



Ohio Administrative Code

Rule 4141-43-03 Disclosure of wage information to a consumer reporting agency.

Effective: March 1, 2015

(A) Agreements for the disclosure of wage information to a consumer reporting agency must include the following requirements, at a minimum:

(1) A requirement that the consumer reporting agency and any entity to which wage information is disclosed shall assure that a written statement of informed consent is signed by the individual to whom the information pertains prior to requesting wage information about the individual. The statement of informed consent must contain the following:

(a) A specific statement indicating that the individual's wage information will be released;

(b) A statement that the release is only for that particular transaction;

(c) A clear statement informing the individual that the consumer reporting agency may use information from wage information files maintained by the Ohio department of job and family services; and

(d) A statement indicating who may receive the information released.

(2) A requirement that the consumer reporting agency to which wage information is provided, and any other entity to which wage information is disclosed by the consumer reporting agency, shall use the wage information only for the specific transaction authorized by the individual's statement of informed consent.

(3) A requirement that the consumer reporting agency and any other entity to which wage information is provided by the consumer reporting agency shall safeguard the confidentiality of wage information from illegal or unauthorized disclosure by compliance with the following measures:

(a) The information shall be stored in a place physically secure from access by unauthorized persons;



(b) Information shall be stored, transmitted and processed in such a way that unauthorized persons cannot retrieve the information by means of computer, remote terminal or other means;

(c) Precautions shall be taken to ensure that only authorized personnel are given access to on-line files;

(d) The consumer reporting agency and any other entity to which wage information is provided shall instruct all personnel with access to the information regarding the confidential nature of the information, and the sanctions specified in Chapter 4141. of the Revised Code for the unauthorized disclosure of information and any other relevant federal and state statutes and regulations;

(e) The consumer reporting agency shall provide a statement attesting to the policies and procedures used to protect the confidentiality of the wage information; and

(f) The consumer reporting agency and any other entity to which wage information is provided shall permit the Ohio department of job and family services to make onsite inspections to ensure that the requirements of the agreement and Chapter 4141. of the Revised Code are being met.

(4) A requirement that the consumer reporting agency or other entity to which wage information is provided permit a periodic audit of sample transactions accessing wage information to assure that the agency or other entity had a written statement of informed consent meeting the requirements of paragraph (A)(1) of this rule for each transaction.

(5) A requirement that the consumer reporting agency will pay all costs associated with the disclosure of wage information under the terms of the agreement.

(6) A requirement that the consumer reporting agency to which wage information is provided will provide a list of the names, addresses and telephone numbers of all entities to which wage information may be disclosed by the consumer reporting agency.

(B) For the purposes of this rule, "wage information" means the name, social security number, quarterly wages paid, weeks worked by the individual, and the name and address of the individual's



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employer reporting wages under section 4141.20 of the Revised Code.