

**151B.280 Office of Employment and Training -- Duties -- Executive director -- Confidentiality of information.**

- (1) The Office of Employment and Training is created and established within the Department of Workforce Investment within the Education and Workforce Development Cabinet. The Office of Employment and Training shall develop and operate employment development and placement programs, including job recruitment and business liaison functions, employability development and training programs, and job counseling and placement programs of the cabinet. In addition, the office shall develop and operate all programs relating to the unemployment insurance laws of the Commonwealth, including responsibilities relating to hearing and judging unemployment insurance benefit appeals.
- (2) The Office of Employment and Training shall be headed by an executive director appointed by the secretary with the approval of the Governor, in accordance with KRS 12.050. The executive director for employment and training shall be a person who, by experience and training in administration and management, is qualified to perform the duties of the office. The executive director for employment and training shall exercise authority over the Office of Employment and Training under the direction of the commissioner of the Department of Workforce Investment, and shall fulfill only the responsibilities delegated by the commissioner.
- (3)
  - (a) The secretary of the Education and Workforce Development Cabinet shall develop and promulgate administrative regulations which protect the confidential nature of all records and reports of the Office of Employment and Training which directly or indirectly identify a client or former client and which ensure that these records are not disclosed to or by any person except and insofar as:
    1. The person identified shall give his consent; or
    2. Disclosure may be permitted under state or federal law.
  - (b) Notwithstanding any other state statute or administrative regulation to the contrary, any information concerning individual clients or applicants in the possession of the Office of Employment and Training may be shared with any authorized representative of any other state or local governmental agency, if the agency has a direct, tangible, and legitimate interest in the individual. The agency receiving the information shall assure the confidentiality of all information received. The Office of Employment and Training may share information concerning a client or applicant with any private or quasi-private agency if:
    1. The agency has an agreement with the cabinet assuring the confidentiality of the information; and
    2. The agency has a direct, tangible, and legitimate interest in the individual.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 11, sec. 25, effective June 25, 2009. -- Amended 2006 Ky. Acts ch. 211, sec. 53, effective July 12, 2006. -- Created 1996 Ky. Acts ch. 271, sec. 1, effective July 15, 1996.