required to meet the due dates. The Lottery anticipates as much as 70 hours of overtime at the Human Resources Consultant 1 level (range 46) for a total of approximately \$2,609 per year. This amount can be absorbed within existing resources.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 117-Washington State Gambling Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Kriscinda Hansen	Phone: 360-486-3489	Date: 01/05/2024
Agency Approval: Kriscinda Hansen	Phone: 360-486-3489	Date: 01/05/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 2(1) requires employers to provide employees and former employees or their designee their personnel file within 16 business days of the request.

Section 2(4) requires employers to provide to former employees or their agent, within 16 business days of receiving a written request from a former employee or their designee, furnish a signed written statement stating the effective date of discharge, whether there was a reason for the discharge, and if so, what the reasons were.

Section 4 allows employees or former employees to seek private cause of action, including entitlement to equitable relief, statutory damages, and reasonable attorney fees and costs.

Section 4 also provides specific monetary damages: \$250 if the complete file, statement, or redaction log is not provided within 21 calendar days of the due date, \$500 if not provided within 28 calendar days, \$1,000 if provided later than 35 calendar days, and \$500 for any other violations.

Historically, the Gambling Commission has received less than one personnel file request per fiscal year. The Gambling Commission estimates that when received, requests will take approximately ten (10) to fourteen (14) hours of active time to compile and provide a copy of the file. The number of days to fulfill these requests is highly variable due to multiple factors, including:

- Employee status (former employee files may be at records center)
- Location of personnel files, as defined by this bill, for current employees (supervisors and employees are throughout the state)
- Requirement to notify complainants of redaction per RCW 42.56.250(6)

This workload will be absorbed by current staff, resulting in no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 118-Commission on Hispanic Affairs
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Gwen McClanahan	Phone: (360) 407-8132	Date: 01/02/2024
Agency Approval: Gwen McClanahan	Phone: (360) 407-8132	Date: 01/02/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Commission of Hispanic Affairs (CHA) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 119-Commission on African-American Affairs
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Gwen McClanahan	Phone: (360) 407-8132	Date: 01/03/2024
Agency Approval: Gwen McClanahan	Phone: (360) 407-8132	Date: 01/03/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Commission on African-American Affairs (CAA) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 120-Human Rights Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Diann Lewallen	Phone: 360-407-8121	Date: 01/02/2024
Agency Approval: Justinian Cariasini	Phone: (360) 753-4837	Date: 01/02/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 defines what is intended to be considered part of a personnel file under this legislation.

Section 2 requires employers to provide a complete copy of an employee's existing personnel file within 16 calendar days of receiving a request at no cost to the employee or former employee. It also adds a requirement for employers to provide a signed and written statement providing an effective date and reason for discharge upon request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

Section 3 requires an annual notice to employees explaining the employer's obligations and the employee's rights under this act.

Section 4 allows legal recourse and provides for penalties in the event of non-compliance.

The Human Rights Commission (HUM) purchases human resource services from the Department of Enterprise Services (DES). The DES Small Agency Human Resources unit maintains personnel files for active HUM employees. It is assumed any requests under this legislation for active staff would be managed by DES. HUM would provide files for previously separated staff. Due to the small number of staff at HUM, it is assumed requests under this legislation would be infrequent and the agency's public records staff would absorb the workload.”

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 124-Department of Retirement Systems
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Chris Johansen	Phone: 360-664-7065	Date: 01/02/2024
Agency Approval: Tracy Guerin	Phone: 360-664-7312	Date: 01/02/2024
OFM Review: Marcus Ehrlander	Phone: (360) 489-4327	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Sec. 1 of the bill amends RCW 49.12.240 to identify what a “personnel file” includes.

Sec. 2 amends RCW 49.12.250 to change the timeframe by which an employer shall provide (not make available locally) a personnel file to a current employee, former employee or their designee from within “a reasonable period of time” to within 16 business days after request. It also provides a requirement to provide a former employee with a signed written statement.

Sec. 3 amends RCW 49.12.260 to require the Department of Labor and Industries to develop and furnish a new annual notice describing an employer’s obligations and an employee’s rights under this section.

Sec. 4 adds a new section to 49.12 RCW that allows an employee to enforce these sections through a private cause of action in superior court and provides statutory damages.

These changes are not anticipated to have a fiscal impact on the department. Requests to view personnel files have historically been infrequent, and the proposed changes shouldn’t measurably increase the frequency of such requests, nor the time required to respond.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Department of Revenue Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 140-Department of Revenue
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 60-786-7384	Date: 12/26/2023
Agency Preparation: Erin Valz	Phone: 60-534-1522	Date: 01/08/2024
Agency Approval: Marianne McIntosh	Phone: 60-534-1505	Date: 01/08/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/08/2024

Request # 1320-1-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

COMPARISON OF THE PROPOSED STRIKING AMENDMENT WITH THE ENGROSSED SECOND SUBSTITUTE:

- Changes the number of days an employer must provide the employee's personnel file from 14 calendar days to 16 business days.
- Changes the number of years a former employee shall retain the right of rebuttal or correction to their records from a period not to exceed 2 years to a period not to exceed 3 years.
- Provides the employer the right to redact information as they see fit where ESSHB 1320 allowed certain employees to review unredacted versions.

CURRENT LAW:

Employees or former employees may make requests to view their personnel files at least annually. The employer shall determine if there is any irrelevant or erroneous information in the file(s) and may remove all such information from the file(s).

PROPOSAL:

This bill does the following:

- Specifies that when requested by an employee, an employer must provide the employee's personnel file free of charge within 16 calendar days of a request from the employee, former employee, or their designee. Personnel file is defined to include:
 - All job application records.
 - All performance evaluations.
 - All disciplinary records.
 - All medical, leave, and reasonable accommodation records.
 - All payroll records.
 - All employment agreements.
 - All other records contained in the file.
- An employee or former employee may initiate a private cause of action to enforce the requirements.
- A former employee of an agency subject to chapter 42.56 RCW may retain their rights to request personnel files for up to three years from separation.
- Requires certain employers to redact specific information before providing personnel files.
- Requires an employer to provide to a former employee, upon request, a statement of the employee's discharge date and reasons, if any, for the discharge.

