

**151B.280 Offices within Department of Workforce Investment -- Administrative regulations -- Confidentiality of information.**

- (1) The Office of Unemployment Insurance is created and established within the Department of Workforce Investment within the Education and Workforce Development Cabinet. The Office of Unemployment Insurance shall be headed by an executive director appointed by the Governor pursuant to KRS 12.050 who shall report to the commissioner of the Department of Workforce Investment.
- (2) The Office of Employer and Apprenticeship Services is created and established within the Department of Workforce Investment within the Education and Workforce Development Cabinet. The Office of Employer and Apprenticeship Services shall be headed by an executive director appointed by the Governor pursuant to KRS 12.050 who shall report to the commissioner of the Department of Workforce Investment.
- (3) The Career Development Office is created and established within the Department of Workforce Investment within the Education and Workforce Development Cabinet. The Career Development Office shall be headed by an executive director appointed by the Governor pursuant to KRS 12.050 who shall report to the commissioner of the Department of Workforce Investment.
- (4)
  - (a) The Office of Adult Education is created and established within the Department of Workforce Investment within the Education and Workforce Development Cabinet. The Office of Adult Education shall be headed by an executive director appointed by the Governor pursuant to KRS 12.050 who shall report to the commissioner of the Department of Workforce Investment.
  - (b) All employees of the Office of Adult Education (Kentucky Skills U) shall be unclassified employees.
- (5)
  - (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 Unemployment Insurance, the Career Development Office, and the Office of Employer and Apprenticeship Services 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 Department of Workforce Investment 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 Department of Workforce Investment 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 27, 2019

**History:** Amended 2019 Ky. Acts ch. 146, sec. 14, effective June 27, 2019. -- 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.