

Northwest Workforce Service Area Letter 101

Subject: Minnesota Government Data Practices Act

Issuance Date: 1 January 2004, Revised 1 July 2008

Effective Date: 1 January 2004

Action: To establish the Northwest Workforce Service Area procedures in accordance with the Minnesota Government Data Practices Act.

Who: Workforce Investment Board Members, Local Elected Official Board Members, and Program Providers.

Background: In June, 1988, the Minnesota Legislature enacted the “Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13). The Act became effective 1 July 1988. Guidelines under the act govern rights of the individual in the collection, creation, storage, maintenance, dissemination, and access or data. The Minnesota Government Data Practices Act establishes that government data is public and is accessible by the public for both inspection and copying unless there is federal law, a Minnesota state statute, or a temporary classification of data that provides that certain data is not public.

Policy and Procedures: Program Providers must understand that they are bound by the Minnesota Government Data Practices Act and that they shall inform program applicants that applicant data may be shared with other agencies for eligibility and program evaluation purposes. The following forms are to be utilized to provide applicants and program participants an explanation of their rights under the Minnesota Data Practices Act.

1. **“Tennessee” Warning:** Each individual applying for services under Title I of the Workforce Investment Act shall be provided with a “Tennessee” Warning (Attachment A) informing them of the purposes and uses of the data collected, who has access to the data and the effects of non-disclosure.

The applicant should be provided with the original document and a copy of the “Tennessee” Warning should be signed and dated and placed in the individuals file. A parent or guardian must sign the “Tennessee” Warning for a youth under the age of 18.

2. **WIA Title I Complaint Procedure:** Each individual applying for services under Title I of the Workforce Investment Act shall be provided with a WIA Title I Complaint Procedure (Attachment B) informing them of the procedures to be followed if they believe they have experienced discrimination and would like to file a complaint.

The applicant should be provided with the original document and a copy of the WIA Title I Complaint Procedure should be signed, dated and placed in the individuals file. A parent or guardian must sign the WIA Title I Complaint Procedure for a youth under the age of 18.

3. Release of Client Information: The Release of Information Form (Attachment C) will be used to secure information from other agencies to assist Case Management Staff in the preparation and coordination of services under Title I of the Workforce Investment Act.

All information must be completed on the form prior to obtaining the clients signature. The signature of a parent or guardian must be obtained on the Release of Client Information form for all youth under the age of 18.

A separate Release of Client Information Form must be completed for each agency from which information is being requested.

Data collected, exclusive of data from other agencies, is accessible to the individual concerned. If an individual wishes to have access to data collected from other agencies through a release of information form, the individual must contact the agency responsible for that data.

All data collected by any program provider may be shared with other program providers under agreement with the Northwest Private Industry Council.

Data cannot be collected, stored, used or disseminated for any purposes other than those stated in the above forms except:

1. As approved by the Commissioner of Administration;
2. As subsequently authorized by state or federal law; or
3. As consented to by the individual subject to the data.

Attachments:

Attachment A: "Tennessee" Warning

Attachment B: WIA Title I Complaint Procedure

Attachment C: Release of Client Information

Contact:

Rodger L. Coauette
NWPIC Executive Director
1730 University Avenue
Crookston, Minnesota 56716
Phone/TTY: (218) 281-6020
Fax: (218) 281-6025
E-Mail: rodger.coauette@state.mn.us

ATTACHMENT A

“TENNESSEN” WARNING

**NORTHWEST PRIVATE INDUSTRY COUNCIL
"TENNESSEN" WARNING**

AUTHORITY

The Northwest Private Industry Council (NWPIC), as the grantee of Federal and State job training funds authorized under Title I of the Workforce Investment Act, administers programs in Kittson, Marshall, Norman, Pennington, Polk, Red Lake and Roseau Counties designed to help unemployed or disadvantaged individuals secure jobs or training for jobs. As part of this responsibility as the recipient of WIA funds, the NWPIC has contracted with Inter-County Community Council (ICCC) and the Minnesota Department of Employment and Economic Development (DEED) for program services. As a result, ICCC and DEED are authorized to request information for applicants and to examine their qualifications to be participants in the WIA program.

PURPOSES AND USES

Under the Minnesota Government Data Practices Act (M.S. 15.1611 ct seq.), you have the right to know what uses will be made of private or confidential information you provide in filling out application documents for programs under Title I of the Workforce Investment Act (WIA). The information requested on the application is used to determine the qualifications and eligibility of applicants for participation in employment and training programs. The date of your application will be entered into an automated record keeping system. Staff members will have access to your application form in order to verify its contents. Certain items are public information and anyone may have access to public information upon request. Your authorization is required, however, for the release of private information. Private information is not accessible to anyone except you, persons you authorize to see it, certain State and Federal officials and private auditors under contract to the State or Federal Government whose jobs require reasonable access to it, and cooperating parties under contract to provide project services to the extent necessary to help implement your Individual service Strategy (ISS). Any information used for statistical or research purposes will be in summary form and will not disclose any personally identifying data about you. Depending on services recommended, your entire file will be transferred to the appropriate contractual agency.