EFFECTIVE DATE:

The bill takes effect 90 days after the final adjournment of the session.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

This legislation results in no revenue impact on taxes administered by the Department of Revenue (department).

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The department will not incur any costs with the implementation of this legislation.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

NONE

III. B - Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. C - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 142-Board of Tax Appeals
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Gwen McClanahan	Phone: 3604078132	Date: 01/03/2024
Agency Approval: Gwen McClanahan	Phone: 3604078132	Date: 01/03/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Board of Tax Appeals (BTA) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 147-Office of Minority and Women's Business Enterprises
---	---	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Gwen McClanahan	Phone: 3604078132	Date: 01/03/2024
Agency Approval: Gwen McClanahan	Phone: 3604078132	Date: 01/03/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Office of Minority and Women's Business Enterprises (OMWBE) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 148-Housing Finance Commission
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Daniel Page	Phone: 206-287-4476	Date: 01/04/2024
Agency Approval: Lucas Loranger	Phone: 206-254-5368	Date: 01/04/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

No Fiscal Impact: Because the Commission is a non-appropriated, non-allocated agency, all the costs associated with the contemplated legislation connected to the Commission will flow through the Commission's operating funds, therefore the Commission believes it has no fiscal impact on the state's budget.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 165-Board of Accountancy
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Diann Lewallen	Phone: (360) 407-8121	Date: 01/05/2024
Agency Approval: Diann Lewallen	Phone: (360) 407-8121	Date: 01/05/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Board of Accountancy (ACB) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 166-Board of Registration for Professional Engineers & Land Surveyors
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Seth Flory	Phone: (360) 407-8165	Date: 01/04/2024
Agency Approval: Seth Flory	Phone: (360) 407-8165	Date: 01/04/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Board of Registration for Prof. Engineers & Land Surveyors (BORPELS) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 167-Forensic Investigations Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Bret Skipworth	Phone: 3608906657	Date: 12/28/2023
Agency Approval: Bret Skipworth	Phone: 3608906657	Date: 12/28/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of being requested.

The Forensic Investigations Council does not have any employees, current or former. Therefore, no fiscal impact is expected from the implementation of this bill.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 205-Board of Pilotage Commissioners
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Flory Seth	Phone: 360-407-8165	Date: 01/04/2024
Agency Approval: Flory Seth	Phone: 360-407-8165	Date: 01/04/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Board of Pilotage (BOP) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Megan Given	Phone: 360-596-4049	Date: 01/04/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/04/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The proposed legislation creates an indeterminate fiscal impact to the Washington State Patrol (WSP).

Section 1(2) identifies the records that are considered part of the personnel file.

Section 2(1) requires an employer to provide an employee's complete, unredacted personnel file within 16 calendar days of the request from the employee, former employee, or their designee.

Section 2(3)(b) extends the right of rebuttal for a former employee of an agency subject to RCW 42.56 (Public Records Act) from two years to three years.

Section 2(4) requires an employer to provide a written statement of the employee's discharge date and reasons, if any, within 16 calendar days of the request from the former employee, or their designee.

Section 3(2) requires the Department of Labor & Industries and the Employment Security Department to provide employers at least annually with information regarding the employer's obligations and the employee's rights.

New Section 4 creates a private cause of action with statutory damages.

New Section 4(1)(b) requires the former employee to give five calendar days' notice to the employer of their intent to sue.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

NONE

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

We are unable to determine a fiscal impact as we cannot determine the frequency of when a personnel file or discharge statement will be requested.

Currently, we do not have all personnel files in a centralized location. Depending on an employee's work history, records are with our Human Resources Division, Training Division, Payroll Office, and the Office of Professional Standards. We estimate it may take 5-20 hours to search, locate, and provide a personnel file from each of these divisions, which is an estimated \$1,060 - \$4,259 per personnel file. If we assume 10 requests per month, the costs could be as high as approximately \$511K per fiscal year. Alternatively, we could establish a centralized system for personnel records that would significantly reduce the time required to provide the requested records. Based on vendor quotes, the expected cost to establish and operate a centralized system would be \$620K in the first year and \$370K ongoing.

We may also be subject to statutory damages if we cannot meet the 16-calendar day turnaround, as well as other applicable fines that the employee could be entitled to. We are unable to determine these potential costs, but the likelihood of incurring them would be significantly reduced with a centralized system.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay or known statewide pay increases. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 33.41 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 235-Department of Labor and Industries
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
Accident Account-State 608-1	0	220,000	220,000	0	0
Medical Aid Account-State 609 -1	0	38,000	38,000	0	0
Total \$	0	258,000	258,000	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Rachel Reed	Phone: 360-902-4552	Date: 01/04/2024
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 01/04/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The bill creates a new requirement for the Department of Labor and Industries (L&I) to develop and furnish employers with information describing an employer's obligations and employee's rights under this section and RCW 49.12.240, 49.12.250, and section 4 of this act. These obligations and rights relate to employer requirements for responding to employee or former employee requests for their personnel files, responding to former employee requests for statements regarding their discharge, and allowing employees and former employees to pursue private rights of action for violations of the law and establishes statutory damages.

Section 2(1) adds to RCW 49.12.250 and 1985 c 336 s 2 by providing a new time frame (16 business days) that the employer must provide the requested personnel file(s) at no cost to an employee, former employee, or their designee.

Section 2(4) adds a provision requiring employers to, within 16 business days of receiving a written request from a former employee or their designee, furnish a signed written statement to the former employee or their designee stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons.

Section 3(2) adds the requirement that L&I develop and furnish to each employer information which describes an employer's obligations and employee's rights under this section and RCW 49.12.240, 49.12.250, and section 4 of this act. L&I must provide this information to employers at least annually. Failure to provide the information does not relieve an employer of its obligations.

