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June 22, 1990

Randy Ripplinger, Reporter
KATU
P.O. Box 2
Portland, OR 97207

Re: **Petition for Public Records Disclosure Order; Employment Division Records**

Dear Mr. Ripplinger:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on June 18, asks the Attorney General to order the Employment Division (division) to provide copies of "unemployment claims filed by any and all former employees of any and all offices of American Handicapped Workers of the Northwest, Inc., during the calendar years 1984, 1985, 1986, 1987, 1988, 1989, 1990." For the reasons that follow, we respectfully deny your petition.

The records you seek are covered by ORS 657.665(1)(a). That statute provides, in relevant part:

> "(1) Information secured from employing units, employees or other individuals pursuant to this chapter:
>
> "(a) Shall be confidential and for the exclusive use and information of the assistant director in the discharge of duties and shall not be open to the public (other than to public employees in the performance of their public duties * * *)." (Emphasis added.)

The unemployment compensation claims you have requested are "information secured from * * * employees" under ORS chapter 657 and, therefore, are confidential under ORS 657.665(1)(a).

This unambiguous and mandatory confidentiality provision is bolstered by ORS 657.665(7). Under that subsection, any division officer or employee who discloses confidential information may be disqualified from holding any appointment or employment by the assistant director of the Employment Division.

The ORS 657.665(1)(a) prohibition against disclosure is incorporated into the Public Records Law by ORS 192.502(8). Accordingly, the Employment Division may not disclose the requested records. For this reason, we deny your petition.

Sincerely,

PAMELA L. ABERNETHY
Special Counsel to the
Attorney General

PLA:RDW/6512Y
cc: Marjorie Byerley, Acting Manager
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Employment Division
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