



Workforce Issuance

100 DCS 03.108.1

☒ Policy ☐ Information

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
MassHire Career Center Directors
MassHire Fiscal Officers
MDCS Operations Managers

cc: WIOA State Partners

From: Diane Hurley, Acting Director
MassHire Department of Career Services

Date: August 16, 2023

Subject: **Public Information and Records Request - Updated**

Purpose: To notify MassHire Workforce Boards, MassHire Career Center Operators and local workforce development partners of updates to the Public Information and Records Request Policy.

This release is to update Policy Issuance 100 DCS 03-108, issued on 1/30/19, with a link to the MassHire Career Center Records Request Form referenced as Attachment A.

Background: The Massachusetts Public Records Law (Law), found at Chapter 66, Section 10 of the Massachusetts General Laws, applies to records made or received by a Massachusetts agency or municipality. Unless the requested records fall under an exemption to the Law, the responsive documents must be made available to a requester. A list of exemptions may be found at Chapter 4, Section 7(26) of the Massachusetts General Laws.

Policy: Beginning January 1, 2017, the updated Public Records Law requires every agency and municipality to designate a Records Access Officer (RAO) to assist requesters

in obtaining public records. Requests for public records may be made to the RAO. The MassHire Department of Career Services' RAO is Rosemary Alexander. The RAO for the Executive Office of Labor and Workforce Development (EOLWD) is General Counsel, Michael Doheny.

The Division of Public Records is not a warehouse for government records.

The only records kept in the Division are those that are essential to the business operations of the Division. A requester must therefore seek records directly from the entity that created or received them.

While requests for records may be made verbally, in person, it is preferable that the request is made in writing* to reduce confusion.

Anyone may request records directly from the RAO or through the public records request found on the online portal of any department's mass.gov website.

<https://www.sec.state.ma.us/pre/preapp/appidx.htm><https://www.sec.state.ma.us/pre/prepdf/guide.pdf>

If you do not receive a satisfactory response, you may appeal to the Supervisor of Records. *A copy of your original written request would be required to file an appeal with the Supervisor of Records. See the Secretary of the Commonwealth's Public Records Division's website, [Appealing a Denial of Access to Public Records in Massachusetts](#) for more information. You may also seek judicial review by commencing a civil action in superior court under G.L. c. 66, §10A(c).

For additional information about making a request or filing an appeal, see 950 CMR 32.08 (1) or refer to the Secretary of the Commonwealth's Public Records Division publication, [A Guide to the Massachusetts Public Records Law](#) (PDF).

Requests from MassHire Career Center Customers

Under [Massachusetts General Laws Chapter 151A, Section 46\(a\)](#) unemployment insurance claimant and/or customer specific records are confidential but are not considered public records. Requests received from MassHire Career Center customers for "their information" must be submitted using the downloaded/fillable *MassHire Career Center Records Request Form* ([Attachment A](#)). The form must be completed and signed by both the customer and the MassHire Career Center Manager.

If a designee, on behalf of the customer, (e.g. attorney) is making the request on behalf of their customer, the form must include the signature of the designee and the customer.

An inventory and/or copy of all information provided to the customer, or attorney on behalf of the customer, must be kept by the MassHire Career Center

along with the request form and be available for review.

No one other than the customer, or a designee on behalf of the customer, may be provided with the customer's information.

Unemployment Insurance claimants seeking their unemployment information should be directed to the DUA Public Records page (<https://www.mass.gov/how-to/submit-a-public-records-request-to-dua>) and follow the directions provided at the bottom of that page.

Documents or other information provided by the MassHire Career Center for the purpose of validating a customer's eligibility for other services, e.g., fuel assistance, are not subject to the documentation requirements described above. However, documentation can only be given to the claimant themselves and after verifying proper identity.

Links for Public Records Requests Only:

The MDCS Public Records Request portal is located at:

<https://www.mass.gov/masshire-department-of-career-services-public-records-request>

The online Public Records Request form is located at:

<https://www.mass.gov/forms/masshire-department-of-career-services-public-records-request>

Action

Required:

Please ensure all management, staff and partners are aware of the process for making a public records request and that requests can be submitted to a RAO via the department's online portal: Also ensure that MassHire Career Center staff are aware of how to handle requests received from customers for their personal information.

The RAO for MDCS is Rosemary Alexander at Rosemary.Alexander@mass.gov. The RAO for EOLWD is the General Counsel, Michael Doheny at Michael.Doheny@MassMail.State.MA.US.

Effective:

Immediately.

Inquiries:

Please forward any inquiries to PolicyQA@mass.gov. Please include the issuance title and number with your inquiry.

Attachment:

A. [MassHire Career Center Records Request Form](#)