

# Mass Workforce Issuance

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**Workforce Issuance No. 08-51**

Policy  Information

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**To:** Chief Elected Officials  
Workforce Investment Board Chairs  
Workforce Investment Board Directors  
Title I Administrators  
Career Center Directors  
Title I Fiscal Officers  
DCS Regional Managers

**cc:** WIA State Partners

**From:** Michael Taylor, Director  
Department of Workforce Development

**Date:** November 25, 2008

**Subject:** **Collection of Customer Social Security Numbers**

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**Purpose:** To provide clarification to Local Workforce Investment Boards, One-Stop Career Center Operators and other local workforce investment partners with regard to the collection of customers' social security numbers.

**Background:** On November 13, 2008, the U. S. Department of Labor Employment and Training Administration (USDOL/ETA) published Training and Employment Guidance Letter (TEGL) No. 5-08, Policy for Collection and Use of Workforce System Participants' Social Security Numbers (Attachment A).

States must use social security numbers to match an individual participant's program record to that individual's quarterly wage record information to assess program performance. However, the privacy of participants' social security numbers must be assured.

TEGL 5-08 reiterates requirements that social security numbers are only required (and, therefore must be "requested") at the point that an individual becomes a program "participant". TEGL 17-05 (published 2/17/06) describes a "participant" as an individual who is determined eligible to participate in the program *and receives a service funded by the program* in either a physical location or remotely through electronic technologies."

TEGL No. 5-08 also explains that it is not *required* for an individual to provide his/her social security number to be eligible to receive WIA/Wagner-Peyser services. Section 7 of the Privacy Act (5 U.S.C. Section 522a) provides that unless the disclosure of an individual's social security number is required by federal statute, "It shall be unlawful for any Federal, state or local government agency to deny any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security number."

Therefore, if an individual refuses to provide his/her social security number, the individual shall not be denied WIA/Wagner-Peyser services (if otherwise, eligible). While it is a requirement that each individual determined to be a WIA/Wagner-Peyser program "participant" *must be requested to provide his/her social security number* in order to be included in the performance cohort, the individual is not required to disclose his/her social security number in order to be eligible to receive WIA/Wagner-Peyser services.

In the case of an individual refusing to disclose his/her social security number therefore resulting in the inability to check the individual's wage records, the person should not be counted in the performance cohort for any WIA/Wagner-Peyser program for which the person meets the requirement to be designated a "participant".

To, summarize:

1. When requesting a Customer's social security number, the customer should be informed of how his/her social security number will be used and how privacy will be ensured.
2. One-Stop Career Center Operators must request the social security number of an individual seeking to participate in any of the following WIA/Wagner-Peyser services:
  - Staff-assisted Core Services related to eligibility determination, job search activities, and employment;
  - All training and educational services; and
  - Self-services, when any staff-assisted service is requested and/or the individual is seeking to access more intensive services.
3. An individual who declines to provide his/her social security number must not be denied WIA/Wagner-Peyser services if otherwise eligible.

**Required:** Please assure that all staff review the attached copy of TEGl No. 5-08 and that all local policies and procedures are consistent with its content.

**Inquiries:** All inquiries should be directed to Diane Hurley, [dhurley@detma.org](mailto:dhurley@detma.org).