



CONFIDENTIALITY POLICY

I, _____, an employee of the
(Print Full Name)

_____, hereby
(Print)

acknowledge that as part of my official duties I may acquire or have access to confidential information including unemployment insurance information (including wage records) and employment service information as well as personal data (the "Information").

I agree to comply with all laws relating to confidentiality of the Information, including, the following:

1. General Laws Chapter 151A, §46(a) and (e) prohibits the unauthorized use and disclosure of any confidential unemployment insurance information. Violation of this statute is punishable by a fine of up to \$100.00 per offense or by imprisonment for not more than 6 months, or both.

Unemployment insurance (UI) information includes, but is not limited to:

- name and address of the claimant
- claimant's weekly benefit amount, amount of benefit credit and amount of benefits received
- amount of wages paid by a specific employer
- number of employees reported by a specific employer
- summary UI information at a level in which a claimant or employer could be identified.

Some examples of permissible and authorized disclosure of this information are:

- processing a claim for unemployment benefits
- processing a claim under the Trade Act
- applying for and administering a National Emergency Grant
- providing claimants with Rapid Response services.

Some examples of impermissible uses and unauthorized disclosure are:

- providing claims information to an outside entity

- providing claims information to the Local Workforce Investment Board
- providing claims information to the claimant's spouse or other relative.

2. General Laws Chapter 23H, §6(b) prohibits unauthorized use and disclosure of employment service information. Violation of this statute is punishable by a fine of up to \$100.00 per offense or by imprisonment for not more than 6 months, or both.

Employment service information includes, but is not limited to:

- applicant's name and address
- applicant's demographic characteristics
- applicant's employment history
- employer's name and address
- specific job order information.

Some examples of permissible uses and authorized disclosure of this information are:

- job order information where employer has authorized disclosure
- referral of an applicant to a job opening or placement in appropriate training.

Some examples of impermissible uses and unauthorized disclosure are:

- providing a list of applicants to a private placement agency
- providing a list of applicants to a marketing company
- providing layoff information pertaining to a particular employer to a non-workforce development entity.

3. The Fair Information Practices Act (G.L. c. 66A) prohibits the unauthorized access of personal data. General Laws Chapter 214, §3B provides for injunctive and other nonmonetary relief for violation of this statute. Data subjects may also make a claim for damages under the Massachusetts Tort Claims Act.

Personal data is any information concerning an individual which because of name, identifying number, mark or description can be readily associated with a particular individual. Personal data includes:

- claimant and applicant data but not corporate data
- personnel information, such as, employee work evaluations, disciplinary documents and medical records.

The permissible and impermissible uses and disclosure of unemployment insurance and employment service data apply also to personal data.

4. General Laws Chapter 62E, §12 authorizes the Massachusetts Department of Revenue to provide the Department of Workforce Development (DWD) with wage record information. DOR provides the information to DWD for

verification by DWD of the financial eligibility of participants in its entitlement programs and to provide DWD with a post-audit mechanism enabling it to identify fraud, error and abuse regarding the administration of such entitlement programs. In addition, DWD may use the wage record information to evaluate employment and earnings outcomes of programs within the Massachusetts workforce development system. Violation of G.L. c. 62E is punishable by a fine of \$100 per offense.

Wage record information, includes, but is not limited to:

- employee's name and social security number
- employee's wages
- name of employee's employer.

Some examples of permissible uses and authorized disclosure of this information are:

- processing a claim for unemployment benefits
- cross-matching of U.I. claimant information against wage records to detect claimants working and collecting
- evaluating outcomes of Massachusetts workforce development programs by approved state-level staff.

Some examples of impermissible uses and unauthorized disclosure are:

- accessing wage record information (QDOR) for non-U.I. related reasons
- providing individual wage record information with personal identifiers to an administrator of a workforce development program(state or local level).

I will at all times maintain the confidentiality of the Information. I will not use it for any unauthorized purpose, and I will not, directly or indirectly, disclose or otherwise make the Information available to any unauthorized person or persons or access or use the Information for any unauthorized or illegal purpose. I will not access the Information for any non-business purpose. I will make no attempt to provide or publish the Information in a format by which it may be identified.

I understand that if I have any questions or concerns about the confidentiality of data, data sharing, or particular data practices or data sharing requests that it is my individual responsibility to bring the matter to the attention of my supervisor and to the attention of the Department of Workforce Development's Director of Internal Control & Security. The Internal Control and Security Department can be reached by calling Director of Internal Control at 617-626-5901.

I understand that any unauthorized use or disclosure by me of the Information described in this agreement may result in a fine, imprisonment and if applicable, appropriate discipline, up to and including immediate termination from employment and/or my continued access to such information.

Employee Acknowledgement

By signing below, I acknowledge that I have read, understand and agree to abide by the provisions set forth in the Confidentiality Policy

Signature

Date

Please Print:

Full Name: _____

Work Location: _____

Work Address: _____

