



PRIVACY IMPACT ASSESSMENT

SYSTEM OR APPLICATION NAME: ERS Forms ID-4E (Notice of RUIA Claim Determination)
and ID-4K (Prepayment Claims Verification Notice)

DATE: September 30, 2008

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Overview

U. S. Railroad Retirement Board (RRB) determines and pays unemployment and sickness benefits to the nation's railroad workers. These benefits are financed entirely by employers covered under the RUIA and Railroad Retirement Act (RRA). Only qualified employees can receive benefits under the RUIA. A new benefit year begins every July 1. To qualify for benefits in a benefit year, employees must have creditable railroad earnings in the preceding calendar year (base year). Section 5(b) of the Railroad Unemployment Insurance and Retirement Improvement Act of 1988, requires that when a claim for benefits is filed with the RRB, the RRB shall provide notice of such claim to the claimant's base-year employer or employers and afford such employer or employers an opportunity to submit information relevant to the claim before making an initial determination on the claim. When the RRB initially pays benefits to a claimant under this Act, provides a notice to the claimant's base-year employer or employers. Forms ID-4K Prepayment Claims Verification Notice and ID-4E, Notice of RUIA Claim Determination, notify the employers of the application and claim for RUIA benefits by their employees. The first notice, Form ID-4K is sent by the RRB when an application or each subsequent claim is filed. The second notice, Form ID4E, is sent when the RRB allows the claim for payment. Each notice allows the base-year employer the opportunity to provide information which may be relevant to the proper adjudication by the RRB of the employee's claim. Employers have 3 business days to respond to Form ID-4K and 60 calendar days to respond for Form ID-4E.

The forms are available in three different formats: paper, Electronic Data Interchange (EDI) via RAILINC and Employer Reporting System (ERS), a web-based system for use by covered employers in exchanging information with the RRB. ED1 and ERS provide a paperless option for filing forms with the RRB, receiving notices from the RRB and receiving and replying to requests from the RRB. All information provided by the employers via paper, EDI and ERS that is relevant to the payment of the claim is then sent to the Railroad Unemployment Claims System (RUCS) for processing.

Section 1.0 – The Nature of the Information in the System and Its Source

Form ID-4K requests the following information from covered employers with respect to an employee's claim for benefit if they find that the employee:

- Is unemployed for a reason other than that reported;
- Reported an incorrect date last worked;
- Is claiming benefits for days on which he or she worked or is entitled to vacation pay, holiday pay or other wages or remuneration; or
- Is claiming benefits for days on which he or she was voluntarily absent from work.

The source of the claim related data is the employee's current or base-year employer. Commercial or publicly available information is not used.

If an employee has been denied benefits based on information provided by his or her current or base year employer, the employee is notified of the denial and has rights to reconsideration regarding the disputed data.

<u>Input Type</u>	<u>Privacy Risk</u>	<u>Mitigation</u>
Paper Form	Unauthorized Disclosure	Delivered in a sealed envelope; handled by authorized personnel on a need to know basis for mainframe processing.
Internet/ERS	Unauthorized Disclosure	Encrypted, password and PIN protected secured transmission residing behind multi-layer firewall protection in an environment controlled by security software and technology based upon a need to know access and least privilege policy.
EDI (RAILINC)	Unauthorized Disclosure	ID-4E and ID-4K data is exchanged with employers via FTP over a secure, encrypted Virtual Private Network connection. The data is unencrypted while on the FTP server but is controlled by a specific 15 minute window during which files are exchanged before they are deleted.

Section 2.0 -- The Uses of the Information

The employer responses to Forms ID-4E and ID-4K are used to determine entitlement to RUIA unemployment and sickness benefits to prevent erroneous benefit payments and to recover benefits that were erroneously paid.

No tools are used to analyze the employer responses. Claims examiners use the information provided by the employers to review pending payments or past payments to determine entitlement, which can result in benefits being denied or recovered.

Access to the information is restricted to only those authorized employees and officials and established rules of behavior exist for such persons who need it to perform their official duties for the payment or recovery of benefits, including those persons involved in the appeal process.

Section 3.0 – Retention of Information

The employer responses to Forms ID-4K are retained for 3 days and the responses to Forms ID-4E are retained for 60 calendar days in ERS. Once the information is transferred to RUCS, it is retained for 7 years and then purged according to a retention schedule approved by the National Archives and Records Administration (NARA).

