# Confidentiality of Employment Security Department Records and Data

**Employment Security Department**
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# Executive summary

In 2019, the Legislature directed the Employment Security Department (Employment Security) to report to the governor and Legislature on the implementation and maintenance of Title 50.13 RCW[1]. Employment Security must:

- Develop an agency personal information minimization policy to reduce the use and retention of personal information wherever possible.
- Create a work plan that includes the estimated costs of execution for:
  - An inventory of all personal information prepared, owned, used, or retained by Employment Security.
  - A map of the location of all personal information collected.
- Report the work plan to the state Office of Privacy and Data Protection annually.
- Report to the governor and the Legislature on the implementation and maintenance of the new provisions, including best practices and recommendations.

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[1] Engrossed Senate Bill 5439, ch. 81, Laws of 2019.

# Overview

This report includes an overview of Employment Security's planned, phased approach to implementing the requirements of [RCW 50.13.120](RCW 50.13.120).

## Specific statutory requirements

- Designate an agency privacy officer to oversee the administration of this chapter and chapter 50A.25 RCW.
- Develop an agency personal information minimization policy to reduce the use and retention of personal information wherever possible.
- Create a work plan that includes the estimated costs of executing:
  - An inventory of all personal information prepared, owned, used, or retained by Employment Security that would include the specific type of information, the purpose for its collection, and the extent to which the information is protected from unauthorized access.
  - A map of the physical or digital location of all personal information collected by Employment Security, indexed to the inventory created.
- Report the work plan created under RCW 50.13.120(b) to the state Office of Privacy and Data Protection annually.

# Implementation & planning

## Work completed 2021-2023

In 2019, Employment Security hired a Chief Data Privacy Officer (CDPO) and created the Office of Privacy, Records & Data Sharing. Foundational data management work began during late 2019. However, this person's focus was diverted to the agency's work during the COVID-19 pandemic, including helping respond to fraud attacks by international crime rings.

In 2022, Employment Security adopted a strategic plan that includes an action for the department to "Develop an inventory of technologies and data sets across the agency and the organizational capabilities and/or processes they support to identify opportunities for alignment and reduction of technical debt." Additionally in 2022, Employment Security initiated critical steps to safeguard sensitive data by establishing an internal data loss prevention team

and implementing comprehensive procedures. The proactive approach was aimed at fortifying the department's defenses against unauthorized data access and ensuring the security of sensitive data.

During the same year, an acting Certified Data Protection Officer (CDPO) was appointed to oversee the administration of RCW 50.13.120 and RCW 50A.25. In addition, a Request for Quote and Qualifications (RFQQ) was submitted on Washington Electronic Business Solution (WEBS) to source the best possible vendors to provide the services needed to inventory Employment Security data and produce a data map of all Personal Identifiable Information (PII) held by the agency.

In 2023, a permanent CDPO was hired to provide stability and expertise in the management of data and data confidentiality. Additionally, in 2023, Employment Security's commitment to responsible data usage and security was solidified when a Minimal Use Policy was published. This policy provides clear and transparent guidelines that emphasize Employment Security's dedication to responsible data handling and protection.

## Work plan 2024-2025

Employment Security is developing a work plan that inventories data and produces a data map, as well as creates training on these issues.

Employment Security worked with a vendor from June to November 2022 to create a contract and statement of work to inventory and map data. Due to proposed changes to the approach by the vendor, work to be covered within the contract, and pricing, Employment Security determined this vendor was no longer a viable option. Upon hiring Employment Security's new CDPO, this work has resumed.

Employment Security's first objective involves producing a data inventory, which will provide a thorough overview of all sensitive data types and their locations. The next objective will be to create a data map to establish a clear data life cycle. The data map will enable Employment Security to visualize how data flows through the agency and will provide vital information to ensure proper management and security of data.

This work plan is pivotal in strengthening our data management practices and will play a crucial role in ensuring that Employment Security is well-prepared to meet evolving data-related challenges and opportunities in the future. To carry out this work, Employment Security will seek a new vendor through a Request for Information (RFI) that specializes in data inventory and mapping. Simultaneously, Employment Security will evaluate what work may be done internally to determine if a non-permanent Employment Security employee may complete this

work. Once both assessments have been completed, Employment Security will select the most comprehensive and feasible approach.

## Data inventory

Employment Security will complete a full, agency-wide data inventory. This will utilize advanced data discovery through automated scanning and application programming interface (API) integrations. The agency will create an inventory of all sensitive information prepared, owned, used, or retained by Employment Security to include the:

- Precise type of data.
- Purpose for its collection
- Legal requirements for its use
- Extent the information is protected from unauthorized access.

## Data map

Employment Security intends for the designated project resource to use information gained from the data inventory to create a data map. The agency data map will include:

- A map of the physical and digital location of all personal information collected by Employment Security, indexed to the data inventory.
- The full data lifecycle for Employment Security data, including creation or collection, processing, dissemination, use, storage, and disposition, including destruction and deletion.

The desired outcome is an Employment Security data inventory and strong internal processes for managing data. This will allow the agency to identify data location and data storage information at an individual data subject level.

## Data inventory and data map estimated costs

| Estimated cost | Work plan option |
|---|---|
| $200,000-$400,000 | Contracted vendor support<br><br>The vendor will complete the data inventory and mapping. This number may represent the full cost to Employment Security if the agency is able to extract all elements required by the associated statute. |

| Estimated cost | Work plan option |
|---|---|
| $226,000-$303,000 | Create a non-permanent Employment Security project leader position |
| | Inventory, mapping, indexing, and data lifecycle work to be completed by a 24-month, non-permanent Employment Security project manager. |

## Training

Employment Security will its Minimal Use Policy to create an internal all-agency privacy training. This will be a required, annual training and will be included in the new-hire training catalog.

| Estimated cost | Work plan option |
|---|---|
| None | There are no anticipated costs. The agency will utilize internal training resources for foundational privacy training. |
| Unknown | Depending on how advanced privacy, data stewardship, and records training needs may become, there may be a need to supplement internal Employment Security resources for necessary training materials. |