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1 **A. MEMORANDUM OF UNDERSTANDING**
2 **BETWEEN**
3 **THE STATE OF WASHINGTON**
4 **AND**
5 **WASHINGTON PUBLIC EMPLOYEES ASSOCIATION HIGHER**
6 **EDUCATION**

7 **Data Sharing Agreement**

8 This Memorandum of Understanding (MOU) by and between Washington State
9 (Employer), the Washington State Office of Financial Management, State Human
10 Resources, Labor Relations & Compensation Policy Section, and the Washington Public
11 Employees Association Higher Education (Union) is entered into for the purposes of
12 obtaining a Data Sharing Agreement (DSA) with the Washington Public Employees
13 Association Higher Education which ensures that OFM confidential information is
14 provided, protected, and used only for purposes authorized by the data sharing agreement.
15 DSAs are part of a suite of tools designated to safeguard and protect employee information.
16 DSAs are a best practice when an agency shares category 3 or higher data. Additionally,
17 the Office of the Chief Information Officer outlines in policy #[141.10](#) that when an agency
18 shared category 3 or higher data outside of their agency, an agreement must be in place
19 unless otherwise prescribed by law.

20 Data shared under the DSA will be in response to information requests, status reports, and
21 voluntary deductions reporting as set forth in the collective bargaining agreement and
22 covers both Category 3 and 4 data, including Personal Information and Confidential
23 Information that OFM may provide.

24 **Category 3 – Confidential Information**

25 Confidential information is information that is specifically protected from either release or
26 disclosure by law. This includes, but is not limited to:

- 27 a. Personal information as defined in [RCW 42.56.590](#) and [RCW 19.255.10](#).
- 28 b. Information about public employees as defined in [RCW 42.56.250](#).

- 1 c. Lists of individuals for commercial purposes as defined in [RCW 42.56.070](#) (9).
- 2 d. Information about the infrastructure and security of computer and
- 3 telecommunication networks as defined in [RCW 42.56.420](#).

4 **Category 4 – Confidential Information Requiring Special Handling**

5 Confidential information requiring special handling is information that is specifically

6 protected from disclosure by law and for which:

- 7 a. Especially strict handling requirements are dictated, such as by statutes,
- 8 regulations, or agreements.
- 9 b. Serious consequences could arise from unauthorized disclosure, such as threats to
- 10 health and safety, or legal sanctions.

11 **In recognition of the above, the parties agree to the following:**

12 The Employer and the Washington Public Employees Association Higher Education strive

13 to ensure that any sharing of personal or confidential information is supported by a written

14 DSA, which will address the following:

- 15 (1) The data that will be shared.
- 16 (2) The specific authority for sharing the data.
- 17 (3) The classification of the data shared.
- 18 (4) Access methods for the shared data.
- 19 (5) Authorized users and operations permitted.
- 20 (6) Protection of the data in transport and at rest.
- 21 (7) Storage and disposal of data no longer required.
- 22 (8) Backup requirements for the data if applicable.
- 23 (9) Other applicable data handling requirements.
- 24

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1 **The provisions contained in this MOU become effective on July 1, 2027. This MOU**
2 **shall expire June 29, 2029.**

3

An electronic signature to this Agreement shall be given effect as if it were an original signature.

For the Employer

For the Union

Inti Tapia, Labor Negotiator
OFM/SHR Labor Relations &
Compensation Policy Section

Steve Sloniker,
Director of Contract Administration
WPEA

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