

Introduced by Senator Lieu

February 22, 2013

An act to amend Section 1094 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 558, as introduced, Lieu. Unemployment insurance: Employment Development Department:

Under existing law, information obtained by the Employment Development Department in the administration of unemployment insurance laws is confidential, subject to specified exceptions, including that an employee or the employee's representative may receive his or her wage information upon his or her written request.

This bill would delete the requirement that the employee's request to receive his or her wage information be in writing.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1094 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1094. (a) Except as otherwise specifically provided in this
- 4 code, the information obtained in the administration of this code
- 5 is confidential, not open to the public, and shall be for the exclusive
- 6 use and information of the director in discharge of his or her duties.
- 7 (b) The information released to authorized entities pursuant to
- 8 other provisions of the code shall not be admissible in evidence

1 in any action or special proceeding, other than one arising out of
2 the provisions of this code or one described in Section 1095.

3 (c) The information may be tabulated and published in statistical
4 form for use by federal, state, and local governmental departments
5 and agencies, and the public, except that the name of the employing
6 unit or of any worker shall never be divulged in the course of the
7 tabulation or publication.

8 (d) Wages as defined by Section 13009 and amounts required
9 to be deducted and withheld under Section 13020 shall not be
10 disclosed except as provided in Article 2 (commencing with
11 Section 19542) of Chapter 7 of Part 10.2 of Division 2 of the
12 Revenue and Taxation Code.

13 (e) Any employee or his or her representative may receive ~~his~~
14 ~~or her~~ *the employee's* wage information upon ~~written~~ request by
15 the employee. The information shall be provided without charge.

16 (f) Any person who knowingly accesses, uses, or discloses any
17 confidential information without authorization is in violation of
18 this section and is guilty of a misdemeanor.