



Privacy Impact Assessment for **iComplaints**

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System/Business Owner

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I. SYSTEM OVERVIEW

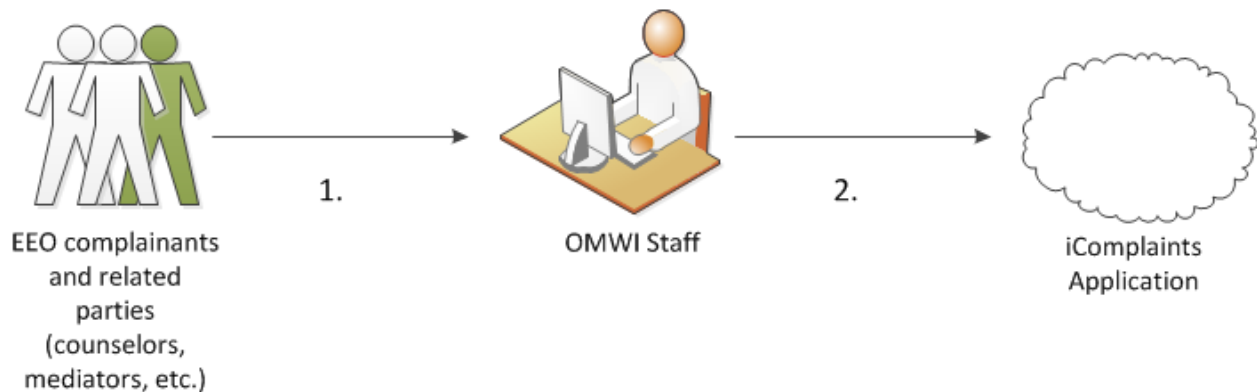
1) Describe the purpose of the system/collection:

The Office of Minority and Women Inclusion (OMWI) provides a neutral and impartial forum for employees, former employees, and applicants for employment to file complaints of discrimination based on one or more of the protected equal employment opportunity (EEO) bases. To carry out its functions, OMWI uses the ETK EEO system (iComplaints) to track deadlines and store information relating to cases of alleged employment discrimination, retaliation, and alternative dispute resolution matters.

Only OMWI staff is permitted to access and use iComplaints. When an individual wishes to make an EEO complaint, OMWI staff enters or uploads information into the system as part of the dispute resolution process. The information collected varies based on the type of complaint or process undertaken.

iComplaints is hosted by an off-site vendor, MicroPact Global, Inc., now part of Tyler Technologies, Inc.

2) Provide a data map or model illustrating how information is structured or is processed by the system throughout its life cycle. Include a brief description of the data flows.



1. EEO complainants provide information relating to EEO matters to OMWI staff orally or in written form, including via EEO forms. Information and documents relating to the EEO matter may also be prepared by third party participants in the dispute resolution process such as mediators and counselors and submitted in part via the EEO Counselor's Report form.
2. OMWI staff enters information and uploads case documents relating to the dispute to iComplaints.

II. AUTHORITY AND PURPOSE

- 1) What is the legal authority to collect, use, maintain, and share information in the system?

Pursuant to 42 U.S.C. §§ 2000e-5(b), 16(a)-(c) and 29 CFR 1614.102, this information is collected to create a factual record to adjudicate EEO complaints in a timely manner, order relief if appropriate, and prepare reports mandated by the EEOC.

III. INFORMATION TYPES

- 1) What information relating to EEO complainants will be collected, maintained, used, and/or disseminated?

Note: Information in iComplaints is necessarily contextual and will depend on the nature of each EEO complaint. iComplaints may therefore contain data elements and information types that are not specifically identified below.

Identifying Numbers	
<input type="checkbox"/> Social Security Number	<input type="checkbox"/> Truncated or Partial Social Security Number
<input type="checkbox"/> Driver's License Number	<input type="checkbox"/> License Plate Number
<input type="checkbox"/> Patient ID Number	<input checked="" type="checkbox"/> File/Case ID Number
<input type="checkbox"/> Student ID Number	<input type="checkbox"/> Health Plan Beneficiary Number
<input type="checkbox"/> Passport Number	<input type="checkbox"/> Federal Student Aid Number
<input checked="" type="checkbox"/> Employee Identification Number	<input type="checkbox"/> Taxpayer Identification Number
<input type="checkbox"/> Professional License Number	<input type="checkbox"/> Legal Entity Identifier
<input type="checkbox"/> Credit/Debit Card Number	<input type="checkbox"/> National Futures Association ID
<input type="checkbox"/> Personal Bank Account Number	<input type="checkbox"/> Other ID if it can be traced back to an individual
<input type="checkbox"/> Personal Device Identifiers or Serial Numbers	
Contact Information	
<input checked="" type="checkbox"/> Personal Mobile Number	<input checked="" type="checkbox"/> Business Phone Number
<input checked="" type="checkbox"/> Personal E-mail Address	<input type="checkbox"/> Business E-mail Address
<input checked="" type="checkbox"/> Home Phone Number	<input type="checkbox"/> Personal or Business Fax Number
<input checked="" type="checkbox"/> Home Mailing Address	<input type="checkbox"/> Business Mailing Address
Sole Proprietors	
<input type="checkbox"/> Business Taxpayer Identification Number	<input type="checkbox"/> Business Mailing Address
<input type="checkbox"/> Business Credit Card Number	<input type="checkbox"/> Business Phone or Fax Number
<input type="checkbox"/> Business Bank Account Number	<input type="checkbox"/> Business Mobile Numbers
<input type="checkbox"/> Business Device identifiers or Serial Numbers	
Biographical Information	
<input checked="" type="checkbox"/> Name	<input checked="" type="checkbox"/> Gender

