



Administrative Policies

Public Records Request Policy

POLICY #:	<i>ADM-3015</i>
EFFECTIVE:	<i>December 15, 2023</i>
SUPERSEDES:	<i>N/A</i>

PURPOSE:

This policy provides instruction for requesting access to WorkForce Central’s public records and establishes WorkForce Central’s procedures for providing full access to public records.

BACKGROUND:

Chapter [RCW 42.56](#) of the Public Records Act requires the availability for inspection and copying of nonexempt public records in accordance with published rules. The act defines “*public records*” to include any “*writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained*” by the agency.

The purpose of the act is to provide the public full access to records concerning the conduct of government, mindful of individuals’ privacy rights, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, WorkForce Central will be guided by the provisions of the act describing its purposes and interpretation.

RECORDS SUBJECT TO PUBLIC DISCLOSURE

Records associated with WorkForce Central are subject to the Public Records Act, unless an applicable exemption applies, including information posted to WorkForce Central social media sites. The names of WorkForce Central and subrecipient staff in positions funded by federally awarded grants, in part or in whole, will be a matter of public record. Other information pertaining to these employees will be made available to the public in the same manner and to the same extent as such information is made available about staff in positions not funded with federal resources.

RECORDS EXEMPT FROM PUBLIC DISCLOSURE

The Public Records Act provides that several types of records are exempt from public inspection and copying. In addition, records are exempt from disclosure if any other statute exempts or prohibits disclosure. Exemptions outside the Public Records Act that restrict the availability of some records held by WorkForce Central for inspection and copying are located on WorkForce Central's [exemption from disclosure list](#).

If WorkForce Central believes that a record is exempt from or prohibited from disclosure and should be withheld, the Public Records Coordinator or designee will state the specific exemption or prohibition and a brief explanation under which the record or a portion of the record is being withheld. If only a portion of a record is exempt or prohibited from disclosure, but the remainder is not exempt or prohibited, the Public Records Coordinator will redact the exempt or prohibited portions, provide the nonexempt portions, and indicate to the requester why portions of the record are being redacted.

Personal records of federally funded registrants will be private and confidential and will not be disclosed to the public ([Privacy Act of 1974](#), [DOL ETA Training and Employment Guidance Letter 39-11](#), [ESD Policy 5403, Rev.2](#)). WIOA Title I registrants' personal information may be made available to WorkSource partners or service providers on a selective basis consistent with the registrant's signed [Authorization to Share Information and Records form](#) located in the registrant's program file. Federally funded registrants' personal information may be made available to persons or entities having responsibilities under the federally funded grant, including representatives of the U.S. Department of Labor, the Governor, applicable federally funded grant recipients, public agencies, and local subrecipients for authorized purposes only such as auditing and monitoring activities. Individuals receiving federally funded services will have access to information concerning themselves unless the records or information are exempt from disclosure.

In the event the requested records contain information that may affect rights of others, the Public Records Coordinator or designee may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given to make it possible for those other persons to contact the requester and ask them to revise the request or, if necessary, to seek an order from a court to prevent or limit the disclosure. The notice to the affected personal will include a copy of the request.

WorkForce Central is prohibited by statute from disclosing lists of individuals served through its programs for commercial purposes.



REQUESTING ACCESS TO PUBLIC RECORDS

Requests to access WorkForce Central's public records, or requests for assistance in making such a request should be emailed to the Public Records Coordinator at info@workforce-central.org.

The Public Records Coordinator, or authorized designee will oversee compliance with the Act and provide full assistance to the requester. The Public Records Coordinator, or authorized designee will ensure public records are protected from damage or disorganization, and prevent fulfillment of public records requests from causing excessive interference with essential functions of WorkForce Central.

