

## Frequently Asked Questions

### What data did the Seattle Times request?

[The Seattle Times requested this information](#) regarding all participants of DRS-administered retirement plans from 7/1/23 through 6/30/24:

- Full names
- Dates of birth
- Entry dates
- Retirement dates
- Withdrawal dates
- Employer/Department numbers
- Employer/Department names
- Employer/Department city, state, and ZIP code [Does not include addresses]
- Employment codes
- Employment descriptions
- Retirement systems/types
- Retirement plans
- Service credits (years of service)
- Annual salaries
- Monthly retirement benefits
- Average final compensation

### What does the data look like when DRS sends it to the Seattle Times?

These examples show what the data looks like, with Line 2 representing someone who is still working and Line 3 representing someone who is retired:

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
	Last	First	Middle	DOB	Sys-Plan	Entry Date	Retmt Date	Withdrawal Date	Dept	Dept Name	Dept City	Dept St	Dept Zip	Transmittal Code (Empl code)	Transmittal Desc (Empl Desc.)	Annual Salary	Retmt Monthly Benefit
2	DOE	JANE	A	19700510	P3	19970225	0	0	155	SOCIAL & HEALTH	OLYMPIA	WA	98504	1	STATE GOVERNMENT EMPLOYEE	76912	0
3	DOE	JOHN	B	19490309	P1	19680201	20021001	0	142	NATURAL RESOL	OLYMPIA	WA	98504	1	STATE GOVERNMENT EMPLOYEE	78357	2256.21

### Why is DRS providing my birth date?

The Public Records Act allows agencies to withhold birth dates in response to requests from non-media requestors, but under [RCW 42.56.250\(1\)\(i\)\(iv\)](#), traditional media organizations have the right to obtain birth dates. This is why DRS is providing this information to the Seattle Times.

### What will the Seattle Times do with this information?

The Public Records Act allows agencies to have requestors complete a [Declaration of Non-Commercial Purpose](#), and the Seattle Times has completed this form. Beyond that, the law doesn't allow agencies to ask further questions about what requestors will do with the information.

Even though they are not legally required to provide an explanation, the Seattle Times gave DRS [a letter](#) describing how they use the information. If you have additional questions about what the Seattle Times will do with this information, you need to reach out to them directly. The name and contact information is on the letter and on the Declaration of Non-Commercial Purpose.

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### May I see a copy of the Seattle Times' request?

Here is a copy:

What kind of Request is this?:

Type of Requestor: Media

Type of Record(s) Requested: Other

Exclude from reports?: No

Describe the Record(s) Requested: Good evening,

The Seattle Times is requesting a data extract from the Department of Retirement Systems (DRS) on all participants of DRS administered retirement systems. We have received these data multiple times in the past and would like an updated version.

The database should include retirees and members during the actuary valuation period 07/01/2023 to 06/30/2024. The data should include all participants who either received a retirement benefit or were members during the valuation period. We'd like the monthly benefit amount for retirees and the annual compensation amount for members. Also, please include members with contributions that have not been withdrawn from the retirement system and were not active during the period.

I am aware it is DRS policy to notify about this request all individuals whose information is included in the database. To avoid causing unnecessary concern among them, I would deeply appreciate if you could include the attached explanation letter in your communications to all individuals.

Thank you very much in advance, and please don't hesitate to let me know if you have any questions.

Date Range From: 7/1/2023

Date Range To: 6/30/2024

Along with the request, the Seattle Times also provided a letter explaining what they do with the information.

In addition, after submitting the request, the Seattle Times told DRS the data elements that they are requesting [see the first FAQ] and provided a signed Declaration of Non-Commercial Purpose.

### How can it be legal for DRS to provide this information to the Seattle Times in light of the state's data privacy protections?

State law does contain strong privacy protections for certain types of information. At the same time, though, it also contains strong public disclosure laws, called the Public Records Act.

In drafting data privacy bills such as [ESSB 5432](#), which passed in 2021, the Legislature has preserved requestors' rights to obtain certain information under the Public Records Act. As a result, requestors can still get a lot of information about state and local government employees, particularly requestors who are part of the traditional news media. Under the Public Records Act [specifically, [RCW 42.56.250](#)] DRS needs to provide this information to the Seattle Times

### How can you guarantee my safety?

The Seattle Times is not requesting, and will not receive, your home or work address, Social Security number, phone number, personnel number, DRS member ID, or any of your banking information. In regard to the information that the Seattle Times will receive, such as your name, the name of your employer, and your annual salary: state law [\[RCW 42.56.250\]](#) requires DRS to provide this information to the Seattle Times.