Section 4(1) is a new section that allows employees and former employees to enforce RCW 49.12.240 through 49.12.260 through a private cause of action in superior court and for each violation to be entitled to equitable relief, statutory damages, and reasonable attorneys' fees and costs. Therefore, there is no enforcement role for the Department of Labor and Industries (L&I).

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Receivables – Operating

This bill allows an employee or former employee to enforce RCW 49.12.240 through 49.12.260 through private cause of action. There is no enforcement role for L&I, and therefore no fiscal impact in terms of penalties issued to employers.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Appropriated – Operating Costs

This bill increases expenditures to the Accident Fund, fund 608 and the Medical Aid Fund, fund 609. The following assumptions were used to estimate the resources requested to implement this bill.

Marketing and Outreach

\$207,447 will be necessary for outreach during fiscal year 2025 to effectively implement this bill, which directs L&I to develop and furnish information for each employer describing the employer's obligations and an employee's rights. The outreach will be in the form of direct mail to approximately 260,000 employers. Annual notifications will be done as part of our normal annual notifications.

Printing and Translation

\$50,000 is needed during fiscal year 2025 for printing and translation costs relating to updating multiple worker-rights printed posters, printed pamphlets, and online publications, including Your Rights as a Worker, Employee Rights to Equal Pay and Opportunities, Isolated Worker Employee Concerns, New Employee Packet, Pocket Guide to Worker Rights, and others.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Table with 8 columns: Account, Account Title, Type, FY 2024, FY 2025, 2023-25, 2025-27, 2027-29. Rows include Accident Account, Medical Aid Account, and a Total \$ row.

III. B - Expenditures by Object Or Purpose

Table with 6 columns: Object Or Purpose, FY 2024, FY 2025, 2023-25, 2025-27, 2027-29. Rows include FTE Staff Years, A-Salaries and Wages, B-Employee Benefits, C-Professional Service Contracts, E-Goods and Other Services, G-Travel, J-Capital Outlays, M-Inter Agency/Fund Transfers, N-Grants, Benefits & Client Services, P-Debt Service, S-Interagency Reimbursements, T-Intra-Agency Reimbursements, 9-, and a Total \$ row.

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 240-Department of Licensing
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Deb Williams	Phone: 360-902-0015	Date: 01/03/2024
Agency Approval: Collin Ashley	Phone: (564) 669-9190	Date: 01/03/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

There is no fiscal impact to Department of Licensing (DOL). Sections 2 (1) and 2((3)(b) are applicable to DOL. The sixteen business day provision, to provide the employee's personnel record, is within current operating standards for the department.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: E2SHB 1320 E Bill Title: Personnel Records
AMH REED H2261.1

Part 1: Estimates

No Fiscal Impact

Estimated Cash Receipts:

None

Estimated Expenditures:

None

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions.

- If the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- If fiscal impact is **greater than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: (360) 786-7384	Date: 1/2/2024
Agency Preparation: Deborah Williams	Phone: (360) 634-5083	Date: 1/2/2024
Agency Approval: Collin Ashley	Phone: (360) 634-5384	Date: 1/3/2024

Request #	1
Bill #	1320 E2SHB

Part 2 – Explanation

2.A – Brief Description Of What The Measure Does That Has Fiscal Impact

There is no fiscal impact to Department of Licensing (DOL). Sections 2 (1) and 2((3)(b) are applicable to DOL. The sixteen business day provision, to provide the employee’s personnel record, is within current operating standards for the department.

2.B - Cash receipts Impact

There are no new cash receipts expected with the passing of this legislation.

2.C – Expenditures

The department can absorb any additional costs within the current staff and funding provided.

Part 3 – Expenditure Detail

3.A – Operating Budget Expenditures

None

3.B – Expenditures by Object or Purpose

None

3.C – FTE Detail

None

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 303-Department of Health
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	2.0	1.3	2.0	2.0
Account					
General Fund-State 001-1	56,000	217,000	273,000	434,000	434,000
Total \$	56,000	217,000	273,000	434,000	434,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Bekki Ayres	Phone: 3604703623	Date: 01/05/2024
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 01/05/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 01/07/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

A new section (Sec. 1) was added to codify, modify, and clarify certain current laws and administrative requirements regarding access to personnel files to:

Increase transparency and knowledge for both employers and employees;

Provide greater consistency across all employment settings; and

Encourage more equitable compliance with and enforcement of the law across all employment settings.

Sec. 2 seeks to amend RCW 49.12.250 and 1985 c 336 s 2 under “Labor Regulations – Industrial Welfare” chapter to (1) require employers to furnish a complete, unredacted electronic or paper copy of an employee or former employee’s personnel file as the contents of the file(s) exist at the time of the request at no cost to the employee or former employee. Requests for these files can be made by an employee, former employee, or their attorney, agent, or fiduciary, and the employer must provide the files within 16 business days of receiving the request.

Sec. 2 (4) requires employers within 16 business days of receiving a written request by a former employee, or their attorney, agent, or fiduciary, to furnish a signed written statement to the former employee stating the effective date of discharge, whether the employer had a reason for the discharge, and—if so—the reasons.

Sec. 2 (5) allows employees or former employees to enforce this section through a private cause of action in superior court, without exhausting any administrative remedies, and for each violation will be entitled to equitable relief, statutory damages, and reasonable attorney fees and costs. The statutory damages for each violation are:

\$250 if the complete file, statement, or redaction log is not provided within 21 calendar days from the due date;

\$500 if the complete file, statement, or redaction log is not provided within 28 calendar days from the due date; and

\$1,000 if the complete file, statement, or redaction log is provided later than 35 calendar days from the due date.

Statutory damages for any other violations will be \$500.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Based on OFM assumptions, the Department of Health (DOH) determined there’s the potential for the provisions of this bill to increase its workload. DOH has identified sections 1 and 2 will require 0.5 FTEs of a Forms and Records Analyst 2 for fiscal year 2024 and 2.0 FTE ongoing to implement enforcement under this bill so that personnel records can be received in a timely manner in accordance with the timeframes identified and to avoid statutory damages. The potential workload demands will depend upon the number of requests for personnel records that come through, and the personnel records included in the provisions of this bill will require coordination across DOH to assemble all the requested records. Additionally, DOH will need to determine what provisions of this bill would apply to employees who are represented by either WFSE or SEIU to discern what types of personnel records should be released upon request.

