Commitment to Confidentiality – Employee/Partner

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 Business Identification Number (BIN).

STATE LAW
Oregon Revised Statute 657.665 provides “all information in the records of the Employment Department pertaining to the administration for 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 in administering the programs which the agency oversees except as otherwise provided in ORS 657.665.” ORS 657.665 also specifies certain circumstances under which confidential information may be shared with specified entities for specified purposes.

DEPARTMENT RULES (Oregon Administrative Rules)
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. 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. You may have access to records only as necessary to do your job. DO NOT discuss identifying information from our records with coworkers unless you or they must do so in order to do your job.
2. Once accessed, the information may only be used for the purposes for which this confidential information sharing was approved.
3. Unless you have been given authority to discuss or disclose confidential information, refer to your manager all contacts that could result in disclosure.
4. Any unauthorized use constitutes a breach of confidentiality and is not within the scope of duties of any officer, agent, or employee. Unauthorized publication of the information is absolutely prohibited. Such unauthorized use is to be reported immediately to your manager. The manager will immediately call the Oregon Employment Department help desk and ask to speak to the security manager or the security incident responder on duty. The manager will then report the details to the security personnel.

I understand that all information and data contained in Oregon Employment Department records is confidential and not for release except under certain defined circumstances. I also understand that 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 employment may be taken, which may also include monetary damages (maximum fine allowed by law).

Should I have questions, now or in the future, regarding the confidentiality of Oregon Employment Department records, I will refer and discuss them with my manager prior to releasing the information.

____________________________  _____________________  __________
Signature                  Printed Name                  Date

____________________________  _____________________  __________
Manager Signature          Printed Manager Name     Date

The Oregon Employment Department is an equal opportunity program/employer. The following services are available free of cost upon request: Auxiliary aids or services and alternate formats to individuals with disabilities and language assistance to individuals with limited English proficiency. Ask one of our staff for more information.

El Departamento de Empleo de Oregon es un programa/empleador que respeta la igualdad de oportunidades. Disponemos de los siguientes servicios a pedido y sin costo: Servicios o ayudas auxiliares, y formatos alternos para personas con discapacidades y asistencia de idiomas para personas con conocimiento limitado del inglés. Para mayor información, pregunte a nuestro personal.