

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 60.2-623 of the Code of Virginia, relating to Virginia Employment*  
3 *Commission procedures; transcripts of testimony.*

4 [H 452]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 60.2-623 of the Code of Virginia is amended and reenacted as follows:**

8 § 60.2-623. Procedure generally; confidentiality of information.

9 A. The manner in which disputed claims shall be presented, reports required from the claimant and  
10 from employers, the conduct of hearings and appeals before any deputy, appeal tribunal or the  
11 Commission, and transcripts prepared shall be in accordance with regulations prescribed by the  
12 Commission for determining the rights of the parties. Such regulations need not conform to common law  
13 or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be  
14 kept of all proceedings in connection with a disputed claim. All testimony at any hearing upon a  
15 disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further  
16 appealed and a timely request for a hearing before the Commission has been made in accordance with  
17 regulations prescribed by the Commission. *In lieu of providing a transcript, and with the consent of all*  
18 *parties who participated in the hearing, the Commission may provide a digital or other electronic*  
19 *recording of the testimony taken at any hearing, which recording may be transmitted in any medium*  
20 *provided that the recording is protected from unauthorized interception by reasonable security measures.*

21 B. Information furnished the Commission under the provisions of this chapter shall not be published  
22 or be open to public inspection, other than to public employees in the performance of their public  
23 duties. Neither such information, nor any determination or decision rendered under the provisions of §§  
24 60.2-619, 60.2-620 or § 60.2-622, shall be used in any judicial or administrative proceeding other than  
25 one arising out of the provisions of this title; however, the Commission shall make its records about a  
26 claimant available to the Workers' Compensation Commission if it requests such records. The  
27 Commission may also, in its discretion, furnish copies of the transcript of hearings to any party.

28 C. Notwithstanding the provisions of subsection B, the Commission shall, on a reimbursable basis,  
29 furnish wage and unemployment compensation information contained in its records to the Secretary of  
30 Health and Human Services and Virginia's child support enforcement agency for their use as necessary  
31 for the purposes of the National Directory of New Hires established under § 453 (i) of the Social  
32 Security Act.

33 D. Notwithstanding the provisions of subsection B, the Commission shall, upon written request,  
34 furnish any agency or political subdivision of the Commonwealth such information as it may require for  
35 the purpose of collecting fines, penalties, and costs owed to the Commonwealth or its political  
36 subdivisions. Such information shall not be published or used in any administrative or judicial  
37 proceeding, except in matters arising out of the collection of fines, penalties, and costs owed to the  
38 Commonwealth or its political subdivisions.

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