FY2024 costs will be 0.5 FTE and \$56,000 (GF-S)

FY2025 and ongoing will be 2.0 FTE and \$217,000 (GF-S)

Total costs can include staff, associated expenses (including goods and services, travel, intra-agency, and indirect/overhead

costs).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	56,000	217,000	273,000	434,000	434,000
Total \$			56,000	217,000	273,000	434,000	434,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	2.0	1.3	2.0	2.0
A-Salaries and Wages	28,000	114,000	142,000	228,000	228,000
B-Employee Benefits	13,000	51,000	64,000	102,000	102,000
E-Goods and Other Services	8,000	33,000	41,000	66,000	66,000
J-Capital Outlays	2,000		2,000		
T-Intra-Agency Reimbursements	5,000	19,000	24,000	38,000	38,000
9-					
Total \$	56,000	217,000	273,000	434,000	434,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
FORMS & RECORDS ANALYST 2	55,224	0.5	2.0	1.3	2.0	2.0
Total FTEs		0.5	2.0	1.3	2.0	2.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 315-Department of Services for the Blind
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Lorie Christoferson	Phone: (360) 725-3840	Date: 01/04/2024
Agency Approval: Joseph Kasperski	Phone: 360-725-3847	Date: 01/04/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Language is amended to establish a 16-business day requirement to provide, at no cost, access to personnel records after an employee, former employee, or their designee requests the file. A former employee retains the rights of this bill for three years. After three years, a former employee must make a request for records thru the public records act 42.56 RCW. New language allows an employee to enforce this thru a private cause of action in superior court. Damages for each violation is established in the bill. The bill also includes language about when a request would be considered a public records request vs a request for a personnel file.

This bill will have no fiscal impact. Personnel records when requested are currently provided to DSB staff in electronic format. DES holds all personnel records in paper form and provides copies when requested. Although records must be provided within 16 days, it's anticipated the volume will not increase due to the changes to this bill. DSB also does not anticipate any violations.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 340-Student Achievement Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Brian Richardson	Phone: 360-485-1124	Date: 12/28/2023
Agency Approval: Brian Richardson	Phone: 360-485-1124	Date: 12/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill would require an employer to, at least annually, permit an employee to inspect their own personnel file upon request. (Section 1(1))

Each employer shall provide to an employee, former employee, or their designee a copy of the employee's personnel file at no cost within 16 business days of a request from the employee, former employee, or their designee. (Section 2(1))

Every employer shall, within 16 business days of receiving a written request from a former employee or their designee, furnish a signed written statement to the former employee or designee stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons. (Section 2(4))

The Washington Student Achievement Council (WSAC) anticipates being able to fulfill any requests within the 16-day deadline using existing resources and this bill, therefore, would have no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 341-Law Enforcement Officer and Fire Fighters' Plan 2 Retirement Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Seth Flory	Phone: (360) 407-8165	Date: 01/03/2024
Agency Approval: Seth Flory	Phone: (360) 407-8165	Date: 01/03/2024
OFM Review: Marcus Ehrlander	Phone: (360) 489-4327	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Law Enforcement Officers and Fire Fighters' Plan 2 Retirement Board (LEOFF) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 351-State School For The Blind
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Phillip McCreary	Phone: 360-947-3314	Date: 01/02/2024
Agency Approval: Phillip McCreary	Phone: 360-947-3314	Date: 01/02/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/08/2024

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 354-Workforce Training and Education Coordinating Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Katherine Maggio	Phone: 3607094600	Date: 01/05/2024
Agency Approval: Nova Gattman	Phone: 360-709-4612	Date: 01/05/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

No fiscal impact.

Section 1 includes additional details on the information that should be available to employees in their personnel file, including application records, performance evaluations, disciplinary records, accommodation records, payroll records, employment agreements, and any other records in the personnel file.

Section 2(1) changes the requirement for viewing the personnel file from “a reasonable time” to 16 business days after request and adds the availability of former employees and their designees to request access.

Section 2(3)(b) states that former employees have up to three years after separation to request their personnel file. Section 2(4) states that employers must furnish a signed written statement stating the effective date of discharge and the reasons for the discharge, if applicable, within 16 business days of the request.

Section 4 provides for penalties and fees to employers who fail to comply with the provisions of the bill.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

n/a

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Board anticipates no additional resource needs to provide personnel records within the timelines laid out in the bill. No fiscal impact.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 355-Department of Archaeology and Historic Preservation
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Diann Lewallen	Phone: 360-407-8121	Date: 01/03/2024
Agency Approval: Diann Lewallen	Phone: 360-407-8121	Date: 01/03/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 defines what is intended to be considered part of a personnel file under this legislation.

Section 2 requires employers to provide a complete copy of an employee's existing personnel file within 16 calendar days of receiving a request at no cost to the employee or former employee. It also adds a requirement for employers to provide a signed and written statement providing an effective date and reason for discharge upon request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

Section 3 requires an annual notice to employees explaining the employer's obligations and the employee's rights under this act.

Section 4 allows legal recourse and provides for penalties in the event of non-compliance.

The Department of Archaeology and Historic Preservation (DAHP) purchases human resource services from the Department of Enterprise Services (DES). The DES Small Agency Human Resources unit maintains personnel files for active DAHP employees. It is assumed any requests under this legislation for active staff would be managed by DES. DAHP would provide files for previously separated staff. Due to the small number of staff at DAHP, it is assumed requests under this legislation would be infrequent and the agency's public records staff would absorb the workload. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 365-Washington State University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Anne-Lise Brooks	Phone: 509-335-8815	Date: 01/05/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/05/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

1320 E2S HB - Personnel Record relates to an employee's right to access and review of their personnel file and outlines timeframes and penalties if the employer does not comply.

Washington State University currently provides a copy of the personnel file to current employees and former employees upon request.

