**TITLE: Labor Exchange: Data Sharing**

**REFERENCES**

[RCW 50.13.060](http://www.leg.wa.gov/pub/billinfo/1999-00/senate/6225-6249/6236_sl_03282000.txt)
[RCW 42.17.310](http://www.leg.wa.gov/pub/billinfo/1999-00/senate/6225-6249/6236_sl_03282000.txt)

Please refer to LX-Procedure-Data Sharing-4013-0904 for specific procedures to this Policy.

**PURPOSE**

**PERSONS AFFECTED**

This communication applies to ESD staff, as well as staff of WorkSource partner agencies or organizations who have signed Memorandum of Understanding (MOU) with the local Workforce Development Council (WDC) or who provide Workforce Investment Act (WIA) services under contract with a WDC or ESD and who have signed data sharing agreement with ESD.

**DEFINITIONS**

1. **Data Sharing Agreements** - Contracts with partners of the WorkSource system that provide for the transfer of job seeker data only to the extent that the transfer is necessary for the efficient provisions of work force development programs, including but not limited to the public Labor Exchange, Unemployment Insurance (UI), worker training and retraining, vocational rehabilitation, vocational education, adult education, transition from public assistance, and support services.
2. **Data Sharing Notices** - Written or electronic notices that: (1) describe the nature of the information to be shared, the general use of the information by WorkSource partner staff, and among whom the information is shared; (2) inform job seekers that shared information is used only for the purpose of delivering services and that further disclosure of the information is prohibited under contract; (3) advise job seekers that they may request that private and confidential information not be shared among the WorkSource partners; and (4) advise job seekers that if they request that private and confidential information not be shared among the WorkSource partners, such a request in no way affects their eligibility for services.
3. **Data Sharing Notification** - The verbal, written, and/or electronic process by which job seekers are informed that: (1) their information is shared with WorkSource partner staff, the nature of the information to be shared, and the general use of the information by WorkSource partner staff; (2) shared information is used only for the purpose of delivering services and that further disclosure of the information is prohibited under contract; and (3) that they may request that private and confidential information not be shared among the WorkSource partners; and (4) that if they request that private and confidential information not be shared among the WorkSource partners, such a request in no way affects their eligibility for services.

**POLICY**

It is the policy of the Employment Security Department (ESD) to share job seeker information with WorkSource partners through the use of data-sharing agreements (contracts). Such agreements (contracts) provide for access to client data only to the extent that it is necessary for the efficient provisions of workforce programs, including but not limited to the public Labor Exchange, Unemployment Insurance (UI), worker training and retraining, vocational rehabilitation, vocational education, adult education, transition from public assistance, and support services.

It is also the policy of ESD to allow individual job seekers the option of **not** having their private and confidential information shared with the WorkSource partners. All such requests are fully honored and in no way affect a job seeker's eligibility for services.

Finally, ESD Policy 0030 requires every workforce development council and service delivery site to have procedures in place regarding how to serve those job seekers opting **not** to share their data with WorkSource partners. Since ESD staff are the only ones authorized to change the opt out status based on a job seeker's request, the local partnerships are strongly encouraged to develop mutually agreed upon policies and processes that conform the RCW 50.13 when the job seeker subsequently requests to share his/her information in SKIES.

The Services, Knowledge, Information, Exchange, System (SKIES) is the WorkSource case management, accountability and reporting system. It allows job seeker records to be suppressed for those who have chosen not to have their information shared that is those who opt out.  Those records are only viewable by authorized ESD staff.  Types of services and outcomes are counted or available to extract.  SKIES allows job seeker records to be viewable only by ESD staff for those who have opted out.

This policy is consistent with Policies and Procedures communication number 4014, Public Records Privacy Protections.

**SUPERSEDES**

This communication cancels and supersedes Policies and Procedures #4013 dated January 12, 2001.

**CONTACT**

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