



Workforce Innovation and Opportunity Act (WIOA) Administrative Policy #104

Subject: Confidentiality and Protection of Personally Identifiable Information (PII)

Effective Date: July 1, 2015

References: USDOL Training and Employment Guidance Letter 39-11
Virginia Workforce Letter #11-03

Policy Statement:

The Capital Region Workforce Development Board (WDB) is committed to ensuring that its WIOA Title I service providers protect the Personally Identifiable Information (PII) and other confidential information as may be obtained and recorded in the course of determining WIOA eligibility and in providing services, to include follow up.

Definition: Protected PII is defined by the US Department of Labor as that which if disclosed could result in harm to the individual whose name or identity is linked to that information. Examples include social security numbers, credit card numbers, bank account numbers, home telephone numbers, ages, birthdate, marital status, spouse names, educational history, biometric identifiers (fingerprints, voiceprints, iris scans etc.), medical information, financial information and computer passwords.

The following steps will be taken by any service provider working on behalf of the WDB.

1. Prior to collection of PII or sensitive personal information:
 - a. Individuals shall be notified that such information will only be used for purposes of service under the WIOA-funded grant program and its attendant regulations and as part of the WIOA program application sign a release acknowledging such.
 - b. Individuals shall also be notified that with written consent, such information may be shared with other Virginia Workforce Network partner organizations for purposes of referral and potential coordination of services beyond WIOA.

- c. The individual may agree in writing to release all or portions of their information and be provided the opportunity to indicate what information may and may not be shared. The individual may also indicate if there are specific organization(s) to which their information may not be shared. The consent may be modified or revoked by the individual at any time by providing written notice. Customer initials should be obtained to document customer designations and subsequent changes.
- d. Unless modified or revoked by the individual, written consents shall remain in effect 4 years from the date of last signature.
- e. WIOA-paid staff and unpaid volunteers and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised by the service provider management of the confidential nature of information, the safeguards required to protect the information as described in Section 2 of this policy below and the safeguards in handling such information. Written acknowledgements from staff and other partner personnel shall be kept by the WIOA service provider(s).

2. Safeguarding of PII and sensitive information once obtained:

- a. PII of WIOA participants shall not be transmitted by email or stored on CDs, DVDs, thumb drives etc. unless it can be encrypted using federally approved standards. Only the WDB may grant such permission with advance written approval, at the time of the request will convey the necessary standards to be followed.
- b. In no case should PII be mailed or otherwise transmitted in hard-copy format.
- c. All PII data of WIOA participants shall be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed electronically using the state WIOA system of record as communicated. (Currently the Virtual One Stop, or VOS, that is part of the Commonwealth's Virginia Workforce Connection). Accessing, processing and storing of WIOA grant PII data on personally owned equipment, at off-site locations and non-grantee managed IT services is strictly prohibited unless approved by the Commonwealth of Virginia.
- d. PII and sensitive data will only be retained for the retention period outlined in Part 2 of this policy, and then destroyed.
- e. No PII or sensitive information will be used for any purpose other than necessary under the WIA. Any information collected for customer service or continuous improvement efforts will be aggregated, reported anonymously without any connection to an individual.
- f. No third-party market opinion surveys, research, panel or focus groups shall be granted access to PII and other sensitive WIA participant information without prior written consent of the WDB.



By: Brian Davis, Executive Director