This bill is not expected to have any fiscal impact to Washington State University

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 387-Washington State Arts Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Deane Shellman	Phone: 3606221743	Date: 01/05/2024
Agency Approval: Karen Hanan	Phone: 360-586-2423	Date: 01/05/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Washington Arts Commission (ARTS) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. Section 3 allows legal recourse and provides for penalties in the event of non-compliance. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 390-Washington State Historical Society
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Teresa Mattson	Phone: (360) 798-5906	Date: 01/03/2024
Agency Approval: Jennifer Kilmer	Phone: 253-798-5900	Date: 01/03/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

No sections fiscally impact our organization. Any requests are considered duties of our HR Manager as part of their normal duties.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 395-Eastern Washington State Historical Society
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Flory Seth	Phone: 360-407-8165	Date: 12/29/2023
Agency Approval: Flory Seth	Phone: 360-407-8165	Date: 12/29/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/02/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed 2nd Substitute House Bill 1320 would require agencies to provide current and former employees a copy of their personnel records within 16 days of request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

The Department of Enterprise Services (DES) provides HR Services to the Eastern Washington State Historical Society (EWSHS) and maintains personnel files. DES would take on the responsibility of meeting records requests and performing reviews.

As a small agency, this bill is not expected to have a fiscal impact as personnel file requests would be handled by DES. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 406-County Road Administration Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Drew Woods	Phone: 360-753-5989	Date: 01/02/2024
Agency Approval: Drew Woods	Phone: 360-753-5989	Date: 01/02/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

CRAB does not anticipate any additional costs associated with the bill requirements for current and past employees to access their personnel records.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 407-Transportation Improvement Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Diann Lewallen	Phone: (360) 407-8121	Date: 01/02/2024
Agency Approval: Diann Lewallen	Phone: (360) 407-8121	Date: 01/02/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 defines what is intended to be considered part of a personnel file under this legislation.

Section 2 requires employers to provide a complete copy of an employee's existing personnel file within 16 calendar days of receiving a request at no cost to the employee or former employee. It also adds a requirement for employers to provide a signed and written statement providing an effective date and reason for discharge upon request. Additionally, the legislation grants employees the right to have their records reviewed and corrected if appropriate.

Section 3 requires an annual notice to employees explaining the employer's obligations and the employee's rights under this act.

Section 4 allows legal recourse and provides for penalties in the event of non-compliance.

The Transportation Improvement Board (TIB) purchases human resource services from the Department of Enterprise Services (DES). The DES Small Agency Human Resources unit maintains personnel files for active TIB employees. It is assumed any requests under this legislation for active staff would be managed by DES. TIB would provide files for previously separated staff. Due to the small number of staff at TIB, it is assumed requests under this legislation would be infrequent and the agency's public records staff would absorb the workload. If issues related to personnel records escalate to legal action, related costs would be addressed on a case-by-case basis.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 410-Transportation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Aaron Halbert	Phone: 360-705-7118	Date: 01/08/2024
Agency Approval: Reema Griffith	Phone: 360-705-7070	Date: 01/08/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

E2SHB 1320 would require employers, within 16 business days of receiving a written request from an employee, former employee, or their designee, to provide a complete copy of their personnel file. This bill adds specific penalties and gives employees the right to take legal action if an employer does not provide the records within 16 business days. The bill also requires an employer to provide a signed written statement stating the reasons (if given) for dismissal within 16 business days of receiving a request.

This bill does not require an employer to create personnel records; rather the employer must furnish the records that the employer has already created and included in a personnel file. As such, the Washington State Transportation Commission's (WSTC) foresees no fiscal impact to our agency as a result of this legislation.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Allen Robbins	Phone: 360-706-3043	Date: 01/04/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/04/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/06/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Under current law, RCW 49.12.240, an employer is required, at least annually, to allow an employee to inspect the employee's own personnel file upon the employee's request. The employer must make the file available locally within a reasonable period of time after the request.

This bill would amend RCW 49.12.240 and 49.12.250 relating to employer requirements for responding to employee or former employee requests to inspect or receive copies of personnel records.

Section 2(1) specifies that an employer would need to provide an employee's complete personnel file within 16 business days of a request from an employee, former employee, or their designee. The contents of the file would need to be provided at no cost to the employee, former employee, or their designee if requested within three years.

Section 2(4) would require employers to, within 16 business days of receiving a written request from a former employee or their designee, furnish a signed written statement to the former employee or their designee stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons.

Section 3(2) would require, at least annually, the Department of Labor and Industries (L&I) to develop and furnish each employer information which describes an employer's obligations and an employee's rights under RCW 49.12.240, 49.12.250, and section 4 of this act.

Section 4(1) would allow an employee or former employee to take legal action if the information requested is not provided within the required 16 business days. Prior to enforcing legal action, the employee or former employee must give five calendar days' notice to the employer.

Section 4(2) statutory damages for each violation are: \$250 for noncompliance within 21 calendar days; \$500 for noncompliance within 28 calendar days; \$1,000 for noncompliance within 35 calendar days; and \$500 for any other violations.

This bill would have no new fiscal impact to Ecology.

Under section 2(1), employers would need to provide an employee's complete personnel file within 16 business days of a request, at no cost to the employee, former employee, or their designee. Ecology already provides personnel files to current employees under the civil service rule and collective bargaining agreement within 16 business days, at no cost to the employee. Former employees may currently request their personnel file through a public records request, which is typically provided at no cost unless it is a paper copy above a cost threshold. Therefore, Ecology assumes providing the personnel file of a current or former employee at no cost would be similar to current practice and could be accomplished as part of existing duties with no new fiscal impact.

Under section 2(4), employers would need to provide a written statement with the reason for discharge to a former employee or their designee within 16 business days of a request. Ecology per civil service rule and collective bargaining agreement typically provides notice of separation to any employee being involuntarily separated. Ecology assumes we would follow guidance developed by the Department of Labor and Industries (L&I) for the written statement required by this bill. Therefore, Ecology assumes providing this statement to former employees upon request would require minimal new work and could be accomplished as part of existing duties with no new fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 462-Pollution Liability Insurance Program
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Emily Cavanaugh	Phone: 360-407-0517	Date: 01/02/2024
Agency Approval: Cassandra Garcia	Phone: 360-407-0520	Date: 01/02/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/02/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed Second Substitute House Bill 1320 relates to access to personnel records for employees and former employees.