AVAILABILITY OF PUBLIC RECORDS

- A. *Hours of Inspection of Records.*** Public records are available for inspection and copying during normal WorkForce Central business hours, Monday through Friday, 8:00am to 5:00pm, excluding WorkForce Central's recognized holidays. Records must be inspected at WorkForce Central's administrative office.
- B. *Organization of Records.*** WorkForce Central maintains its records in a reasonably organized manner. WorkForce Central will take reasonable actions to protect records from damage and disorganization. WorkForce Central will provide copies of requested records for review. A requester may not remove records from the WorkForce Central office. A variety of records are available on the WorkForce Central website at [Home- WorkForce Central \(workforce-central.org\)](http://Home-WorkForceCentral.workforce-central.org). Requesters are encouraged to view the records available on the website prior to submitting a records request.
- C. *Submitting a Public Records Request.***
 - a.** Public records requests should be submitted in writing to avoid misunderstandings. Requests should be addressed to the WorkForce Central Public Records Coordinator at WorkForce Central's administrative office. Requests may be delivered by:
 - i.** U.S. mail, addressed to:
Public Records Coordinator
WorkForce Central
3640 S. Cedar St., Suite E Tacoma,
WA 98409
 - ii.** Email: info@workforce-central.org
 - iii.** Online request: [WorkForce Central Public Records Request](#)

- b. A request for public records should include the following information:
 - i. Requester's contact information including:
 - Full legal name
 - Mailing address
 - Telephone number
 - Email address
 - ii. Date and time of the request
 - iii. Whether the requester seeks to inspect or obtain copied records
- c. If a requester seeks records that would include a list of individuals, the requester will be required to provide a declaration under penalty of perjury certifying sufficient facts from which the Public Records Coordinator or designee can reasonably determine the records will not be used for any commercial purpose (profit-expecting activity) as prohibited by [RCW 42.56.070\(8\)](#) unless specifically authorized by other law. The Public Records Coordinator is authorized to conduct research to confirm whether the request is for commercial purposes.
- d. Persons requesting public records for which other laws limit or prohibit disclosure to a particular class of persons or for limited purposes will be required to provide a declaration under penalty of perjury certifying sufficient facts from which the Public Records Coordinator or designee can reasonably determine that the legal requirements for disclosure of such records to the requester have been met. Where access to a record is limited by law to a specific class of persons such as the individual who is the subject of the records, WorkForce Central may require the requester to appear in person and provide government issued identification prior to inspection or copying. WorkForce Central may copy the identification and retain it in the record response file.
- e. Records available in electronic format that do not require redaction may be provided to a requester in native format unless the requester specially asks that they be provided in paper or other form. When requested and deemed by WorkForce Central to be reasonably translatable, electronic records may be converted from one format to another electronic format.

D. Charges for Copies.

- a. No fee may be charged for the inspection of the public records.
- b. No fee may be charged for locating public records and making them available for

- c. WorkForce Central will charge fees for customized services pursuant to [RCW 42.56.120\(3\)](#).

PROCESSING PUBLIC RECORDS REQUESTS

- A. *Providing "Fullest Assistance"*. WorkForce Central is charged by statute with adopting rules for how it will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide fullest assistance to requesters, and provide the timeliest possible action on public records requests. The Public Records Coordinator or designee will process requests in the order that allows the most requests to be processed in the most efficient manner. Public records should be made available without disrupting other functions of the offices.
- B. *Acknowledging Receipt of the Request*. Within five (5) business days of receipt of the request, the Public Records Coordinator will do one or more of the following:
 - a. Acknowledge receipt of the request and provide, in writing, a reasonable estimate of time required to respond to the request. The public records officer or designee may revise the estimate of time as circumstances warrant.
 - b. Acknowledge receipt of the request and request clarification if the request is unclear in whole or in part and provide to the greatest extent possible a reasonable estimate of the time required to respond in the absence of further clarification by the requester. Such clarification may be requested and provided by telephone, but it is preferred to confirm clarifications in writing. If no clarification is provided by the requester, WorkForce Central will respond to only portions of the request that are clear.
 - c. Make the records available for inspection or provide copies as requested.
 - d. Provide an internet address and link to the WorkForce Central website to the specific record requested, except that if the requester notifies the agency that they cannot access the record through the internet, then WorkForce Central must provide copies of the records or make them available for inspection.
 - e. Deny the request in whole or in part.

If Workforce Central does not respond in writing within five (5) business days of receipt of the request for disclosure, the requester should contact the Public Records Coordinator



to determine the reason or the failure to respond.

C. *Inspection of Records*

- a. WorkForce Central will provide space to inspect public records. No member of the public may remove a record from the viewing area or disassemble or alter any record. The requester should indicate which records they wish the agency to copy.
- b. The requester must claim or review the assembled records within 30 days of WorkForce Central's notification that the records are available for inspection or copying. WorkForce Central will notify the requester in writing of this requirement and inform the requester that they should contact WorkForce Central to make arrangements to claim or review the records. If the requester or a representative of the requester fails to claim or review the records within the 30-day period WorkForce Central may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or similar records, which will be processed as a new request.

