



June 13, 2018

VIA USPS FIRST CLASS MAIL

Jason Zaccaria, Chief Executive Officer
Benton-Franklin Health District
7102 W. Okanogan Pl.
Kennewick, WA 99336

RE: Protecting Represented Employee Privacy

Dear Jason Zaccaria:

As the exclusive bargaining representative for nurses at your facility, Washington State Nurses Association is requesting that we work together to protect represented nurses from invasions of their privacy and identity theft. As we all know, it is all too easy to open false credit card requests and otherwise invade individual privacy by disclosures of personal information.

Recently, the Washington Court of Appeals acknowledged that placing names together with birthdates in the public domain subjects state employees "to an ongoing risk of identity theft and other harms." *Washington Pub. Empl. Ass'n v. Washington State Ctr. For Childhood Deafness & Hearing Loss*, 1 Wn. App. 2d 225, 234 (2017). The Court therefore held that under the state constitution, "a state employee is entitled to an expectation of privacy in his or her full name associated with his or her corresponding birthdate."

While this and other cases wind their way through the courts, it is important that employers not release vital personal information to third parties who might exploit their information for improper purposes.

We therefore ask that if you receive a request for information concerning represented nurses, you immediately provide WSNA with a copy of the request. We ask that you give us 14 days before responding, so that we can raise any privacy concerns with you, and if appropriate, seek legal relief against the third party to block disclosure. Please contact Christine Watts, WSNA Senior Director of Labor, 206-575-7979 ext. 3016, to advise us when or if you receive a request.

We share a mutual interest in protecting all employees from the unintended consequences of disclosure. Let us work together to protect nurses' privacy.

Sincerely,

Timothy Sears

Timothy Sears
Chief General Counsel
Washington State Nurses Association