Section 2 amends RCW 49.12.250 to: require employers to furnish personnel file records to the requesting employee/former employee at no cost and within 16 calendar days of receiving a request; sign a statement listing a discharged employees effective date and the reason for discharge; allow the requesting employee or former employee a private right of action to enforce compliance with the statutory provisions; and provide limited allowable exclusions and redactions for such personnel records requests.

PLIA currently contracts with Department of Enterprise Services (DES) for Human Resources (HR) services to manage all of the agency's HR documents and will coordinate with DES to meet the requirements of this legislation. PLIA anticipates no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 463-Energy Facility Site Evaluation Council
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Ali Smith	Phone: 360-515-2011	Date: 12/27/2023
Agency Approval: Dave Walker	Phone: 360-664-1345	Date: 12/27/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/02/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Fiscal impact is negligible and can be absorbed within existing resources. Given EFSEC's small staff size, the average estimated request for personnel records per month would be minimal and have no impact on staff workload.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 465-State Parks and Recreation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Van Church	Phone: (360) 902-8542	Date: 01/04/2024
Agency Approval: Van Church	Phone: (360) 902-8542	Date: 01/04/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/04/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Engrossed second substitute House bill 1320 proposed legislation amends the RCW concerning employee access to their employment file.

Section 2(1) has new language directing that a copy a personal file must be provided unredacted unless redaction is required under Section 2.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

While it is unknown how many record requests may be received, State Parks anticipates that postal/shipping, copying, and labor costs would be minimal and absorbed within current funding.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 467-Recreation and Conservation Funding Board
---	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Mark Jarasitis	Phone: 360-902-3006	Date: 12/28/2023
Agency Approval: Brock Millierin	Phone: 360-789-4563	Date: 12/28/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/02/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

HB 1320, Section 2(1) sets requirements for supplying an employee or former employee (plus attorney, agent or fiduciary) with their personnel file, upon request, at no request to the employee.

Section 2(4)(5) Set the parameters and consequences to the agency for not meeting that requirement.

Section 2(6) Defines what is meant by personnel record.

Section 2(7) Clarifies that this does not set a retention schedule nor require files to be created.

Fiscal impact: There is no fiscal impact from this bill. On the rare occasion that RCO would need to fulfill a request, it would be part of the agency's expectations for supervisors, HR liaison, or records retention office to ensure the appropriate documents were supplied—as part of their regular duties

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 468-Environmental and Land Use Hearings Office
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 01/07/2024
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 01/07/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/07/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 2 – Employers must provide employees and former employees their complete, unredacted personnel files a within 16 business days after the request and must provide a signed written statement stating effective date of discharge and reason for discharge, if applicable.

Section 4 – Creates a new private cause of action, making employers are liable for violation of the statute, including its existing provisions, for equitable relief, statutory damages, and attorney fees and costs.

ELUHO receives Human Resources services from the Department of Enterprise Services (DES) Small Agency Services. DES keeps and maintains ELUHO personnel records. ELUHO assumes DES would be responsible, through the small agency services agreement, for providing timely and accurate responses.

The impacts to ELUHO due to the new area of liability carved out under the act is unclear, however ELUHO is a small agency and the likelihood of a high number of lawsuits under the act is low.

ELUHO assumes some amount of increased legal fees to the Attorney General’s Office for defending against alleged violations of this act.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

None

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 471-State Conservation Commission
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Karla Heinitz	Phone: 360-878-4666	Date: 01/02/2024
Agency Approval: Sarah Groth	Phone: 360-790-3501	Date: 01/02/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/03/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

No fiscal impact to the agency. The requirements can be met through current resources.

The bill requires employers to include specific items in employees' personnel files at no cost to the employee.

Section 2.

(1) Employers will have 16 days to provide employees with their personnel file when it is requested. Former employees retain their rights to their personnel files for a period not to exceed three years.

(4) Employers have 16 days to provide a signed written statement to former employees of the effective date of discharge, and any reasons for the discharge.

Section 4.

An employee or former employee has a right to sue and receive statutory damages for any violation relating to their personnel file and request made.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 478-Puget Sound Partnership
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Melissa Clarey	Phone: 3608190342	Date: 12/29/2023
Agency Approval: Sheridan Tabor	Phone: 360-706-4955	Date: 12/29/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/02/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The fiscal impact to the Partnership is minimal to none as the Department of Enterprise Services (DES) will be maintaining the Partnership's personnel files. Currently, DES maintains the records for the Partnership's current employees. In the future, DES will be maintaining both the current employee records and the records of former employees of the Partnership. DES will be responsible for providing these records to current and past employees of the Partnership.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 490-Department of Natural Resources
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.3	0.7	1.3	1.3
Account					
General Fund-State 001-1	0	127,200	127,200	234,600	234,600
Total \$	0	127,200	127,200	234,600	234,600

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Andrew Hills	Phone: /	Date: 01/08/2024
Agency Approval: Nicole Dixon	Phone: 360-902-1155	Date: 01/08/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Sec (2) of this bill provides, “Each employer shall provide such personnel file(s) within 16 business days after the employee, former employee, or their designee requests the file(s) at no cost to the employee, former employee, or their designee.”

To process requests, the records must be compiled, reviewed, and, if necessary, redacted. This process can take time, as Human Resources and Payroll have limited staff capacity, many of the records are on paper, records are located in different locations across the state in Regional offices, and may need to be retrieved and returned from WA State Archives.

We currently do not track requests, but approximately receive 8-10 requests per month on an average of 100 requests per year either through a Public Disclosure Request (PDR) or internally through Human Resources and/or Payroll. An average time to complete a request is 15 hours per request for Human Resources Files and 5 hours for Payroll files.