EFFECTS OF NON-DISCLOSURE

The WIA application contains some questions whose answers we cannot require. Failure to complete these items will not adversely affect your eligibility, but omission of such items could mean that you might not receive full consideration for participation. You are encouraged to complete all the items in order to facilitate a complete appraisal by staff. Intentional misrepresentation of information about income or prior employment will result in termination from enrollment in any WIA program and may result in criminal prosecution.

AUTHORIZATION

I authorize ICCC and/or DEED to share information in order to determine eligibility and to the extent necessary to help implement the ISS. I understand that this authorization will expire one year from the date of signature on this form or upon the completion of all follow-up requirements of my participation in the program.

Applicant Signature _____ Date ____/____/____

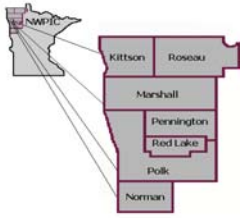
Parent/Guardian Signature _____ Date ____/____/____

Service Provider Signature _____ Date ____/____/____

NWPIC 10-01-08

ATTACHMENT B

WIA COMPLAINT PROCEDURE



MINNESOTA WORKFORCE CENTER PARTNERS

- Northwest Private Industry Council
- Job Service/Unemployment Insurance
 - DEED Rehabilitation Services
- Inter-County Community Council

The Minnesota WorkForce Center is a partnership between state and local agencies committed to working together to help you achieve economic security. This application gives us the information we need to start helping you. You may need to fill out additional forms if you are interested in applying for the specialized services. Be sure to ask for information about any new services you are interested in.

Please read the data privacy and equal opportunity information below. When you finish reading this page, please sign and date at the bottom.

DATA PRIVACY NOTICE: The WorkForce Center staff uses the information you give us on this form to help you find employment and training. We put the information in a case file and a computerized record keeping system. Agency staff can see the information in order to carry out their job duties. We use the information for reports and audits required by federal and state agencies that provided money to run our programs. These reports do not identify individuals.

Information on the form is private data. Only information directly related to helping you find employment will be shared with employers. The information on this form is also available to federal, state and local government employees and subcontractors whose jobs require access to it and who are authorized by federal and state laws to receive the data. We may also use the information from wage records kept by the Department of Employment and Economic Development to help us evaluate the program.

You are not legally required to answer any of the questions. If you do not provide the information, or give us false information, program benefits may be denied or delayed. False or incorrect information may also cause a delay in receiving other services or result in a service that does not meet your needs.

You do not have to provide a Social Security Number to be eligible for our programs. The Federal Privacy Act and Freedom of Information Act dictates the use of the Social Security Number. We may use it for computer matches, program reviews and improvements, and audits.

EQUAL OPPORTUNITY POLICY: We consider applicants without regard to race, color, creed, religion, national origin, sex, political affiliation or belief, marital status, disability, sexual orientation, age, or status with regard to public assistance. It is our policy to abide by all federal, state, and local laws concerning discrimination.

COMPLAINT AND APPEAL POLICY: If you feel that anyone in our office has treated you unfairly, you have the right to file a complaint. If you have been denied services, you have the right to an appeal. If you wish to file a formal complaint or an appeal, please see a staff member for assistance.

I have been made aware of and understand the Data Privacy Notice. I agree that the information on this form may be shared among Minnesota WorkForce Center agencies in order to help me find employment or training.

Signature (If under 18, Signature of Parent or Guardian)

Date

NWPIC 10-01-08

WIA TITLE I COMPLAINT PROCEDURE

Complaint Based on Discrimination

Equal Opportunity is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the basis of:

- Race, color, religion, sex, national origin, age, disability, political affiliation or belief, marital status, sexual orientation, creed or status in regard to public assistance: and
- Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1988 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I - financially assisted program or activity; or
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do if You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIA Title I – financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Rodger L. Coauette, Executive Director
Northwest Private Industry Council
1730 University Avenue
Crookston, MN 56716
Phone/TTY: 218-281-6020
rodger.coauette@state.mn.us

The Director, Civil Rights Center
U.S. Department of Labor
200 Constitution Avenue, NW
Room N – 4123
Washington, D.C. 20210

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC) (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days or the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

ATTACHMENT C

RELEASE OF CLIENT INFORMATION

	<h2 style="margin: 0;">NORTHWEST WORKFORCE SERVICE AREA RELEASE OF CLIENT INFORMATION</h2>
---	--

Client Name: _____
 Last First MI **Social Security #:** _____

Client Address: _____

General Authorization for Release of Personal Information:

I hereby authorize _____ to release any and all information to be used to verify program eligibility and to assist with the development of the Individual Service Strategy (ISS) under the Minnesota Dislocated Worker Program, the Minnesota Youth Program, and/or the Workforce Investment Act (WIA) to:

Request that the following information be provided:

Any and all information needed to verify compliance and or completion of the WIA program. To included grades, transcripts, certificates and current enrollment status.

This authorization is in effect as long as the client is an active program participant. I understand and agree that I may revoke this authorization at any time, and will do so in writing, and that I may review the information before authorizing its release subject to the provisions of the Federal and State Laws covering data privacy.

The client file under any of the above mentioned programs is open to the client, less all information received from other agencies. Clients have the right to review personal information at the agency where it is initiated.

Client Signature:	Date:
Parent/Guardian Signature:	Date:
Agency Signature:	Date: