

INSTRUCTION LETTER

INSTRUCTION NUMBER: WIA 13-02 – Amendment #1

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

SUBJECT: Personally Identifiable Information (PII)

DATE ISSUED: <u>July 29, 2014</u>	DATE EFFECTIVE: <u>Immediately</u>	DATE EXPIRES: <u>Indefinitely</u>
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PURPOSE: To issue local policy regarding expectations regarding Personally Identifiable Information (PII) in WIA participant files as well as to provide additional guidance, per a Memorandum of Agreement between the Upstate WIB and the South Carolina Department of Employment and Workforce (SCDEW).

BACKGROUND: During the PY12 review, SCDEW monitors discovered a voided check in a participant’s file. The voided check was being used as proof of purchase so that the participant could be reimbursed for costs incurred. The bank account number in conjunction with the person’s name, is considered “Personally Identifiable Information” (PII) and should not be displayed in the participant file.

The US Department of Labor (USDOL) characterizes “Protected PII” as follows:

PII, which when disclosed, could result in harm to the individual whose name or identity is linked to that information. This is distinguished from “Non-sensitive PII,” the disclosure of which cannot reasonably be expected to result in personal harm. Protected PII includes, but is not limited to: Social Security number, credit card number, bank account number, residential address, residential or personal telephone number, biometric identifier (image, fingerprint, iris, etc.), date of birth, place of birth, Mother’s maiden name, criminal records, medical records, and financial records. Please view instruction letter 13-01 for detailed information regarding criminal records and medical records.

The South Carolina Department of Employment and Workforce (SCDEW) provided the following clarification:

Residential address, residential or personal phone number and date of birth are acceptable items in WIA participant files. These items are often used to verify program eligibility and do not violate PII.

Additionally, on April 7, 2014, the SCDEW and the Upstate WIB entered into a Memorandum of Agreement (MOA) with specific instructions on the handling of any extraction reports produced by the SCDEW (see attached MOA). This policy provides additional instructions on the management of these reports.

ACTION: All participant files should be reviewed for the information listed above. Information should be redacted from WIA participant files no later than August 30, 2013. Upstate WIB monitors (OneStop and Youth) will also ensure this issue is given priority during local monitoring. The SC Works Upstate Quality Assurance Specialist, Center Managers and Career Consultants should also look for PII when conducting reviews during regular in-house monitoring. Youth service providers should also review files for PII on a regular basis.

Furthermore, in regards to the data extraction reports sent from the SCDEW, the following actions need to be taken.

1. Currently, the SCDEW sends and will continue to only send these reports to the Upstate WIB SCWOS Coordinator. Generally, the SCWOS Coordinator will not share these reports with any other staff members (of the Upstate WIB or of the Upstate WIB WIA funded programs).
2. However, should the information need to be shared with others, the SCWOS Coordinator must first verify that there is a signed Attachment A to the MOA for the individual to receive information (the Attachment A shows that the individual has read the MOA and understands the MOA). The SCWOS Coordinator will keep track of the information being shared with others on a spreadsheet showing the date, the name of the person receiving the information and the content shared.
3. The SCWOS Coordinator and any other individual receiving the WIA data extracts must adhere to the following guidelines:
 - a. If this information should ever be received by the SCWOS Coordinator without a password protection setting, the SCWOS Coordinator will immediately create a password for the document and will only forward information with a password.
 - b. Any recipients of this data, as forwarded by the SCWOS Coordinator should not forward the email to any other staff person (even if the other staff person has signed Attachment A to the MOA). Only the SCWOS Coordinator can forward the information. If a staff person needs the information, the staff person should email the SCWOS Coordinator and make the request.
 - c. Any individual that receives this information, whether from the SCDEW directly or from the Upstate WIB SCWOS Coordinator, should never save the data on a USB or a hard drive.
 - d. There should be no back-up copies of the data.
 - e. The data should not be accessed from a portable device.
 - f. Should the data be printed, as soon as the information is no longer being used, the document should be shredded according to the specifications in Attachment B of the MOA.
 - g. Any laptops or computers that need to be disposed of should be forwarded to the Upstate WIB. The Upstate WIB Program and Project Manager will remove the hard drive and take it to Spartanburg County's Records Management Department for crushing. The Program and Project Manager will then dispose of the rest of the laptop/desktop according to the inventory policy.

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



Ann Angermeier, Director