Given these factors, Human Resources will need at least one additional .75 FTE and Payroll will need .25 FTE for a total of 1 FTE. This position is needed given the compressed deadlines required and fines when a request(s) are not met – requiring the Attorney General’s office to provide legal support.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Sec (2) of this bill provides, “Each employer shall provide such personnel file(s) within 16 business days after the employee, former employee, or their designee requests the file(s) at no cost to the employee, former employee, or their designee.”

Sec (1) of this bill provides, “At least annually, the department must develop and furnish to each employer information which describes an employer's obligations and an employee's rights under this section and RCW 49.12.240, 49.12.250, and section 4 of this act. The information may be provided with other annual notices. Failure to provide the information does not relieve an employer of its obligations.”

If a file is not provided in the time frame, a private cause of action can be filed to include equitable relief, statutory damages, reasonable attorney fees, and costs.

The statutory damages for each violation are:

- (a) \$250 if the complete personnel file or the statement required under RCW 49.12.250(4) is not provided within 21 calendar days;
- (b) \$500 if the complete personnel file or the statement required under RCW 49.12.250(4) is not provided within 28 calendar days;
- (c) \$1,000 if the complete personnel file or the statement required under RCW 49.12.250(4) is provided later than 35 calendar days; and
- (d) \$500 for any other violations

To ensure DNR follows the law with specific time frame requirements, and additional 1 FTE is needed to process requested information. Currently DNR has manual personnel/payroll filing systems. This position is needed to process manual files in

a 16-day time frame to include: documenting the request, retrieving files from multiple locations (which could include retrieving files from archives), removing staples, paper clips, and etc, making scans/copies of individual documents, redacting information, sending to requestor, and returning documents to files/archives.

Total Cost:

FY 2025 - \$127,200 (including one-time costs of \$9,900 for a workstation, laptop, monitors)

FY 2026 and ongoing - \$117,300

Goods and services and travel are calculated on actual program averages per person.

Administrative costs are calculated at 31% of staff salary and benefits and staff-related goods and services and travel. For fiscal note purposes, this cost is represented as a Fiscal Analyst 2 position (.31 FTE).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	127,200	127,200	234,600	234,600
Total \$			0	127,200	127,200	234,600	234,600

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.3	0.7	1.3	1.3
A-Salaries and Wages		56,900	56,900	113,800	113,800
B-Employee Benefits		24,300	24,300	48,600	48,600
C-Professional Service Contracts					
E-Goods and Other Services		16,600	16,600	19,200	19,200
G-Travel		500	500	1,000	1,000
J-Capital Outlays		2,900	2,900		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		26,000	26,000	52,000	52,000
9-					
Total \$	0	127,200	127,200	234,600	234,600

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	58,107		0.3	0.2	0.3	0.3
Human Resource Consultant 2	55,224		1.0	0.5	1.0	1.0
Total FTEs			1.3	0.7	1.3	1.3

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 495-Department of Agriculture
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Hannah Mosley-Gonzales	Phone: (360) 902-1809	Date: 01/05/2024
Agency Approval: Lori Peterson	Phone: 360-974-9767	Date: 01/05/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

1320 E2S HB 32.E. H2261.1 modifies the employee personnel records access provisions of the industrial welfare law (chapter 49.12 RCW).

Section 1 is amended to add sub section (2) which includes a list of records that constitute the personnel file subject to the requirements of this statute.

Section 2:

- (1) is amended to require the employer to provide personnel files to the employee, former employee, or their designee within 16 business days of the request, at no cost to the employee, former employee, or their designee.
- (3) is amended to add (b) which provides rights for former employees of an agency who have been separated from an agency for more than three years be made under the Public Records Act.
- (4) is added to requires employers, within 16 business days of receiving a written request from a former employee (or their designee), furnish a signed written statement to the former employee (or their designee) stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons.

Section 3 is amended to add subsection (2) which requires the Department of Labor and Industries to develop and furnish to each employer information which describes employer's obligations and employee's rights to inspect their personnel records on an annual basis.

New Section 4:

- Provides employees or former employees the ability to enforce this law through a private cause of action in superior court and for each violation provide equitable relief, statutory damages, and reasonable attorney fees and costs (monetary penalties for employer violations are specified in the bill). Prior to enforcing the law through a private cause of action, the employee or former employee must give five calendar days' notice to the employer.

WSDA will incur costs related to staff time for responding to requests for personnel files and also responding to requests to furnish a signed written statement to a former employee stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons. Any costs incurred can be absorbed by existing resources.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No cash receipts impact.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

1320 E2S HB 32.E. H2261.1 modifies the employee personnel records access provisions of the industrial welfare law (chapter 49.12 RCW).

Section 1 is amended to include a list of records that constitute the personnel file subject to the requirements of this statute.

Section 2 is amended to require employers to provide personnel files to the employee, former employee, or their designee within 16 business days of the request at no cost; provide Public Records Act rights for former employees of an agency who have been separated from an agency for more than three years; and requires employers, within 16 business days of receiving a written request from a former employee (or their designee), furnish a signed written statement to the former employee (or their designee) stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons.

New Section 4 added provides employees or former employees the ability to enforce this law through a private cause of action in superior court and for each violation provide equitable relief, statutory damages, and reasonable attorney fees and costs (monetary penalties for employer violations are specified in the bill). Prior to enforcing the law through a private cause of action, the employee or former employee must give five calendar days' notice to the employer.

WSDA will incur costs related to staff time for responding to requests for access to personnel files and also responding to requests to furnish a signed written statement to a former employee stating the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons. Any costs incurred can be absorbed by existing resources.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital impact.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: 540-Employment Security Department
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.5	0.3	0.5	0.5
Account					
Employment Service Administrative Account-State 134-1	0	63,534	63,534	127,068	127,068
Total \$	0	63,534	63,534	127,068	127,068

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Daniel Hare	Phone: 360 902-9422	Date: 01/04/2024
Agency Approval: Sophal Espiritu	Phone: (360) 902-9254	Date: 01/04/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/08/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The striking amendment requires employers to provide, within 16 calendar days, personnel files upon request, clarifies which records must be included, and sets penalties for when files are not provided timely. Employees of agencies covered under the Public Records Act may request records within three years (instead of two years for other agencies).

