

State of Nevada
Department of Employment, Training and Rehabilitation
EmployNV

INDIVIDUAL ACCESS AND CONFIDENTIALITY AGREEMENT

Pursuant to Section 121 of the Workforce Innovation & Opportunity Act of 2014 (WIOA), Nevada has established a workforce delivery system, which includes but is not limited to; One-Stop Career Centers, One-Stop Affiliate sites, Nevada JobConnect Centers, and WIOA Provider/Partner sites.

EmployNV is designed to serve as the operating system for employment, training and education services for employers and individuals pursuant to WIOA. The case management component contains information and data from many sources, including data protected under NRS 612.265 which safeguards the confidentiality of information obtained from employers or persons in the conduct of business with the Department of Employment, Training and Rehabilitation, Employment Security Division (DETR/ESD).

Social Security Administration (SSA) provided data is protected by the Privacy Act and Federal law strictly prohibits the use of the data for any other purpose. Privacy Act of 1974 (5 U.S.C. 522a) as amended by the Computer Matching and Privacy Act of 1988 and related Office of Management and Budget guidelines.

The purpose of this Agreement is to authorize access to EmployNV and the information contained therein, and to ensure individual employee compliance with the restrictions herein.

Employee Name (Please Print Legibly)

Employer - Agency/Organization (Please Print Legibly)

The above named "Employee" is hereby granted access to EmployNV in accordance with the following terms and conditions:

1. All information contained in EmployNV is confidential and shall not be disclosed to any person or organization except those authorized to use the information to implement WIOA. Employee has been fully advised of those persons or organizations with which information can be shared. Violation of this statute by any employee may be a gross misdemeanor pursuant to NRS 612.265.
2. Employee shall comply with all applicable federal and state privacy and confidentiality laws and has been advised of those applicable provisions. Failure to comply with such laws may result in a criminal prosecution or civil sanctions.
3. Access to EmployNV is granted through the issuance of a password by DETR/ESD, to be used only during the period of employment with the above referenced employer for authorized program activities. Employee shall not use EmployNV for any personal activities and shall not disclose the password to any person.

4. Access to EmployNV may be terminated at any time without prior notice. Employee will cooperate with any investigation of the Local Workforce Development Board (LWDB) or DETR/ESD concerning the misuse or misappropriation of information.
5. Employee shall not make copies of EmployNV software or use the software in violation of any intellectual property rights of the software company owners or DETR/ESD.
6. Employee understands that any licensing rights are limited to use for program purposes and subject to revocation at any time.
7. Employee shall comply with any protocol or procedure established by the LWDB or DETR/ESD.
8. Employee understands that DETR/ESD and the LWDB reserve the right, without notice, to monitor any of Employee's activities related to the use of EmployNV.

Within the guidelines the employee accessing EmployNV records shall:

- Create complete and accurate customer records.
- Verify that applicants referred to jobs posted to EmployNV meet the minimum requirements of the job listing.
- Appropriately document referrals in EmployNV.
- Refer customers to open job orders following the instructions provided in the job order.
- Notify DETR Business Service Representative (BSR) of a customer going to work as a result of a referral to a job in EmployNV.
- Complete Job Order training, prior to entering job orders.
- Advise employers listing jobs with Employee that positions will be included in EmployNV.
- Direct all questions to the DETR BSR regarding employer records, vetting of employer records and language to insure compliance with state and federal laws.
- Verify employers posting jobs have been vetted and are in good standing with DETR, Employer Contributions prior to creating employer record and/or posting open positions. Vetting includes obtaining the Federal Employer Identification Number (FEIN) and/or a Social Security Number (SSN) prior to creating any records in the system.
- Create appropriate employer registrations in the system if no such record exists.
- Create job order listings for employers and insure such posting meets Nevada JobConnect Job Order Policy.
- Verify outcomes of referrals for any job order Employee posted in EmployNV in a timely manner.
- Insure that job order listings posted in the system are current.

Within the guidelines the employee accessing EmployNV records shall not:

- Provide Employer information to third party job developers as leads.
- Duplicate job orders from EmployNV into other systems.
- Change or alter job orders.
- Change or alter Employer records.
- Provide DETR BSR contact information to job seekers.
- Use the employer information in EmployNV to generate leads to write On-the-Job Training (OTJ) contracts.
- Contact Employers other than those currently posting jobs with their agency, unless specifically identified in job order application instructions.

- Provide Employer contact information to job seeker/applicant without referral; and/or as specified in job order application instructions.

Violation of this statute by any employee may be a gross misdemeanor pursuant to NRS 612.265.

I certify that I have read the above document and that I have been advised of the confidentiality requirements and will comply therewith even after my relationship with the Employer is terminated.

Employee Name (Please Print)

Employee Signature / Date

Supervisor: Name & Title (Please Print)

Supervisor/Employer - Signature & Date

Authorized - Name & Title (Please Print)

Authorized - Signature & Date