

§ 30.14. - Identity protection.

§ 30.14.1. - Applicability.

Sections 30.14 through 30.14.14 apply to the collection, use and disclosure of social security numbers of individuals by any and all personnel of the city, including all CWLP personnel.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.2. - Purpose: Fulfilling requirements of the Identity Protection Act.

It is the purpose of these provisions to fulfill the requirements of the Identity Protection Act, 5 ILCS 179/1 *et seq.* (hereinafter the "Act"). Under the Act, every municipality is required to establish an identity protection policy regulating the collection, use and disclosure of social security numbers of individuals. These provisions contain reasonable policies and procedures to:

- (1) Identify the Act;
- (2) Train all employees;
- (3) Limit access to social security numbers;
- (4) Collect social security numbers in a manner that allows for easy redaction; and
- (5) Provide a statement of purpose for collection of social security numbers.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.3. - Training.

All employees of the city shall be provided with a copy of these provisions. All employees shall attend a training session on these provisions at least once per year. Training shall include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information. The city purchasing agent shall ensure that all contractors and subcontractors of the city are provided with a copy of these provisions and shall require compliance herewith.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.4. - Access.

Only city employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents. On an annual basis and upon hiring new employees, each city director shall review which employees shall have access to such information and

documents, and shall limit access to only those employees who are required to have it in furtherance of their duties and responsibilities.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.5. - Redaction.

Whenever any city employee requests that a social security number be provided, such employee shall require that the social security number be provided in a manner that makes it easy to redact. The social security number shall be set apart from all other information on the document, so that it is easily identifiable and can be redacted if the document is required to be released as part of a public records request. Before allowing public inspection or copying of information or documents containing a social security number, the city employee providing such information or documents shall redact the social security number in such a manner that the social security number is not disclosed.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.6. - Statement of purpose.

Whenever any city employee requests that a social security number be provided, such employee shall give to the individual whose social security number is collected a statement declaring the purpose for which the city is collecting and using the social security number.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.7. - Prohibited activities.

No employee, agent, contractor or subcontractor of the city shall do any of the following:

- (1) Publicly post or publicly display a social security number.
- (2) Print a social security number on any card required to access products or services.
- (3) Require transmission of a social security number over the Internet, unless the connection is secure or the social security number is encrypted.
- (4) Print a social security number on anything that is mailed, unless: (i) in connection with the administration of the Unemployment Insurance Act; (ii) in connection with any tax administered by the Illinois Department of Revenue; (iii) as part of an application or enrollment process, or to establish, amend or terminate an account, contract or policy; or (iv) to confirm the accuracy of the social security number; or (v) unless state or federal law requires the social security number to be on the document to be mailed.
- (5) Encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11; Ord. No. 431-12-11, § 1(Exh. A), 12-6-11)

§ 30.14.8. - Collection, use or disclosure of social security numbers.

No employee, agent, contractor or subcontractor of the city shall collect, use or disclose a social security number unless all of the following are met:

- (1) Required by law; and
- (2) Necessary to perform duties and responsibilities; and
- (3) The need and purpose for the social security number is documented beforehand; and
- (4) The social security number is relevant to the documented need and purpose.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.9. - Internet access.

No employee, agent, contractor or subcontractor of the city shall require an individual to use a social security number to access an Internet website.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.10. - Use for authorized purpose only.

No employee, agent, contractor or subcontractor of the city shall use a social security number for any purpose other than the purpose for which it was collected.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.11. - Limited exceptions.

The following is a list of limited exceptions to sections 30.14.8, 30.14.9 and 30.14.10. These limited exceptions do not apply to the prohibited activities listed in section 30.14.7 above. There are no exceptions to the prohibited activities listed sections 30.14.7.

- (1) Disclosure of social security numbers to agents or employees of the city or another governmental entity if disclosure is necessary to perform duties and responsibilities.
- (2) Disclosure of social security numbers to contractors or subcontractors of the city or another governmental entity if: (i) disclosure is necessary to perform duties and responsibilities; and (ii) the contractor or subcontractor has provided a copy of their policy for protecting social security numbers in accordance with the Act.
- (3) Disclosure of social security numbers pursuant to a court order, warrant or subpoena.
- (4)

Collection, use or disclosure of social security numbers in order to ensure the safety of: (i) employees; (ii) persons in custody of law enforcement/corrections officers; (iii) wards of the state; (iv) persons working in or visiting a city facility.

- (5) Collection use or disclosure of social security numbers for internal verification or administrative purposes.
- (6) Collection or use of social security numbers to: (i) investigate or prevent fraud; (ii) conduct background checks; (iii) collect a debt; (iv) obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act; (v) any permissible purpose listed in the federal Gramm Leach Bliley Act (consolidation of financial institutions); or (vi) locate a missing person, lost relative or a person who is due a benefit (such as a pension benefit or unclaimed property).

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11; Ord. No. 431-12-11, § 1(Exh. A), 12-6-11)

§ 30.14.12. - Program administrator.

The director of human resources is responsible for the implementation and administration of these provisions. The program administrator is responsible for administration, ensuring appropriate training of city staff, and determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to these provisions.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.13. - Periodic updates.

- (a) These provisions must be periodically reviewed and updated to reflect changes in the law and risks to individuals who provide social security numbers.
- (b) At least annually, the program administrator shall consider:
 - (1) The city's experiences with collection, use and disclosure of social security numbers;
 - (2) Changes in methods for collection, use and disclosure of social security numbers;
 - (3) Changes in types of information that the city maintains; and
 - (4) Changes in the law.
- (c) After considering the factors under subsection (b), the program administrator must determine whether changes to these provisions are warranted. If changes are warranted, then the program administrator must present the city council with his or her recommended changes, and the city council shall determine whether to accept, modify, or reject those changes to these provisions.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

§ 30.14.14. - Staff training and reports.

The program administrator must train or direct the training of all of the city staff who are responsible for implementing these provisions. This training must include a thorough understanding of the requirements of these provisions.

(Ord. No. 246-7-11, § 1(Exh. A), 7-5-11)

