




# DuPage Water Commission

TO: DWC Employees

FROM: John F. Spatz, Jr.   
General Manager

DATE: June 29, 2011

SUBJECT: DWC Identity-Protection Policy

At the June 23, 2011 Board meeting, the Commission Board adopted, by Ordinance No. O-12-11, the Commission's Identity-Protection Policy. All employees are required to read and acknowledge receipt of this Policy by signing the last page and returning it to Carolyn by Friday, July 8, 2011.



## DUPAGE WATER COMMISSION IDENTITY-PROTECTION POLICY

### I. INTRODUCTION AND IDENTIFICATION OF ACT

This Identity-Protection Policy is adopted pursuant to the Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.* The Identity Protection Act requires the Commission to draft, approve, and implement this Identity-Protection Policy to ensure the confidentiality and integrity of Social Security numbers (SSNs) that the Commission collects, maintains, and uses. It is important to safeguard SSNs against unauthorized access because SSNs can be used to facilitate identity theft. One way to better protect SSNs is to limit the widespread dissemination of those numbers. The Identity Protection Act was passed in part to require the Commission and other local and State government agencies to assess their personal information collection practices and make necessary changes to those practices to ensure confidentiality. All Commission officers, employees, and agents shall comply with the Identity Protection Act and this Policy at all times.

### II. DEFINITIONS

The following words shall have the following meanings when used in this Policy:

“Act” means the Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.*

“Board” means the Board of Commissioners of the DuPage Water Commission.

“Commission” means the DuPage Water Commission.

“Employee” means any individual in the employ of the Commission.

“Policy” means this Identity-Protection Policy.

“Publicly post” or “publicly display” means to intentionally communicate or otherwise intentionally make available to the general public.

“SSN(s)” means any Social Security number provided to an individual by the Social Security Administration.

“Statement of Purpose” means a document stating the purpose or purposes for which the Commission is collecting and using an individual's SSN. The General Manager or his or her designee is authorized to establish or modify one or more Statements of Purpose from time to time that comply with this Policy. An example of a Statement of Purpose for the Commission is attached to this Policy.

### III. STATEMENT OF PURPOSE

Anytime the Commission collects an individual's SSN, or at any other time upon request of the individual, the Commission shall provide the individual with a Statement of Purpose.

### IV. PROHIBITED ACTIVITIES

- (a) Neither the Commission nor any Employee may:
1. Publicly post or publicly display in any manner an individual's SSN.
  2. Print an individual's SSN on any card required for the individual to access products or services provided by the person or entity.
  3. Require an individual to transmit a SSN over the Internet unless the connection is secure or the SSN is encrypted.
  4. Print an individual's SSN on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the SSN to be on the document to be mailed. Notwithstanding the foregoing, SSNs may be included in applications and forms sent by mail, including, but not limited to: (i) any material mailed in connection with the administration of the Unemployment Insurance Act; (ii) any material mailed in connection with any tax administered by the Department of Revenue; and (iii) documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the SSN. A SSN that is permissibly mailed pursuant to this paragraph will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.
- (b) Except as otherwise provided in paragraph (c) below or unless otherwise provided in the Act, neither the Commission nor any Employee may:
1. Collect, use, or disclose a SSN from an individual, unless: (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the SSN is otherwise necessary for the performance of the Commission's duties and responsibilities; (ii) the need and purpose for the SSN is documented before collection of the SSN; and (iii) the SSN collected is relevant to the documented need and purpose.
  2. Require an individual to use his or her SSN to access an Internet website.
  3. Use the SSN for any purpose other than the purpose for which it was collected.

(c) The prohibitions in paragraph (b) above do not apply in the following circumstances:

1. The disclosure of SSNs to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity first receives from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under the Act on a governmental entity to protect an SSN will be achieved.
2. The disclosure of SSNs pursuant to a court order, warrant, or subpoena.
3. The collection, use, or disclosure of SSNs in order to ensure the safety of State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.
4. The collection, use, or disclosure of SSNs for internal verification or administrative purposes.
5. The disclosure of SSNs by a State agency to the Commission for the collection of delinquent child support or of any State debt or to the Commission to assist with an investigation or the prevention of fraud.
6. The collection or use of SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

## V. COORDINATION WITH THE FREEDOM OF INFORMATION ACT AND OTHER LAWS

The Commission shall comply with the provisions of the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., and any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's SSN. However, the Commission shall redact SSNs from the information or documents before allowing the public inspection or copying of the information or documents.

When collecting SSNs, the Commission shall request each SSN in a manner that makes the SSN easy to redact if required to be released as part of a public records request.