Section 4.0 -- Internal Sharing and Disclosure of Information

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The information received from employers, via paper, EDI or ERS is fed into RUCS via mainframe batch processing and is only available to those authorized persons who need it to perform their official duties for the payment or recovery of benefits, including any staff that may become involved in the appeal process should an employee disagree with any denial and recovery of benefits based on information provided by their employer.

Information received from employers is not transmitted or disclosed internally. However, the information is available to those persons with the appropriate RUCS access, including those persons involved in the appeal process.

Access control is granted and maintained by the systems owner. Access to the data is only allowed on a need to know basis, and is monitored. User access is reviewed regularly for appropriateness.

Section 5.0 -- External Sharing and Disclosure of Information

The employers' responses to Forms ID-4K and ID-4E are not shared with any non-RRB organization.

Section 6.0 – Notice to the Individual

Applicants are notified of the uses of the information by the Privacy Act, Computer Matching and Privacy Protection Notices that are part of the initial application process prior to the actual collection of the information.

While applicants have the right to decline to provide the information, they are also advised of the consequences for failure to provide such information (the RRB cannot pay benefits without requested information).

Other than the information that is routinely disclosed as listed in the Privacy Act System of Records that apply, no other information will be released without the written consent of the applicant.

Section 7.0 -- Individual Access to and Correction of Their Records

In the absence of a written denial of benefits, applicants and claimants may write to their local office of the RRB to request information about their application or benefit payments. In the event of a formal denial or adverse determination, applicants and claimants are sent a denial letter which explains their rights to reconsideration and instructions on how to request reconsideration of the RRB's decision.

Applicants and claimants are advised to provide any evidence to the contrary along with their written request for reconsideration of any adverse determination or benefit denial. Upon review and investigation by RRB staff, the decision is either affirmed or overturned on the basis of such evidence and all records are updated to reflect correct information if a decision is overturned. Applicants and claimants are advised of any further appeal rights following a subsequent denial.

Also, at any time and apart from any claims-related activity, individuals may request the records about themselves by contacting the RRB official described in the Privacy Act system of records notice that applies (see [RRB-7](#), Applications for Unemployment Benefits and Placement Service under Railroad Unemployment Insurance Act, and [RRB-21](#), Railroad Unemployment and Sickness Insurance Benefit System). They may also request inaccurate information be corrected.

Section 8.0 -- Technical Access and Security

Covered employers assign access to both the ED1 process (RAILING) and ERS based on specific job duties. RRB access is limited to those authorized persons who need it to perform their official duties for the payment or recovery of benefits, including any staff that may become involved in the appeal process. No contractors have access to the system.

ERS includes a role-based access system that is determined by individual employers where their employees have Read, Update and Approve access levels.

In order to use ERS, employers are required to complete Form BA-12, Application for Employer Reporting Internet Access. They must include the user's name, employer name and BA number as which ERS forms that the user will access and security access levels for each form such as Read, Update and Approve. System administrators at the RRB assign a User ID and temporary password and mail that information to the user. ERS system information and instructions are located at ww.rrb.gov.

The RRB uses Form BA-12 to ensure that only authorized users have access to the system. The application is signed by an authorized representative of the employer and reviewed by the RRB. Once authorized, future authentication is controlled by a logon and password.

For security purposes, ERS has the functionality to trace the source of an attack designed to disrupt the site, trace the source of an unauthorized attempt to modify information stored on the system and prove whether fraud has occurred in connection with a law enforcement investigation.

Instructions on the use of ERS as well as security and privacy training are available on www.rrb.gov via links to the Employer Reporting instructions and program letters.

The information in the system is secured in accordance with Federal Information Security Management Act (FISMA) requirements, and was certified and accredited in September 2008.

Section 9.0 – Technology

The RRB considered competing technologies to effectively achieve system goals. Although electronic transmission via EDI and ERS are the most efficient, secure and best way to protect the privacy of the data transmitted, the forms are also made available via paper for employers who are unable to accept the information in any other media. Adequate safeguards are in place to protect the data received in this manner. Standard computer security business rules are applied based on systems rated at medium risk.