



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 471

EMPLOYMENT DEPARTMENT

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updating Confidential Information Sharing Rule to Exempt the Internal Revenue Service from Audit Requirements

EFFECTIVE DATE: 05/03/2019

AGENCY APPROVED DATE: 05/03/2019

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AMEND: 471-010-0125

RULE TITLE: Customer Information and Disclosure: Audit Authority and Written Agreements With Entities Having Access to Employment Department Information

NOTICE FILED DATE: 03/07/2019

RULE SUMMARY: The Internal Revenue Service (IRS) is being listed as exempt from the audit requirements for entities that have access to Employment Department confidential information. The U.S. Department of Labor (U.S. DOL) has agreed that the safeguards the IRS has in place are adequate to appropriately protect confidential information that the Employment Department shares with the IRS.

RULE TEXT:

(1) All written agreements with entities other than the Internal Revenue Service and "Hosted Workers" that have access to Employment Department information shall stipulate that, no less than once a year, the entity shall conduct an audit of the processes by which the entity implements the agreement(s). The audits shall include, but are not limited to:

(a) How access to Employment Department information is granted;

(b) How access to Employment Department information is controlled;

(c) Why access to Employment Department information is granted, based on OAR 471-010-0105 & ORS 657.665;

(d) Who is authorized to grant & revoke access to Employment Department information;

(e) What specific programs within the entity need access to Employment Department information;

(f) Which specific positions within the programs referenced in OAR 471-010-0125(1)(e) need access to Employment Department information;

(g) What specific information within the Employment Department information is needed;

(h) Whether access to Employment Department information is granted to contractors, who the contractor is, and why the contractor is being given access; and

(i) What "informed consent" if any, the entity uses when gathering information from its customers.

(2) These audits shall subsequently be submitted to the Employment Department, who shall have final authority to decide compliance with the procedures in OAR 471-010-0125(1).

STATUTORY/OTHER AUTHORITY: ORS 657.610

STATUTES/OTHER IMPLEMENTED: ORS 657.665