

January 17 Public Records Act Injunction Against Hundreds of School Districts, Hospital Districts, Cities, Etc.

Legal Alert
January 21, 2020
Foster Garvey Newsroom

Government entities responding to Public Records Act (“PRA”) requests for certain employee information need to closely monitor the Thurston County Superior Court lawsuit brought by several unions against recent Freedom Foundation PRA requests. A court ruling on Friday (January 17) added hundreds of school districts, hospital districts, cities, etc. to the list of defendants in that suit, and then extended that suit’s December 27 PRA injunction order to cover those new defendants.

The December 27 order defines a “protected employee” as an employee who gave their union one of the documents specified in that order to show the employee (or a family member) was a victim of domestic violence, sexual assault, or stalking. That order also outlined a process for determining who those “protected employees” are – including a requirement that parties file status reports on February 25 and appear at a March 6 hearing on their progress. (Meanwhile, parties wishing to respond to the Freedom Foundation’s request for direct appeal in the Washington Supreme Court must do so by January 23.)

As for PRA disclosures by the newly added defendants in response to the Freedom Foundation requests, the generalized result of the court’s January 17 extension is (1) up **until** March 31, the newly added defendants cannot disclose the name, birth month & day, work email, and bargaining unit indicator of any employee represented by one of the plaintiff unions, and (2) starting **on** March 31, they cannot make that disclosure with respect to a “protected employee.” A link to the court’s December 27 Order is [here](#) and a link to the January 17 is [here](#).

Contact

Thomas F. Ahearne
Adrian Urquhart Winder

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If you have any questions about protecting your interests with respect to this ongoing PRA litigation or its injunctions, please contact [Tom Ahearne](#) or [Adrian Winder](#).