

**INSTRUCTION LETTER**

**INSTRUCTION NUMBER:** WIA 13-01

**TO:** Upstate WIA Contractors (Adult, Dislocated Worker and Youth)

**SUBJECT:** WIA Participants File Storage

**DATE ISSUED:** July 23, 2013      **DATE EFFECTIVE:** Immediately      **DATE EXPIRES:** Indefinitely

**PURPOSE:** To issue local policy regarding storage of sensitive information as it relates to WIA participants.

**BACKGROUND:** During PY12 on-site monitoring, SCDEW monitors noted documentation containing personal medical information in several participant files; this is a violation of Public Law 104-191. Furthermore, the USDOL Civil Rights Center states that medical or disability-related information must be kept in separate files (apart from all other information about a customer, applicant, or employee); stored securely, with limited access (hard files should be kept locked); and available only to persons with a need to know. Additionally, South Carolina Law Enforcement Department (SLED) background checks showing an arrest record should also be kept in separate files (apart from all other information about the customer, applicant, or employee); stored securely, with limited access (hard files should be kept locked); and available only to persons with a need to know. SLED checks that show a clear arrest history may be maintained in the participant file as normal.

**ACTION:** All participant files should be reviewed for information listed above. Information should be removed from the participant file and stored properly no later than August 30, 2013. When storing information separately, please keep in mind items may need to be accessible for monitoring. Please store items in an organized manner that best suits your program. Please seek technical assistance if you have questions pertaining to what is acceptable.

**INQUIRIES:** Should you have questions regarding this instruction letter, please contact Ms. Dana Wood at [dwood@upstategwib.org](mailto:dwood@upstategwib.org) or 864-562-4244 (TTY:711).



Ann Angermeier, Director

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