

Exhibit B

OREGON EMPLOYMENT DEPARTMENT

Commitment to Confidentiality - Level 2 (SSN sharing)

FEDERAL LAW

The U.S. Department of Labor holds that under Sections 303(a)(1) and 303(a)(8) of the Social Security Act, information collected and maintained for the administration of the unemployment compensation program is confidential and, with certain exceptions, not subject to disclosure. This confidentiality requirement pertains to information required from individuals and employers or employing units for the purposes of administration of the state's unemployment compensation laws. This includes, among other items, the customer's name, address, social security number, earnings/wages, and employer BIN number.

STATE LAW

Oregon Revised Statute 657.665 provides "all information in the records of the Employment Department pertaining to the administration of the unemployment insurance, employment service and labor market information programs is confidential and for the exclusive use and information of the Director of the Employment Department." ORS 657.665 also specifies certain circumstances under which confidential information may be shared with specified entities for specified purposes.

DEPARTMENT RULES (OARs)

OAR 471-010-0080 through 0125 provide additional authority and direction regarding access to, use, and disclosure of customer information provided to the Oregon Employment Department (OED). The administrative rules detail the allowances for sharing customer information with partners in the one-stop system, law enforcement officials, agents, legislators, and attorneys. The rules also provide the sanctions for unauthorized disclosure, the need for interagency agreements to share the information, and a description of additional concepts discussed in both rule and statute.

UNDER PENALTY OF DISQUALIFICATION

ORS 657.665(6) Any person or any officer or employee of an entity to whom information is disclosed by the Employment Department under this section who divulges or uses the information for any purpose other than that specified in the provision of law or agreement authorizing the use or disclosure may be disqualified from performing any service under contract or disqualified from holding any appointment or employment with the state agency that engaged or employed that person, officer or employee. The Employment Department may immediately cancel or modify any information sharing agreement with an entity when a person or an officer or employee of that entity discloses confidential information, other than as specified in law or agreement.

UNDERLYING GUIDELINES

1. **Never** publish individual social security numbers, do not allow individual SSN's to be released, and do not transmit SSNs in a non-secure manner.
2. **Only** use the information obtained under this agreement for the purposes for which this confidential information sharing was approved.
3. **Never** publish, share, or discuss information relating to an individual person (Unemployment Insurance (UI) claimant, Employment Service job applicant, UI wage file record, performance measures record, etc.).
4. **Never** publish, share, or discuss aggregate information relating to individual persons if there are fewer than three individuals in a particular aggregation.
5. **Never** publish, share, or discuss employment or other data for a specific employer.
6. **Never** publish, share, or discuss aggregate employment or other data for an industry or industry group if:
 - a) there are fewer than three firms in the industry, or
 - b) one firm makes up more than 80% of total employment in the industry.

Guidelines one, two, three, and four apply in all cases.

Exhibit B

Guidelines five and six apply to all data from the private sector and tribal government. Federal, state, and local government data at the agency or industry or occupational level may be released to the public without regard for the above confidentiality rules.

I understand that all information and data contained in OED records is confidential and not for release except under certain defined circumstances. I also understand that, as a non-OED employee, if I access and/or disclose any information not authorized by law, rule or policy, action up to and including revocation of access to agency information assets and termination of contract will be taken.

Should I have questions regarding the confidentiality of OED records I will refer and discuss them with the appropriate OED Manager contact prior to releasing any information.

Signature

Printed Name

Date

Organization

Location

Manager Signature

Printed Manager Name

Date