

ORDINANCE NO. 041911 SS

**AN ORDINANCE ADOPTING THE HANOVER TOWNSHIP
IDENTITY- PROTECTION POLICY**

WHEREAS, Section 37 of the Illinois Identity Protection Act (the “Act”) requires the Hanover Township to adopt an identity-protection policy on or before June 1, 2011 (5 ILCS 179/37); and

WHEREAS, the purpose of the Act and the attached Hanover Township Identity-Protection Policy is to prohibit the unauthorized release and/or disclosure of social security numbers and to reduce potential identity theft;

NOW, THEREFORE, BE IT ORDAINED by the Supervisor and Board of Trustees (the “Board”) of the Hanover Township, Cook County, Illinois, as follows:

SECTION ONE: The above Recitals are hereby incorporated into and made a part hereof.

SECTION TWO: The Board hereby adopts the Hanover Township Identity-Protection Policy, a copy of which is attached hereto and incorporated herein (the “Policy”).

SECTION THREE: The Township Administrator, or his designee, is authorized and directed to perform such acts as required under the Act and the Policy, including, but not limited to, causing all Township employees identified as having access to social security numbers in the course of performing their duties for the Township to be trained to protect the confidentiality of social security numbers, as required under the Act and Policy.

SECTION FOUR: A copy of the Policy shall be filed with the Board within 30 days hereof. Notice of the existence of the Policy shall be given by the Township Administrator, or his designee, to all employees of the Township, and a copy of the Policy shall be made available to all Township employees, and also to all members of the public who request a copy of the Policy.

SECTION FIVE: SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION SIX: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall effective upon its passage and approval. The Policy shall be effective June 1, 2011, other than Article VII of the Policy which shall become effective upon the passage and approval of this Ordinance.

ROLL CALL VOTE:

AYES: *Trustees Benoit, Burke, Krick, and Westlund-Deerihar*

NAYS: *0*

ABSENT: *Supervisor McGuire*

PASSED: April 19, 2011

APPROVED: April 19, 2011

Brian P. McGuire

Brian P. McGuire, Supervisor

Attest:

Katy Nolan Baumer

Katy Dolan Baumer, Township Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 041911SS, enacted on April 19, 2011, and approved on April 19, 2011, as the same appears from the official records of Hanover Township.



Katy Dolan Baumer, Township Clerk

HANOVER TOWNSHIP IDENTITY-PROTECTION POLICY

I. INTRODUCTION AND IDENTIFICATION OF ACT

This Identity-Protection Policy is adopted pursuant to the Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.* The Identity Protection Act requires HANOVER TOWNSHIP (the "Township") to draft, approve, and implement this Identity-Protection Policy to ensure the confidentiality and integrity of Social Security numbers (SSNs) that the Township collects, maintains, and uses. It is important to safeguard SSNs against unauthorized access because SSNs can be used to facilitate identity theft. One way to better protect SSNs is to limit the widespread dissemination of those numbers. The Identity Protection Act was passed in part to require the Township and other local and State government agencies to assess their personal information collection practices and make necessary changes to those practices to ensure confidentiality. All Township officers, employees, and agents shall comply with the Identity Protection Act and this Policy at all times.

II. DEFINITIONS

The following words shall have the following meanings when used in this Policy.

"Act" means the Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.*

"Board" means the Board of Trustees of the Township.

"Township" means HANOVER TOWNSHIP.

"Person" means any individual in the employ of the Township.

"Policy" means this Identity-Protection Policy.

"Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.

"Redact" means to alter or truncate data so that no more than five sequential digits of a SSN are accessible as part of personal information.

"SSN(s)" means any Social Security number provided to an individual by the Social Security Administration.

"Statement of Purpose" means the statement of the purpose or purposes for which the Township is collecting and using an individual's SSN that the Act requires the Township to provide when collecting a SSN or upon request by an individual. An example of a Statement of Purpose for the Township is attached to this Policy.

III. STATEMENT OF PURPOSE

The Township shall provide an individual with a Statement of Purpose anytime an individual is asked to provide the Township with his or her SSN or if an individual requests it.

IV. PROHIBITED ACTIVITIES

(a) Neither the Township nor any Person may:

1. Publicly post or publicly display in any manner an individual's SSN.
2. Print an individual's SSN on any card required for the individual to access products or services provided by the person or entity.
3. Require an individual to transmit a SSN over the Internet unless the connection is secure or the SSN is encrypted.
4. Print an individual's SSN on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the SSN to be on the document to be mailed. Notwithstanding the foregoing, SSNs may be included in applications and forms sent by mail, including, but not limited to: (i) any material mailed in connection with the administration of the Unemployment Insurance Act; (ii) any material mailed in connection with any tax administered by the Department of Revenue; and (iii) documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the SSN. A SSN that is permissibly mailed pursuant to this paragraph will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

(b) Except as otherwise provided in paragraph (c) below or unless otherwise provided in the Act, neither the Township nor any Person may:

1. Collect, use, or disclose a SSN from an individual, unless: (i) required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the SSN is otherwise necessary for the performance of the Township's duties and responsibilities; (ii) the need and purpose for the SSN is documented before collection of the SSN; and (iii) the SSN collected is relevant to the documented need and purpose.
2. Require an individual to use his or her SSN to access an Internet website.
3. Use the SSN for any purpose other than the purpose for which it was collected.

