

Washington State WorkSource System Policy

Policy Number: 1036

Policy Title: Creating accounts in Efforts to Outcomes (ETO) when individuals do not provide Social Security Numbers

Effective Date: September 1, 2021

1. Purpose:

To communicate state policy on the collection of Social Security Numbers (SSN) from individuals seeking services through programs funded by the U.S. Department of Labor under the Workforce Innovation and Opportunity Act of 2014, including procedures for creating accounts in ETO when individuals refuse or are unable to provide SSN as well as to communicate a standard process to create seeker records and record services for eligible individuals who are unable or refuse to provide SSN.

2. Background:

Organizations that provide services to individuals under Titles I and III of the Workforce Innovation and Opportunity Act (WIOA) of 2014 must request Social Security Numbers from those individuals because matching SSNs against quarterly UI wage records remains the most timely, effective, and accurate way to ensure that performance data is available to the one-stop system, and WIOA statutes direct states to use UI wage records for this purpose.

Those same organizations, however, cannot require individuals to provide SSNs as a condition of program participation or receipt of services. Eligible individuals who do not provide SSNs must be provided all categories and types of services for which they qualify, subject to priority of service and resource availability considerations that otherwise apply to all eligible individuals.

There is one exception. The U.S. Department of Labor (DOL) has stated that U.S. Internal Revenue Service (IRS) rules take precedence over WIOA rules. Therefore, individuals who do not want to provide a SSN must decide whether or not to continue to withhold that information when the service would require reporting to the U.S. Internal Revenue Service (i.e., reportable income and wages). If those individuals choose to continue withholding their SSN, Local Workforce Development Boards (LWDBs) and their service providers may subsequently withhold those specific services.

3. Policy:

Services and case notes connected to individuals who do not provide SSNs must be recorded and tracked in ETO. That is done by staff with Department Head

permissions in ETO using procedures outlined in [Efforts to Outcomes \(ETO\) No Social Security Number Procedure](#) located on the Workforce Professionals Center website, Technology Tab, Training Resources, Case management training section.

TEGL 10-16, Change 1, states that the two employment outcome measures (second and fourth quarters after exit) must be captured through supplemental information for individuals who do not provide SSN (or are self-employed) since matches cannot be done against Unemployment Insurance, Wage Record Interchange System (WRIS), and federal government and military employment data.

TEGL 10-16, Change 3, also states that supplemental wage information needs to be captured for the median earnings outcome measure (second quarter after exit) for those who do not provide SSN (or are self-employed).

TEGL 26-16 provides guidance on (1) acceptable supplemental wage information and (2) how it should be obtained.

Acceptable forms of supplemental wage information include, but are not limited to, the

following: Tax documents, payroll records, and employer records such as:

- Copies of quarterly tax payment forms to the Internal Revenue Service (e.g., IRS Form 941 (Employer's Quarterly Tax Return)) from the reference quarters
- Copies of pay stubs (minimum of two) from the reference quarters
- Signed letter or other information from employer on official letterhead attesting to an individual's employment status and earnings during the reference quarters

Other supplemental wage records:

- Follow-up survey (self-reported) of participants during the reference quarters
- Income earned from sales commissions or similar positions during the reference quarters
- Detailed case notes verified by employers and entered by case managers during the reference quarters
- Administrative records from other partners' automated database systems for which data sharing agreements exist, including current records of eligibility for programs with income-based eligibility (e.g., Temporary Assistance for Needy Families (TANF) or Supplemental Nutrition Assistance Program SNAP) from the reference quarters
- Self-employment worksheets (that reflect income after expenses during the reference quarters) signed and attested to by participants

Where wage matches are not possible and local areas choose not to pursue supplemental wage information, participants are still included in the denominator for performance, which means they count as negatives (0 in the numerator) for the second and fourth quarter employment indicators and are excluded from median earnings calculations.

Service delivery staff must explain to participants who receive services without providing SSN that they and possibly their future employers will be contacted in the future and asked about their employment and earnings outcomes. To that end, staff must ensure that full and extensive contact information is collected from such

participants (primary and secondary phone numbers, e-mail addresses, mailing addresses, including the same for alternative and secondary contacts) and instruct such participants to provide updated contact information if anything changes. In following up with participants, staff should contact them as close as possible to the end of the second and fourth quarters after exit.

Upon receiving supplemental wage information, staff must take the Program Outcome TouchPoint in ETO to record the employment and wage information (use the OMB wage conversion chart provided in Attachment 3 of TEGL 10-16, Change 3, if necessary, to convert figures into quarterly wages required for federal reporting).

4. Definitions:

Definitions of terms if needed.

5. References:

- [Public Law 113-128, Workforce Innovation and Opportunity Act \(WIOA\) of 2014, Section 116\(i\)\(2\)](#)
- [Federal Register, Volume 81, No. 161, August 19, 2016](#), Page 55838; 20 CFR 677.175(a)(2)
- [Public Law 93-579, Privacy Act of 1974](#), Section 7(a)(1)
- [Training and Employment Guidance Letter \(TEGL\) 10-16, Change 3](#)
- [Training and Employment Guidance Letter \(TEGL\) 26-16](#)
- WorkSource Services Catalog
- [Efforts to Outcomes \(ETO\) No Social Security Number Procedure](#)

6. Supersedes:

WorkSource Information Notice 0081, Change 4

7. Website:

[Workforce Professionals Center](#)

8. Action:

Local Workforce Development Boards and their contractors must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. Attachments:

None

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