## VI. LIMITED EMPLOYEE ACCESS TO SOCIAL SECURITY NUMBERS

Only Employees who are required to use or handle information or documents that contain SSNs in the course of performing their duties will have access to such information and documents. Generally, only Managers and Supervisors; the Executive Assistant; the IT Coordinator; the Accountant; and the Receptionist shall have access to SSNs, and those Employees shall be required to sign confidentiality agreements that shall be maintained in the employee's personnel file. All Employees who have access to SSNs shall first be trained to protect the confidentiality of SSNs and, to ensure maximum effectiveness, shall receive annual training in all elements of this Policy and additional training as changes to this Policy are made. The training will include instructions on the proper handling of information that contains SSNs from the time of collection through destruction of the information. Such handling instructions shall include the following directions among others:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents or materials with SSNs will be locked when not in use.
2. Storage rooms containing documents or materials with SSNs will be locked at the end of each workday or when unsupervised.
3. Desks, workstations, work areas, printers, scanners, copiers, fax machines, and common shared work areas will be cleared of all documents or materials containing SSNs when not in use.
4. No documents or materials containing SSNs will be transmitted electronically or physically removed from the Commission's premises unless authorized to do so by the General Manager.
5. The General Manager must be immediately advised if an Employee is asked to disclose SSNs to other Employees or other persons except those specifically authorized by the General Manager in the performance of Employee's duties, or as may be required by law. Similarly, the General Manager must be immediately advised of any unauthorized use or disclosure of SSNs of which an Employee becomes aware.
6. When documents or materials containing SSNs are to be discarded, they will be immediately shredded.
7. A supervisor or his or her designee, will be responsible for checking all work areas outlined in this section to insure the security of same at the end of each workday.

## VII. EMBEDDED SOCIAL SECURITY NUMBERS

Neither the Commission nor any Employee shall encode or embed a SSN in or on a card or document, including but not limited to, using a bar code, chip, magnetic strip, RFID

technology, or other technology, in place of removing the SSN as required by the Act and this Policy.

**VIII. APPLICABILITY**

If any provision of this Policy conflicts with any provision of the Act or with any other law, rule, regulation, or Commission standard regarding the collection, use, or disclosure of SSNs, the more restrictive provision shall prevail.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any Employee that complies with the federal law shall be deemed to be in compliance with this Policy.

This Policy does not apply to:

1. the collection, use, or disclosure of a SSN as required by State or federal law, rule, or regulation; or
2. documents that are recorded with a county recorder or required to be open to the public under a State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois; provided, however, that the Commission shall redact the SSN from such document if such law, rule, or regulation permits.

**IX. AVAILABILITY OF POLICY**

All Employees shall be provided with a copy of this Policy and acknowledge receipt of this Policy. A copy of this Policy has been provided to the Board. A copy of the Policy is available to all Employees and any member of the public by requesting a copy from: DuPage Water Commission, 600 East Butterfield Road, Elmhurst, Illinois 60126, 630-834-0100.

**X. AMENDMENTS**

This Policy may be amended by the Commission at any time. If the Policy is amended, the Commission shall file a written copy of the Policy, as amended, with the Board and shall also advise all Employees of the existence of the amended Policy. A copy of the amended Policy will be made available to Employees and the public as set forth in the preceding section above.

**ACKNOWLEDGMENT BY EMPLOYEE**

Received a copy of this Identity-Protection Policy this \_\_\_\_ day of \_\_\_\_\_ 2011.

Name of Employee: \_\_\_\_\_



## DUPAGE WATER COMMISSION STATEMENT OF PURPOSE FOR COLLECTION OF SOCIAL SECURITY NUMBERS

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, and the Identity-Protection Policy of the DuPage Water Commission ("Commission") require the Commission to provide an individual with a statement of the purpose or purposes for which the Commission is collecting and using the individual's Social Security number ("SSN") anytime an individual is asked to provide the Commission with his or her SSN or upon request of the individual. This Statement of Purpose is being provided to you because you have been asked by the Commission to provide your SSN or because you requested a copy of this statement.

### **Why do we collect your Social Security number?**

You are being asked for your SSN for one or more of the following reasons:

- Employment (I-9 Employment Eligibility Verification/State and Federal W-4s/Benefit Enrollment and Administration (Pension, Insurance, Deferred Compensation, FSA, Workers Compensation)/New Employee Information forms/etc.)
- Background Checks (Employment Applicants/Employees/Contractor-Vendor Personnel/ etc.)
- Contractor-Vendor Services (W-9s and 1099s)
- Child support collection
- Internal Verification
- Administrative Services
- Other: \_\_\_\_\_

### **What do we do with your Social Security number?**

We will only use your SSN for the purpose for which it was collected.

We will not:

- Sell, lease, loan, trade, or rent your SSN to a third party for any purpose;
- Publicly post or publicly display your SSN;
- Print your SSN on any card required for you to access our services;
- Require you to transmit your SSN over the Internet, unless the connection is secure or your SSN is encrypted; or
- Print your SSN on any materials that are mailed to you, unless State or Federal law requires that number to be on documents mailed to you or the documents are being sent to you as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the SSN. If mailed, your SSN will not be visible without opening the envelope in which it is contained.

### **Questions or Complaints about this Statement of Purpose**

Write to the DuPage Water Commission: Attn: General Manager  
600 East Butterfield Road  
Elmhurst, Illinois 60126