(c) The prohibitions in paragraph (b) above do not apply in the following circumstances:

1. The disclosure of SSNs to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity first receives from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets

forth how the requirements imposed under this Act on a governmental entity to protect an individual's SSN will be achieved.

2. The disclosure of SSNs pursuant to a court order, warrant, or subpoena.
3. The collection, use, or disclosure of SSNs in order to ensure the safety of: State and local government employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility.
4. The collection, use, or disclosure of SSNs for internal verification or administrative purposes.
5. The disclosure of SSNs by a State agency to the Township for the collection of delinquent child support or of any State debt or to the Township to assist with an investigation or the prevention of fraud.
6. The collection or use of SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

V. COORDINATION WITH THE FREEDOM OF INFORMATION ACT AND OTHER LAWS

The Township shall comply with the provisions of the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, and any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's SSN. However, the Township shall redact SSNs from the information or documents before allowing the public inspection or copying of the information or documents.

When collecting SSNs, the Township shall request each SSN in a manner that makes the SSN easy to redact if required to be released as part of a public records request.

VI. LIMITED EMPLOYEE ACCESS TO SOCIAL SECURITY NUMBERS

Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs shall first be trained to protect the confidentiality of SSNs. The training will include instructions on the proper handling of information that contains SSNs from the time of collection through destruction of the information.

VII. EMBEDDED SOCIAL SECURITY NUMBERS

Neither the Township nor any Person shall encode or embed a SSN in or on a card or document, including but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the SSN as required by the Act and this Policy.

VIII. APPLICABILITY

If any provision of this Policy conflicts with any provision of the Act, the provisions of the Act shall prevail.

This Policy does not apply to:

1. the collection, use, or disclosure of a SSN as required by State or federal law, rule, or regulation; or
2. documents that are recorded with a county recorder or required to be open to the public under a State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois; provided, however, that the Township shall redact the SSN from such document if such law, rule, or regulation permits.

IX. AVAILABILITY OF POLICY

The Policy shall be filed with the Board within 30 days of its approval. All Township employees shall be advised of the existence of this Policy.

Township employees who are required to use or handle information or documents that contain SSNs have been provided a copy of this Policy, which each shall maintain at all times. A copy of the Policy is available to all other employees and any member of the public by requesting a copy from: Katy Dolan Baumer, Hanover Township Clerk, 630-837-0301.

X. AMENDMENTS

This Policy may be amended by the Township Board at any time. If the Policy is amended, the Township shall file a written copy of the Policy, as amended, with the Township Clerk and shall also advise all Township employees of the existence of the amended Policy. A copy of the amended Policy will be made available to Township employees and the public as set forth in the preceding section above.

XI. EFFECTIVE DATE

This Policy becomes effective June 1, 2011, other than Article VII which becomes effective immediately (i.e., April 19, 2011).

ATTACHMENT

STATEMENT OF PURPOSE FOR COLLECTION OF SOCIAL SECURITY NUMBERS BY HANOVER TOWNSHIP

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, and the Identity-Protection Policy of HANOVER TOWNSHIP ("Township") require the Township to provide an individual with a statement of the purpose or purposes for which the Township is collecting and using the individual's Social Security number ("SSN") anytime an individual is asked to provide the Township with his or her SSN or if an individual requests it. This Statement of Purpose is being provided to you because you have been asked by the Township to provide your SSN or because you requested a copy of this statement.

Why do we collect your Social Security number?

You are being asked for your SSN for one or more of the following reasons:

- IL-W-4 Employee's Withholding Allowance Certificate
- Federal Form W-4 Employee's Withholding Allowance Certificate
- Form I-9 – Employment Eligibility Verification
- Criminal Background Check Form
- Illinois Dept. of Employment Security New Hire Reporting Form
- Hanover Township Full & Part Time New hire and Termination Property Checklist
- Health Eligibility Form for health insurance coverage
- Health Program Coordination of Benefits Form
- Standard Insurance Company Enrollment & Change Form (Voluntary Life)
- Illinois Form 45: Employer's First Report of Injury (Worker's Comp)

What do we do with your Social Security number?

We will only use your SSN for the purpose for which it was collected.

We will not:

- Sell, lease, loan, trade, or rent your SSN to a third party for any purpose;
- Publicly post or publicly display your SSN;
- Print your SSN on any card required for you to access our services;
- Require you to transmit your SSN over the Internet, unless the connection is secure or your SSN is encrypted; or
- Print your SSN on any materials that are mailed to you, unless State or Federal law requires that number to be on documents mailed to you. If mailed, your SSN will not be visible without opening the envelope in which it is contained.

Questions or Complaints about this Statement of Purpose

Write to the HANOVER TOWNSHIP
250 South Route 59
Bartlett, Illinois, 60103
Attention: James Barr,
Township Administrator