

*Memo*

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**PERSL 1367**

DATE: July 22, 2002

TO: HR-All, HRDP, SEMA4 General Information

FROM: Laurie Hansen, Employee Relations Division Manager

RE: Tennessean Warning for Collection of Private Data from New Employees

A new Tennessean warning notice is available for use when collecting private data from new employees. This notice must be given to new employees when collecting private personnel data to be entered in the SEMA4 system.

In accordance with M.S. 13.04, Subd. 2, an individual asked to supply private or confidential data concerning the individual must be provided a notice, commonly referred to as a Tennessean warning. This notice must inform the individual of: 1) the purpose and intended use of the data, 2) whether the individual may refuse or is legally required to supply the data, 3) any consequences to the individual of either supplying or refusing to supply the data, and 4) the identity of other persons or entities that are authorized by law to receive the data. A Tennessean warning is required prior to the collection of private data from employees at the time of hire. The following private data is currently collected from new employees and entered into SEMA4:

- Home Address
- Telephone Number
- Social Security Number
- Birth Date
- Ethnic Group, Disability Status, Gender
- Marital Status
- Emergency Contact Information

You may wish to review M.S. 13.43 for information regarding the classification of personnel data.

If any private data is collected other than that listed above, agencies should ensure that collection of such data is for a good business reason only, and that the proper Tennessee warning is provided to the employee prior to the collection of such data.

If you have any questions regarding the attached notice or the collection of private data for SEMA4 entry, please contact me at (651)296-8912 or [Laurie.M.Hansen@state.mn.us](mailto:Laurie.M.Hansen@state.mn.us).



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651.297.1184  
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www.doer.state.mn.us

DATE: October 8, 2002

TO: Personnel Directors/Designees

FROM: Laurie Hansen, Employee Relations Division Manager

RE: **Tennessee Warning for Collection of Private Data from New Employees – Addendum to PERSL 1367**

On July 22, 2002, I issued Personnel Policy Memo (PERSL) 1367, which provided a new Tennessee warning notice for use when collecting private data from new employees. I have since received some questions about whether employees should sign the form.

There is no law that authorizes a government agency to require an individual to sign an acknowledgment that s/he has received a Tennessee warning notice; however, it is permissible to ask the individual to provide a signature as verification that the notice was given to the individual. If the individual refuses to sign the document, the appropriate way to deal with the refusal is to document that the individual was given the Tennessee warning and that s/he declined to sign the acknowledgment.

I have enclosed a notice that includes a space for signature and date, if you choose to do this. If you do ask the employee to sign the notice, a copy of the signed notice should be given to the employee.

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If you have any questions regarding the attached notice, PERSL 1367, or the collection of private data for SEMA4 entry, please contact me at (651)296-8912 or Laurie.M.Hansen@state.mn.us.

## NOTICE OF INTENT TO COLLECT PRIVATE DATA FROM NEW EMPLOYEES

All new State employees are asked to provide the private data listed below to their hiring agency for the purposes noted. Your agency is required to provide these data to the Minnesota Departments of Employee Relations and Finance. State employees who perform personnel or payroll functions may have access to the data, provided their work reasonably requires access. Others who have legal access to the data: Legislative Auditor, Attorney General, entities specifically designated below, enforcement agencies with statutory authority, and any other person or entity authorized by law or court order.

**Home Address and Telephone Number:** Needed to contact you for work-related matters and to send you important documents. Home address is also required for completion of the Federal Employment Eligibility Verification form (I-9); and the State is legally obligated to provide home address to the Social Security Administration, Internal Revenue Service, applicable State Dept. of Revenue, applicable State retirement system, and Dept. of Human Services. Additionally, if your position is eligible for insurance coverage or represented by a labor organization, applicable insurance carriers and the labor organization representing you have a legal right to this information. You are not legally required to provide these data. However, if you do not provide a home address, you may not receive important documents, the State cannot fulfill its legal obligations and your eligibility for employment may be affected. If you do not provide a home telephone number, your agency may not be able to contact you when necessary.

**Social Security Number (SSN):** Needed for reporting earnings and taking deductions, as required by law. It is also required for completion of the Federal Employment Eligibility Verification form (I-9). You are legally required to provide your SSN so that we may employ you. Per Federal Internal Revenue Laws, the State is legally obligated to provide your SSN to the Social Security Administration, Internal Revenue Service, and applicable state Dept. of Revenue. The following State agencies also have a legal right to employee SSN's: applicable State retirement system (Mn. Statutes, Chapters 352-356), Dept. of Human Services (Mn. Statutes, section 256.998), and Dept. of Economic Security (Mn. Statutes, section 268.044). Also, if your position is eligible for insurance coverage, applicable insurance carriers may have access to this information, in accordance with Mn. Statutes, sections 43A.23, 62J.54, and 13.05.

**Birth Date:** Needed to ascertain your retirement status, to determine your cost for certain optional insurance coverage, and to determine actuarial rates. It is also required for completion of the Federal Employment Eligibility Verification form (I-9). You are not legally required to provide your birth date; however, your eligibility for employment may be affected if you do not provide it. Additionally, it would not be possible to determine your eligibility for retirement, severance pay, and certain optional insurance coverage. The Minnesota Dept. of Human Services, applicable insurance carriers, and applicable State retirement system have a legal right to this information.

**Ethnic Group, Disability Status, Gender:** Needed to determine if the State has a diverse workforce, that is representative of all Minnesotans. You are not legally required to provide these data. However, without this information, the State may not be able to effectively carry out state and federal equal opportunity and affirmative action mandates. Applicable insurance carriers and State retirement system have a legal right to obtain your gender.

**Marital Status:** Needed to determine eligibility for insurance and death benefit payments. You are not legally required to provide your marital status. However, without this information, certain insurance eligibility determinations and death benefit payments may not be possible. Applicable insurance carriers and State retirement system have a legal right to this information. This information is not needed if your position is not eligible for insurance or retirement benefits.

**Emergency Contact Information:** Needed so that someone may be contacted if an emergency occurs and you need assistance. You are not legally required to provide this information. However, if you do not provide it, we will not be able to contact anyone if an emergency occurs.

### I HAVE READ THE ABOVE INFORMATION:

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_