<input checked="" type="checkbox"/> Date of Birth	<input type="checkbox"/> City or County of Birth
<input checked="" type="checkbox"/> Country of Birth	<input checked="" type="checkbox"/> Zip Code
<input type="checkbox"/> Citizenship	<input type="checkbox"/> Military Service Information
<input type="checkbox"/> Spouse Information	<input type="checkbox"/> Academic Transcript
<input checked="" type="checkbox"/> Group/Org. Membership	<input type="checkbox"/> Resume or Curriculum Vitae
<input type="checkbox"/> Location Data (e.g., GPS)	<input checked="" type="checkbox"/> Nationality
<input checked="" type="checkbox"/> Employment Information	<input type="checkbox"/> Marital Status
<input type="checkbox"/> Mother's Maiden Name	<input type="checkbox"/> Children Information
<input checked="" type="checkbox"/> Religion	
Biometrics/Distinguishing Features/Characteristics	
<input type="checkbox"/> Fingerprints	<input type="checkbox"/> Height
<input type="checkbox"/> Retina/Iris Scans	<input type="checkbox"/> Voice/Audio Recording
<input type="checkbox"/> Hair Color	<input type="checkbox"/> Eye Color
<input type="checkbox"/> Video Recording	<input type="checkbox"/> Photos
<input type="checkbox"/> Weight	<input checked="" type="checkbox"/> Signatures
<input checked="" type="checkbox"/> Race/Ethnicity	<input checked="" type="checkbox"/> Genetic information

- 2) What information relating to iComplaints users will be collected, maintained, used, and/or disseminated?

Active Directory/Device Information	
<input checked="" type="checkbox"/> IP Address	<input type="checkbox"/> MAC Address
<input type="checkbox"/> CFTC Asset Number	<input type="checkbox"/> Device Identifiers or Serial Numbers
<input checked="" type="checkbox"/> User Name	<input checked="" type="checkbox"/> Log data

IV. COLLECTING INFORMATION

- 1) How is the information in this system collected?

Information relating to EEO complainants is collected by a combination of Equal Employment Opportunity Commission (EEOC) forms, notes taken by OMWI staff during oral conversations, statements drafted by complainants, and documentation produced by EEO counselors and mediators. This information is either manually entered by OMWI staff into iComplaints or uploaded into the system and associated with a particular case.

Information relating to OMWI staff is generated by the system's logging function as they use iComplaints.

- 2) If any forms are used to collect information that resides in the system, please include the name of such form(s) and any applicable control number (i.e. issued by CFTC, OMB, etc.).

Form	Control No. (If applicable)
Notice of Rights and Responsibilities	

Certification of Receipt of Rights and Responsibilities	
Agreement to Mediate EEO Matter	
Formal Complaint of Discrimination	
Counselor's Request for an Extension of the Complaint Process	
Counselor's Report	
Notice of Final Interview with EEO Counselor	
Notice of Right to File a Discrimination Complaint	

V. INFORMATION USE

- 1) Will information in the system be retrieved using one or more of the data elements listed in Section III?

Information relating to EEO cases can be retrieved and filtered by various elements including name, gender, date, and case status.

Log information relating to OMWI users of iComplaints can be retrieved and filtered by various elements including username and date.

- 2) If the information in the system is retrieved using one or more of the identifiers, what CFTC System of Records Notice (SORN) covers the information?

Retrieval of information relating to EEO complainants is covered by EEOC/GOVT-1, *Equal Employment Opportunity in the Federal Government Complaint and Appeals Records*.

Retrieval of information relating to OMWI staff is covered by CFTC-35, *General Information Technology Records*.

VI. ACCESS AND SHARING

- 1) With which internal CFTC Offices or Divisions is the information shared? For each Office or Division, what information is shared and for what purpose?

Information relating to individual matters may be shared with internal stakeholders such as the Chairman, designated agency Resolving Official, and the Office of the General Counsel ("OGC"). No other CFTC offices have access to iComplaints besides OMWI. Any information provided to these internal organizations is approved for release by the OMWI Director.

All OMWI staff have full administrator permissions in iComplaints and therefore have access to all information residing in the system.

2) How is the information shared internally?

Information cannot be directly shared with internal stakeholders using iComplaints. If approved for release by the OMWI Director, information must be downloaded and transmitted by email or in hard copy.

3) With which external organization(s) is the information shared?