DRS does not make promises regarding the security of the information after the Seattle Times receives it. However, the Seattle Times has made this request, and received this information, annually for several

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years.

### **How can the Seattle Times say this isn't a commercial purpose?**

As part of their request, the Seattle Times provided a signed Declaration of Non-Commercial Purpose. Part of the Public Records Act [[RCW 42.56.070\(8\)](#)] allows agencies to have requestors fill out this form when requesting lists of names.

The “commercial purpose” that this law refers to is selling a list for profit, using it to reach out to the people whose names are on the list to try to sell them something, or other direct commercial uses such like this. The way that the Seattle Times uses this information does not qualify as a “commercial purpose” under this law.

### **What does the Seattle Times do with this information?**

The Seattle Times provided a description in a letter that they submitted along with their request. If you have further questions after reading the letter, please contact the Seattle Times directly. DRS cannot speak for the Seattle Times, and the Public Records Act does not give DRS the authority to inquire further.

### **Why is DRS giving the Seattle Times the information even though they didn't complete the Purpose section of the Declaration of Non-Commercial Purpose form?**

Although the Seattle Times didn't fill out that section of the form, they provided a letter describing the purpose of their request.

### **What can I do to prevent DRS from releasing my information?**

If you want to prevent the release of your information, you need to get an injunction. If you believe that you qualify for an injunction, you or your attorney need to pursue it by bringing a motion to Superior Court.

If the court finds that your situation meets the requirements of [RCW 42.56.540](#) and grants the injunction, you need to send a copy to [drs.pdrnotice@drs.wa.gov](mailto:drs.pdrnotice@drs.wa.gov) by the end of the day on Friday, February 21, 2025. DRS will not get the injunction for you and cannot assist or provide advice regarding obtaining an injunction.

### **What's an employee transmittal code, and does it include my bank account information?**

This is an internal code that DRS uses to categorize member and retiree information, and it's related to the category of employment [such as state government employees or school district employees]. This is not related to your financial institution account.

### **Who notifies retirees about the Seattle Times request?**

DRS notifies employers, unions, and organizations that represent retirees [including but not limited to the Retired Public Employees Council of Washington, the Washington State School Retirees Association, and others]. It is these organizations' responsibility to notify their employees or members.

The Public Records Act does not actually require state agencies to provide notification to affected parties about requests for their information, but DRS voluntarily chooses to notify employers, unions, and retiree organizations.

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### **Why did I receive this notice even though I haven't retired?**

The annual records request from the Seattle Times applies to all members of all DRS-covered retirement plans, including retired and non-retired members.

### **Why did I receive this even though I don't work for the state?**

The annual records request from the Seattle Times applies to all members of all DRS-covered retirement plans. Most public sector employees in Washington are part of DRS-covered retirement plans, regardless of whether they work for the state, a school district, a city or town, a public utility district, or some other state or local government.

### **Is there a permanent opt-out regarding these types of requests, or is there an exception for victims of crimes such as domestic violence or stalking, or for people who are part of the Address Confidentiality Program?**

State law does not provide a way to permanently opt out of these types of requests. However, the Washington Legislature passed a bill in 2023 [[ESHB 1533](#)] that lets some people who work for public employers prevent their information from being released in response to public records requests from non-media requestors. Please [click here](#) to learn more about who qualifies for this protection and what employers need to do to implement it.

However, these protections don't apply to requests from members of traditional media organizations. As a result, DRS is required to provide your information to the Seattle Times unless you get an injunction.

If you believe that you qualify for an injunction, you or your attorney need to pursue it by bringing a motion to Superior Court.

If the court finds that your situation meets the requirements of [RCW 42.56.540](#) and grants the injunction, you need to send a copy to [drs.pdrnotice@drs.wa.gov](mailto:drs.pdrnotice@drs.wa.gov) by the end of the day on Friday, February 21, 2025. DRS will not get the injunction for you and cannot assist or provide advice regarding obtaining an injunction.