D. *Providing Records.* If the request is for a large number of records, and determined most practical, the Public Records Coordinator or designee will provide access for inspection and copying in installments. If, within 30 days, the requester fails to inspect the entire set of records or one or more of the installments after being made available, the Public Records Coordinator or designee may stop searching for and/or compiling remaining records and close the request. If a requester fails to retrieve records made available through WorkForce Central's web portal or file transfer protocol service after receiving notice of the availability of the records, WorkForce Central may stop providing further installments of records and close out the request.

E. *Completion of Inspection.* When the inspection of the requested records is completed and all requested copies are provided, the Public Records Coordinator or designee will indicate that WorkForce Central has completed a diligent search for the requested records and made non-exempt records available for inspection.

F. *Closing Withdrawn or Abandoned Request.* Public records requests may be closed when a request is withdrawn or abandoned. Requests will be considered abandoned when a requester fails to fulfill their obligation to inspect the records or retrieve the records, when the requester fails to pay for the records or fails to pay an installment, or the requester fails to respond to WorkForce Central's request for clarification to the public records request. The Public Records Coordinator may attempt to contact the requester and advise that WorkForce Central has closed the request. Such an advisement is not



necessary when a requester has been previously notified that inaction will result in closing of the request.

- G. *Later Discovered Records.* If, after WorkForce Central informed the requester that it has provided all available records, WorkForce Central becomes aware of additional responsive records existing at the time of the request, it will promptly inform the requester of the additional records and provide them on an expedited basis.

H. *Protection of Records and Functions.*

- a. Public records should be available without disrupting WorkForce Central operations.
- b. WorkForce Central may follow a reasonable schedule regarding retrieval of a record from an off premise storage site so that no more than one trip per week to the remote site is required.
- c. Only authorized WorkForce Central staff will make requested copies.
- d. Prior arrangements must be made for the review of video or audio recordings. A WorkForce Central staff member will be assigned to operate the WorkForce Central recording equipment necessary to listen to or rerecord the original recording to protect originals.
- e. In the rare occurrence original records may not be copied, review of the records will be done only in the immediate presence of and under the supervision of a WorkForce Central employee responsible for protecting the originals against damage, alteration, or disorganization by the requester.

REVIEW OF DENIALS OF PUBLIC RECORDS

- A. *Petition for Internal Administrative Review of Denial of Access.* A person who objects to the initial denial or partial denial of a records request may petition in writing to the Public Records Coordinator or designee for a review of that decision. The petition should include a copy of or reasonably identify the written statement by the Public Records Coordinator or designee denying the request.
- B. *Consideration of Petition for Review.* The Public Records Coordinator or designee should promptly provide the petition and any other relevant information to the WorkForce Central CEO. WorkForce Central CEO or CEO's designee will consider the petition and either affirm or reverse the denial following the agency's receipt of the petition and within a mutually agreeable time between the WorkForce Central and the requester.

- C. *Judicial Review.* A person may obtain judicial review of a public records request denial pursuant to [RCW 42.56.550](#).


GENERAL DUTY AND DISCLAIMER

This policy is not intended to create, otherwise establish, or designate any particular class or group of persons who will or should be specially protected or benefited by its terms. It is the specific intent of this policy that none of its provisions impose any duty whatsoever upon WorkForce Central, its elected officials, or employees. Nothing contained in this policy is intended, nor should it be otherwise construed, to form the basis of any liability on the part of WorkForce Central, its elected officials, employees, or agents, for any act, omission, injury, or damage. This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms in this policy such as “should” or “will”, nothing in this policy is intended to impose any mandatory duties upon WorkForce Central beyond those imposed by state and federal law.

REFERENCES

- 2 CFR 200.337
- RCW 42.56, Public Records Act
- ESD Policy 5403, Rev. 2 – Records Retention and Public Access

APPROVED


[Katie Condit \(Dec 15, 2023 10:01 PST\)](#)
Katie Condit, WorkForce Central CEO

Dec 15, 2023

Date

WorkForce Central is an equal opportunity employer/program. Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.