Information relating to EEO complaints may be shared with (i) mediators if the complainant requests to use alternative dispute resolution (ADR), (ii) EEO counselors if ADR is not requested, and (iii) the EEOC when a complainant requests a hearing with the EEOC. Mediation and counseling services may be provided by contractors subject to required confidentiality obligations. Information shared with these parties includes:

- Complainant's allegations
- Counselor's report
- Report of Investigation
- Address
- Name
- Date of birth (if applicable)
- Signature

OMWI also uses information maintained in iComplaints to prepare reports containing aggregated, non-identifiable information.

4) How is the information shared externally?

Information cannot be directly shared with an external organization using iComplaints. It must be downloaded and transmitted by email or in hard copy. Any information provided to these external organizations is approved for release by the OMWI Director.

A team from MicroPact Global, Inc. will provide routine server-level support and maintenance functions but will not have access to data residing within OMWI's instance of iComplaints unless approved by OMWI and only in exceptional cases where MicroPact Global's assistance is needed to remediate system vulnerabilities.

VII. TRANSPARENCY

1) How are individuals notified as to how their information will be collected, used, and/or shared within this system?

EEO complainants are provided with Privacy Act statements on EEO forms notifying them that personal information will be collected during the course of their EEO complaints and

their information will be included in an agency system of records. OMWI users of iComplaints are notified that their activity in the system is monitored.

- 2) Is a SORN is required? If so, explain how the use of the information in this system is limited to the use specified in the SORN?

Yes. EEOC/GOVT-1, *Equal Employment Opportunity in the Federal Government Complaint and Appeals Records* covers collection and processing of personal information for resolution of EEO disputes. CFTC-35, *General Information Technology Records* covers creation of logs relating to activity by CFTC staff on CFTC IT systems.

VIII. INDIVIDUAL PARTICIPATION

- 1) Is the information collected directly from the individual?

Information is collected directly from complainants and other individuals participating in the EEO process such as counselors but entered into iComplaints by OMWI staff. Information about other types of individuals, such as the complainant's representative, may be collected indirectly.

- 2) Is the collection mandatory or voluntary? If voluntary, what opportunities do the individuals have to decline to provide information?

Individuals who contact OMWI may decline to provide requested information, but doing so may result in the dismissal of their allegation(s) because of failure to respond or proceed in a timely fashion.

- 3) Do individuals have an opportunity to consent to a particular use of the information? If so, how do they provide consent for a particular use?

Complainants are presented with Privacy Act statements on EEOC forms at various points of the dispute resolution process, and consent to the use of the personal information for the purposes set out therein by exercising the choices available to them at each step. Other individuals such as the subject of EEO complaints do not have an opportunity to consent to use of their personal information.

IX. DATA MINIMIZATION

- 1) What steps were taken to minimize the collection of PII in the system?

OMWI staff do not collect personal information unrelated to the EEO complaint (e.g., if the complaint relates to reasonable accommodation, there is no need for information relating to race).

X. DATA QUALITY AND INTEGRITY

1) How is data quality ensured throughout the information lifecycle and business processes associated with the use of the information?

- Cross referencing data entries with other systems
- Third party data verification
- Data taken directly from individuals
- Character limits on text submissions
- Numerical restrictions in text boxes
- Other: Restriction on creating duplicate cases.

XI. RETENTION

1) What are the retention periods for the information?

Information related to formal complaint case tracking will be retained for 7 years after the resolution of the case in accordance with General Records Schedule 2.3, Item 111, EEO Discrimination Complaint Case Files – Formal Process. Information related to compliance reporting to external oversight entities will be maintained for 6 years after report submission or oversight, in accordance with General Records Schedule 5.7, Item 050, Mandatory Reports to External Federal Entities Regarding Administrative Matters.

XII. SECURITY

- 1) What types of administrative safeguards protect the information?
 - Contingency Plan
 - User manuals for the system
 - Rules of Behavior
 - Non-Disclosure or other contractual agreement
 - Other:

- 2) What types of physical safeguards protect the information?
 - Guards
 - Identification Badges
 - Biometric
 - Cameras
 - Physically secured space with need to know access
 - Other:

- 3) What types of technical safeguards protect the information?
 - User Identification
 - Firewall
 - Virtual Private Network (VPN)
 - Multi-factor Authentication (MFA)
 - Passwords
 - Encryption
 - De-Identification
 - Anonymization
 - Other:

- 4) What monitoring, recording, and auditing safeguards are in place to prevent or detect unauthorized access or inappropriate use of the information?

All events and actions in iComplaints are logged. Logs are viewable by administrators.

- 5) Is this system hosted by a Cloud Service Provider (CSP)? Yes
 - a. If yes, which one? MicroPact Global, Inc., now part of Tyler Technologies, Inc.
 - b. If yes, has the system obtained a FedRAMP Authorization? Yes

XIII. TRAINING

- 1) What privacy training is provided to users of the system?

OMWI staff receive training on use of iComplaints from MicroPact Global, Inc. or the OMWI Director. All EEO materials are kept strictly confidential.