

Annex 3-A

State Wage Interchange System (SWIS) *Employment Flag Confidentiality Acknowledgement*

Note: This signed acknowledgement is returned to the state agency that is the Performance Accountability and Customer Information Agency (PACIA) under the SWIS Agreement named below:

PACIA Name: _____

Local Service Provider (Employer) Name, if applicable: _____

The SWIS Data Sharing Agreement (SWIS Agreement), at Section IX.G, and the Employment Flag Data Sharing Agreement between PACIA and Employer (Employment Flag Agreement) allow disclosure of limited data on program participants (the “Employment Flag”), which are derived from SWIS Wage Data, to employees of Employer, a Local Service Provider (as defined in IX.G of the SWIS Agreement) and to PACIA employees for the limited purpose of completing required performance reporting activities, provided that certain conditions are satisfied, including that each employee that is provided access to the Employment Flag acknowledges the confidentiality requirements and restrictions applicable to the Employment Flag data by signing this Annex 3-A Acknowledgement (or alternatively, by following the electronic acknowledgement procedures outlined in Annex 3-B of the SWIS Agreement).

The individual whose name and signature are set out below hereby acknowledges their understanding of:

- the confidential nature of data obtained from the SWIS, including Wage Data, PII from students’ Education Records, and personal information in the possession of VR agencies received through the state case management system, specifically including the Employment Flag;
- the standards for the handling of such confidential data, specifically include the “Read-only” limitation on access to the Employment Flag, which are described in Sections VI, VIII, IX and XI of the SWIS Agreement, the SWIS Agreement/FERPA Written Agreement, any Supplemental FERPA Agreement(s), and the Employment Flag Agreement;
- the obligation to comply with such standards in carrying out their responsibilities for data confidentiality under the SWIS Agreement; and
- that no further disclosure, or re-disclosure, of such SWIS Wage Data is authorized.

Each authorized employee of the PACIA or Local Service Provider attests that they:

- have been provided an electronic or physical copy of the SWIS Agreement, including the SWIS Agreement/FERPA Written Agreement, any Supplemental FERPA Agreement(s), and the Employment Flag Agreement, each incorporated by reference into the SWIS Agreement;
- have reviewed the SWIS Agreement and the other agreements incorporated therein;

- agree to comply with the applicable standards contained in the SWIS Agreement, and the other agreements incorporated therein, in carrying out my performance outcome reporting duties, which are the sole purpose for which the Employment Flag data may be used; and
- will not redisclose the employment status derived from Wage Data obtained through SWIS.

Submission of signed Employment Flag Confidentiality Acknowledgement: Users with access to the Employment Flag shall deliver the signed Employment Flag Confidentiality Acknowledgement (Annex 3-A) electronically to the PACIA point of contact. Signed Word documents are not acceptable. Digital signatures and scanned or electronic documents are acceptable.

Please note, the PACIA is responsible for maintaining signed Annex 3-A documentation. Signed Annex 3-A documentation is subject to review by ETA or its agent or contractor. Annex 3-A must be completed by each employee with access to the Employment Flag.

This Annex 3-A, the Employment Flag Confidentiality Acknowledgement, does not replace the requirement to complete Annex 2, the SWIS Acknowledgement of Confidentiality Requirements and Restrictions for PACIA employees and contractors who will have access to any SWIS Wage Data in addition to the Employment Flag. Staff who will have access to SWIS Wage Data in addition to the Employment Flag must complete Annex 2.

Annex 3-A Employment Flag Confidentiality Acknowledgement
Signature Page

(Complete if SWIS Acknowledgement is not incorporated in state’s online system where the employment flag is displayed.)

<u>PACIA Point of Contact</u> (PACIA POC to complete Prior to Distribution)	
<i>PACIA Point of Contact (POC) Name:</i>	
<i>PACIA POC Title:</i>	
<i>PACIA Agency Name & State:</i>	
<i>PACIA POC Email or Mailing Address:</i>	
<i>PACIA Point of Contact Telephone:</i>	

<u>Employer/Local Service Provider Point of Contact</u> (if applicable)	
<i>Local Service Provider/Employer Name:</i>	
<i>Point of Contact (POC) Name:</i>	
<i>POC Title:</i>	
<i>POC Email or Mailing Address:</i>	
<i>POC Telephone:</i>	

The name of each individual who completes this Acknowledgement of Confidentiality by signing below and providing the date of acknowledgement must be reported to the PACIA Contact listed above. In addition, a copy or other reliable record (physical or electronic version) of each signed Acknowledgement must be maintained by the PACIA.

Note: All instructions provided by the PACIA (named above) regarding tracking, maintaining, and updating Acknowledgements of Confidentiality (**Annex 3-A or Annex 3-B**) for each individual who will access the Employment Flag must be carefully followed.

The undersigned acknowledges and attests to the terms.

<u>Signature:</u>	
Name (Please print):	
Date of Acknowledgement:	

(Please print an Acknowledgement page for each employee to sign)