

<b>Oregon Public Employees Retirement System</b>	<b>Posted date</b> July 13, 2006	<b>Number</b> 1.01.00.00.028.POL
<b>Signature</b> <i>Paul Cleary</i>	<b>Approval date</b> July 12, 2006	<b>Page</b> 1 of 2
<b>Policy:</b>	Release of Sensitive Information	
<b>Objective:</b>	Establishes a policy protecting against inappropriate release of sensitive information	
<b>References:</b>	Oregon Revised Statutes (ORS) 192.501 and 192.502	

### Policy

The Public Employees Retirement System (PERS) will not release sensitive information related to members, employees, investments, and employers unless otherwise permitted by this policy or required by law. Sensitive information includes but is not limited to:

1. information classified as SL3 - Restricted or SL4 - Confidential as described by the Data Classification policy (17799-02-0000);
2. information pertaining to litigation to which PERS is a party (ORS 192.501(1));
3. information related to the processing of unfair labor practice complaints (ORS 192.501(9));
4. information related to Human Resources discipline action, materials, or documents supporting that action (ORS 192.501(12));
5. computer programs developed or purchased by or for PERS (ORS 192.501(15));
6. protected health information (ORS 192.518) and the medical records of any members and retirees (ORS 192.502(2));
7. information submitted in confidence to PERS (ORS 192.502(4));
8. information, the disclosure of which is prohibited by Oregon or federal law (ORS 192.502(8) and (9));
9. employee, member, and retiree address; Social Security number; telephone number; and other non-financial membership information and employee financial information (ORS 192.502(12));
10. monthly reports on changes in investments from the preceding month issued by the investment officer to the PERS Board and Oregon Investment Council. This information is to be considered sensitive until 90 days after the end of the calendar quarter to which the reports apply (ORS 192.502(14)); and
11. information related to recruitment, such as test questions and test scores (ORS 192.501(4), references, and personal information on application materials (OAR 105-010-0011).

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Origination date: July 7, 1993

Last revision date: June 5, 2006

Last review date: June 5, 2006

SL2

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### **Releasing authorities**

The executive director, deputy director, and division administrators (releasing authorities) are given the authority to release sensitive information. It is the responsibility of the releasing authority to ensure that the distribution of sensitive information does not violate public law or cause a possible breach of fiduciary duty to the PERS Trust or its members. The releasing authority may delegate, in writing, his or her authority to PERS staff if it is deemed appropriate and conforms to the requirements established by this policy. This delegation must specifically identify the type of information staff may release and what kind of supporting documentation is required to conform to this policy.

PERS employees will only access and use sensitive information on a need-to-know basis as related to their assigned PERS duties.

Unless otherwise specifically stated in this policy or directed by the releasing authority, sensitive information can only be released to the member, retiree, or other appropriate PERS staff. Exceptions to this policy are allowed when the release of sensitive information is authorized:

1. in writing by the member or retiree;
2. by application of legal standards or processes, such as subpoenas;
3. in writing by, and upon documented identification of, a deceased member's or retiree's beneficiary(ies); or
4. through a confidentiality statement in a contract.

### **Release of information to employers**

Sensitive information received from an employer or other source may be reconfirmed without prior authorization as required in this policy. The sensitive information released is limited only to that information originally provided by the employer and is to be released on a need-to-know basis to persons acting in an official capacity on behalf of the employer and authorized by that employer to have access to the information.

### **Employee acknowledgment**

It is the responsibility of all PERS employees to ensure compliance with the intent of this policy. Violation of this policy by agency employees may lead to civil action and/or disciplinary action up to and including dismissal or removal.

I have read and understand the foregoing. I further understand that this document shall be retained in my personnel file, where I may refer to it at any time. This policy is accessible for review on the PERS intranet.

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Employee signature

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Date

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