

Element 6

Data and Information Collection and Maintenance (29 CFR§37.54 (D)(1)(IV) and (VI))

The State ensures that recipients:

Collect and maintain records on applicants, registrants, eligible applicants/registrants, terminees, employees, and applicants for employment.

The Rhode Island Department of Labor and Training's Workforce Investment Act data collection system collects and maintains information on applicants, registrants, eligible applicants/registrants, participants, terminees, and applicants for employment. This information will be collected through the Department's Virtual One Stop System (VOS). This information includes the race/ethnicity, sex, age, and disability status of each applicant, registrant, eligible applicant/registrant, participant, terminee, and applicant for employment. This information is collected during the intake process and updated as needed throughout the individual's participation in the WIA system. All of these records are handled confidentially in accordance with 29 CFR 32.15, 29 CFR 37.37 (b) (2) and 29 CFR 37.41.

Maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIA Section 188 ((29 CFR §37.37 (c)).

The Department's Equal Opportunity Officer maintains a log of all complaints filed that allege discrimination on one or more of the bases prohibited by WIA section 188. The EO Log includes all the CFR required information: the name and address of the complainant, the ground of the complaint, a description of the complaint, the date the complaint was filed, the disposition, and date of disposition of the complaint, and other pertinent information.

Participant files are kept for a minimum of three years (CFR 37.39) from the close of the applicable program year, or if part of an investigation of a complaint of alleged discrimination, a minimum of three years from the completion of that investigation.

Employment related data, for applicants and terminations as well as for employment actions such as promotions and transfers, are also maintained for a minimum of three years. Applicants for employment voluntarily self-disclose their sex, ethnic and racial categories, age, and if applicable, disability status.

The Department's Equal Opportunity Officer will maintain a log of all complaints filed alleging discrimination on one or more of the bases prohibited by WIA Section 188. These records are also maintained for three years. The Rhode Island Department of Labor and Training is required by 29 CFR 37.38 (a) to promptly notify the CRC Director of administrative enforcement actions and lawsuits brought against the Department that allege discrimination on one or more of the basis prohibited by WIA Section 188. Any sub grants issued by the Department will require that sub grantees notify both the CRC Director and the Department should administrative enforcement actions or lawsuits alleging discrimination as prohibited by Section 188 of WIA be brought against them.

The requirements of 29 CFR 37 which have been placed upon the State will in turn be placed by the State upon Recipients. Language has been added to the Assurances section of new grants and grants modified by the State requiring that Recipients comply with WIA Section 188 and 29 CFR 37. Additionally, Recipients will be required as a condition of initial eligibility and continued eligibility for funds to collect and maintain records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment, record the race/ethnicity, gender, age, and disability status of those persons listed in number 1 above, treat records, particularly those containing medical information, in a manner that ensures their confidentiality, maintain a log of complaints filed that allege discrimination on one or more of the bases prohibited by WIA, section 1288 and 29 CFR 37.37 (c), maintain such records for a period of three (3) years, and, notify the Director of CRC and the Rhode Island Department of Labor and Training of administrative actions and lawsuits brought against them that allege discrimination on one or more of the bases prohibited by WIA Section 188, and 29 CFR 37.37 (c).

Compliance with the above requirements will be verified during scheduled reviews of recipients by the EO Officer.

Describe how recipients, grant applicants, and the State maintain confidentiality of the information collected.

Confidentiality of required information is maintained under the Workforce Investment Act. Confidentiality policies and procedures are included in data collection and maintenance policies.

Rhode Island has begun to use Virtual One Stop System (VOS). The EO Officer has report formatting options available through the State run "Ad hoc" report and can print a report showing demographics of registrants and participants, any services received, the program, local workforce investment area and by service provider in the local area. The Equal Opportunity Officer may use the data during a complaint investigation or to conduct a random sample of services provided in an area or at the service provider level.

Rhode Island's Unemployment Insurance Collection of Claimant Data collection of individual claimant begins when the person contacts the department to file an Unemployment Insurance (UI) claim. This can be done either over the phone or through the Internet. Rhode Island's Unemployment Insurance Division began taking telephone claims on April 6, 1998 and filing claims over the Internet on September 12, 2002. Included on the Internet is a section which explains the claimant's rights to privacy and describes the assurances the department provides for that security. The Internet's "Welcome to the Rhode Island Internet Claims System Page" also gives options, according to ADA standards/requirements, to the population of claimants who require them.

Individual data fields include Social Security number, date of birth, gender, educational level, race, ethnicity, disability status, and veteran indicators. The demographic claimant data is not a prerequisite for receiving UI benefits. Through a claim taking "script" the claimant is informed that all data collected is confidential. It is displayed on screens and stored in the AS400 database.

The Unemployment Insurance division has the capability to query using any of the above data elements as requested by the Equal Opportunity Officer.

Wagner-Peyser data is also collected on the Virtual One Stop System (VOS).