

EMPLOYMENT DEPARTMENT

DIVISION 10

ADMINISTRATIVE SERVICES GENERAL AND INTERNAL RULES

Customer Information and Disclosure

471-010-0080

Definitions

- (1) "Agent" means an individual or entity that is authorized to act for or in the place of another individual or entity.
- (2) "Business" means any entity carrying on a trade or commercial enterprise that operates either inside or outside of Oregon and includes employers and employing units.
- (3) "Customer" means any individual person seeking service from the Employment Department or other one-stop delivery system partner.
- (4) "Employer" has the same meaning as in ORS 657.025
- (5) "Employing Unit" has the same meaning as in ORS 657.020
- (6) "Establishment" means an economic unit that produces goods or services, usually at a single physical location, and is engaged in one or predominantly one activity.
- (7) "Governmental planning functions" means duties authorized by law which are undertaken by state, federal, or local government agencies, to facilitate policy decisions about the future. These functions include, but are not limited to, economic or similar modeling, impact analysis, projections, and forecasting.
- (8) "Governmental performance measurement functions" means duties authorized by law which are undertaken by state, federal, or local government agencies regarding the success and impact of government programs.
- (9) "Governmental program analysis functions" means duties authorized by law which are undertaken by state, federal, or local government agencies to better understand the impact and operation of government programs. These functions include, but are not limited to, fiscal analysis, budget analysis, and workload analysis.
- (10) "Governmental socioeconomic functions" means duties authorized by law which are undertaken by state, federal, or local government agencies to better understand the socioeconomic conditions in which the governmental entity is operating. These functions include, but are not limited to, the analysis of demographic, labor force, employment, and income trends.

(11) "Governmental policy analysis functions" means duties authorized by law which are undertaken by state, federal, or local government agencies to determine or better understand the impact of policy choices and decisions. These functions include, but are not limited to, economic impact analysis, trend analysis, and economic or similar modeling.

(12) "Hosted Worker" means a non-Department employee or volunteer who, under the supervision of an Employment Department management service employee, performs services in the area of the public labor exchange, such as: selecting and referring job seekers on employer openings on jobs listed with the Employment Department, assisting employers in listing jobs, providing marketing or outreach services to the business community, assisting customers with their iMatch Skills registration, and assisting in the resource rooms. The roles and responsibilities of the Hosted Worker, the Workers' responsibilities with respect to confidential information, and the penalties for unauthorized disclosure must be addressed in a written agreement with the Hosted Worker's actual employer or the Worker if there is no employer.

(13) "Information" means

(a) Data that pertains to an individual business or person;

(b) Aggregations of data about businesses in which there are fewer than three businesses or in which any one business accounts for more than 80 percent of the aggregated data; and

(c) Aggregations of data about persons in which there are fewer than three persons.

(14) "Need to Know" means that access to, possession of, or other use of customer-related information is essential in order to carry out official duties.

(15) "One-stop delivery system" means the workforce development activities provided by one-stop delivery system partner entities as authorized by the Workforce Investment Act, and ~~HB 3835 (Chapter 684; Oregon Laws 2001) and described in local Memorandums of Understanding (MOU) or Regional Partnership Agreements (RPA) developed by workforce investment boards and approved by the Governor's Office of Education & Workforce Policy.~~

(16) "One-stop delivery system Partner" means **an entity described in section 101(30) of the Workforce Investment Act of 1998, including entities that carry out appropriate Federal, State, local, or private programs not specifically enumerated in the Act.** ~~entities authorized by the Workforce Investment Act and HB 3835 (Chapter 660; Oregon Laws 2001) and described in local Memorandums of Understanding (MOU) or Regional Partnership Agreements (RPA) developed by workforce investment boards and approved by the Governor's Office of Education & Workforce Policy. Entities may include private sector businesses that are a contracted agent of a governmental entity that is a partner, and responsible for the delivery of Workforce Investment Act related services.~~

(17) "Public Official" means an official, agency, or public entity within the executive branch of Federal, State, or local government who, or which, has responsibility for administering or enforcing a law, or an elected official in the Federal, State, or local government.

(18) "Party" has the same meaning as in ORS 183.310(7).

(19) "Person" has the same meaning as in ORS 183.310(8).

(20) "Written disclosure agreement" means an interagency or other applicable agreement for sharing or disclosing information by written, electronic, paper, verbal or other means.

(21) "Workforce Investment Act" means the federal Workforce Investment Act of 1998 as codified in Public Law 105-220.

Stat. Auth.: ORS 657.610

Stats. Implemented: ORS 657.665

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