



POLICIES AND PROCEDURES

POLICY TYPE:	Protection of Confidential Information and Data
EFFECTIVE:	July 1, 2016
REVISED:	August 25, 2021

REFERENCES

- TEGL 39-11 Handling and Protection of Personally Identifiable Information (PII)
- 2 CFR 200.79 Personally Identifiable Information
- CCWO OED Joint Policy; Confidentiality and Access to Information and Data
- Oregon Revised Statutes 192.001, Protection and Storage of Public Records
- Oregon Revised Statutes §162.425, Misuse of Confidential Information –
- Oregon Revised Statutes 657.665 Confidentiality of Information
- Oregon Revised Statutes §676.177, Interagency shared Information System –
- Oregon Revised Statutes. §660.339, Participant records
- Oregon Administrative Rule 471-010-0105. Customer Information and Disclosure
- Oregon Administrative Rule 589-020.0320. Authority to Request Social Security Numbers;
- Oregon Administrative Rule 589-020-0330 Confidentiality

PURPOSE

To establish guidelines and instruction for Service Providers, WorkSource Centers, and WorkSource Oregon Partners related to the protection of confidential job seeker, employer, and wage information, in carrying out official duties for the workforce system.

BACKGROUND

Protected Personally Identifiable Information (PPI) Office of Management and Budget (OMB) defines PPI as information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal identifying information that is linked or linkable to a specific individual. Any information that, if disclosed, could result in harm to the individual whose name or identity is linked to that information. Examples of PPI include but are not limited to social security number (SSN), credit card numbers, bank account numbers, age, birthdate, medical history, financial history, and computer passwords.

As an important and inherent part of the services provided to customers, Service Providers and WorkSource Lane staff must necessarily collect a wide variety of PPI from customers. While the information collected as a matter of routine is often critical to effectively serving our customers and providing them with the best possible services, collection of PPI also brings with it a statutory responsibility to safeguard customers’ PPI from unauthorized use or disclosure.

The purpose of this policy is to identify sources of confidential information and to establish procedures for safe handling of this information so it is not accessed by unauthorized users. Maintaining confidential records is important for obvious reasons to the individual, including the prevention of identity theft.

While the sharing of information, even the PPI information of particular customers, under appropriate circumstances is critical to the seamless and effective delivery of services envisioned by the enactment of the Workforce Innovation and Opportunity Act (WIOA) and vital to successfully carrying out the mission of the system's various partnering organizations. Protecting the confidentiality of customer information accessed by staff in carrying out official functions of the workforce system, is imperative to its overall integrity.

Policies and procedures regarding confidentiality and data access therefor must ensure that all necessary and legally permissible data are available to all staff and partner staff who are legally authorized to make use of the data in the discharge of their official duties.

Service Providers and Workforce staff need to be aware that information and data included in Oregon workforce and employment management information system databases as well as other information data sources available through other partners, such as the Department of Human Services (DHS), the Oregon Employment Department (OED) Unemployment Insurance, etc. is subject to the requirements of these confidentiality statutes. Particular care must be taken to ensure that the information and data accessible through the Management Information System (MIS) system as well as other data and information sources accessible by Services Providers and staff is protected and saved appropriately.

Although an employee may be authorized to access confidential data, the employee may access the data only in connection with the performance of their official duties.

POLICY

As used in this policy, the term confidential refers to entire record systems, specific records or individually identifiable data that are not subject to public disclosure under Oregon Revised Statutes 192, Records, Public Records and Meetings. When applicable, confidentiality covers all documents, papers, hard copy participant files, computer files, letters and all other notations of records or data that are designated by law as confidential.

Documents that contain PPI (participant or family members) social security number, driver's license, birth certificate, I-9 documents, TANF/FSUP, etc., must be stored in a confidential, locked file cabinet which is only accessible by appropriate staff, kept separate from the working files. The working file shall never contain any PPI documents.

Computers that have access to customer data should be locked when not in use and anytime a staff person is away from their workstation.

Service Providers and WorkSource staff will maintain and protect the confidentiality of PPI information in accordance with this policy, Federal, and State of Oregon statutory requirements.

Given the integration and merging of services within the WorkSource Centers, confidential information that is received by one WorkSource Oregon partner from another partner agency retains its confidentiality unless otherwise provided by law. The requirement of the program that provides the information shall apply.

In Oregon, the initial participant's electronic information data is stored in WOMIS on servers maintained by OED and administered under the rules of the Oregon Department of Administrative Services (DAS). WIOA participant's electronic information is kept secure on the I-Trac data servers and administered by Worksystems Inc. Currently, Service Providers and OED staff can only access the data on the servers after successful completion of DAS Information Security Testing and I-Trac User and Confidentiality Training. No one shall be given access to either WOMIS or I-Trac that has not completed the appropriate training and have signed the appropriate confidentiality disclosure documents. All staff with access to either system must follow the procedures set out by the administering agency, ensuring staff understanding of data confidentiality.

At no time shall a WorkSource Lane staff make a working file that contains any PPI information.

ACTION

All Lane Workforce Partnership Service Providers shall follow this policy.

- Service Providers must ensure that all confidential information is scanned to Lane Workforce Partnership's secure data system (Ebridge) and no copies of confidential information is kept outside of the electronic file.
- If there are working documents that need to be kept for carrying out service delivery whether participant or business, the documents must be kept in a separate locked file cabinet with limited access, only be retrieved for official use, and returned to the locked file. At no time should this data be kept on a staff person's desk, or in an unlocked file cabinet.
- All documents must be destroyed on the same maintenance and destruction schedule as set out by law and/or Lane Workforce Partnership – whichever is greater.

ISSUED

Date: August 25, 2021

LWP Director of Workforce Investments