Section 1: Clarifies which records must be included when requested by the employee.

Section 2: Requires employers to provide within 16 calendar days of receiving a request. Defines 'former employee' to include any person separated from the employer within three years of the date of the person's request.

Section 3: Requires Labor and Industries (LNI) to provide annual notice to employees of their rights regarding personnel files.

Section 4: Establishes a private cause of action for employees when the records are not delivered in a timely fashion.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

N/A

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Section 2 (4) imposes a 16- calendar day deadline on providing personnel files to current and former employees. As an employer, the Employment Security Department (ESD) will require the following:

- .5 FTE of a Human Resources Consultant 2 (HRC2) to comply with this requirement beginning in FY 2025 and ongoing in a permanent role to be able to obtain all documentation and respond timely. The total cost of this is estimated to be \$63,534 each year.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
134-1	Employment Service Administrative Account	State	0	63,534	63,534	127,068	127,068
Total \$			0	63,534	63,534	127,068	127,068

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.5	0.3	0.5	0.5
A-Salaries and Wages		33,427	33,427	66,854	66,854
B-Employee Benefits		13,371	13,371	26,742	26,742
C-Professional Service Contracts					
E-Goods and Other Services		7,575	7,575	15,150	15,150
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		9,161	9,161	18,322	18,322
9-					
Total \$	0	63,534	63,534	127,068	127,068

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Human Resource Consultant 2	64,445		0.5	0.3	0.5	0.5
Total FTEs			0.5	0.3	0.5	0.5

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

N/A

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1320 E 2S HB
S2.E. H-2261.1 F1

Title: Access to personnel records

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: All cities
- Counties: All counties
- Special Districts: All special districts
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: The number of current or former employees that will request personnel files; the amount of staff time required to furnish personnel records for each jurisdiction.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Kristine Williams	Phone: (564) 669-3002	Date: 12/28/2023
Leg. Committee Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 12/28/2023
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 12/29/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

Section 1 would amend RCW 49.12.240, adding a definition of personnel files for the purposes of RCW 49.12.240, 49.12.250, 49.12.260, and section 4 of the proposed legislation.

Section 2 would amend RCW 49.12.250, requiring an employer to furnish an employee, former employee, or their designee with a complete, un-redacted copy of their personnel file at no cost within 16 business days of a request. This section is amended to allow former employees of an agency the rights listed under this section for a period not to exceed three years. Requests made by employees who have been separated for more than three years are subject to chapter 42.56 RCW. This section would also mandate that an employer furnish a former employee with a signed written statement with the effective date of discharge, whether the employer had a reason for the discharge, and if so, the reasons, within 16 business days of the written request.

Section 3 would amend RCW 49.12.260 to require the Department of Labor and Industries to distribute information describing an employer's obligations and employee rights as described in this section and RCW 49.12.240, 49.12.250, and section 4 of this act, on an annual basis. Failure to do so does not relieve an employer of its obligations.

Section 4 would add a new section to chapter 49.12 RCW that would allow an employee or former employee to bring a private action for violations of the duties and rights described in RCW sections 49.12.240 through 49.12.260 and entitles the employee or former employee to equitable relief, graduated statutory damages up to \$1,000, and reasonable attorneys' fees and costs for each violation.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

This bill would have indeterminate impacts on local governments.

According to the Washington State Association of Counties, this bill would have a small impact on local governments, which already keep personnel files and are subject to reporting under the Public Records Act. According to RCW 49.12.240, all employees have the right to inspect their own personnel files at least once each year. Since state and local government agencies already maintain personnel records, the Public Employment Relations Commission does not expect local governments to incur significant costs providing current employees with their personnel files.

Local governments may be more likely to incur costs in terms of staff time in order to meet the 16 business day deadline, depending on the administrative capacity and records retention policies of the jurisdiction. If an employer is unable to meet the 16 business day deadline or does not permit an employee to inspect their personnel file at least annually, they would incur costs in the form of statutory damages starting at \$250, and up to \$1,000. Since it is unknown how many current or former employees that will request personnel files, the amount of staff time required to furnish personnel records for each jurisdiction, or the penalties local governments may incur for failing to meet the 16 business day deadline, the expenditure impacts for local governments are indeterminate.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This bill would not have revenue impacts on local governments.

SOURCES:

Association of Washington Cities

Bill Hearing, SB 5061, Labor & Commerce Committee, (January 12, 2023)

House Bill Report, SHB 1320, (2023)
Local Government Fiscal Note, SHB 1320, (2023)
Local Government Fiscal Note, SSB 5061, (2023)
Municipal Research Services Center
Public Employment Relations Commission
Senate Substitute Bill Report, SSB 5061, Labor & Commerce Committee, (2023)
Senate Bill Report, SB 5061, Labor & Commerce Committee, (2023)
Washington State Association of Counties

Individual State Agency Fiscal Note

Bill Number: 1320 E 2S HB S2.E. H-2261.1 F1	Title: Access to personnel records	Agency: SWF-SWF Statewide Fiscal Note - OFM
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 12/26/2023
Agency Preparation: Kathy Cody	Phone: 360-480-7237	Date: 01/04/2024
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 01/04/2024
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/05/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 defines "personnel file" to include, if the employer creates the records: job application records, performance evaluations, disciplinary records, medical and reasonable accommodation records, payroll records, employee agreements, and all other records maintained in a personnel or employment file.

Section 2 (1) creates a 16-day requirement to furnish a complete no-cost copy of an employee's personnel file, upon request of the current or former employee.

Section 2 (4) creates a 16-day requirement to furnish a signed statement regarding an employee's date of and reason for discharge, upon written request of the former employee.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

There will likely be fiscal impact to agencies, since agencies will be required to provide personnel files within a certain time frame which will create additional administrative work. Additionally, any agency that cannot provide the records within the required time period may be assessed statutory damages between \$250 to \$1,000 depending on the delay and/or particular failure to respond. However, it is impossible to know what the impact on affected agencies will be.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.