

**U.S. Securities and Exchange Commission**

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**Entellitrak Reasonable Accommodation (ETK RA)  
PRIVACY IMPACT ASSESSMENT (PIA)**



**February 5, 2023**

**Office of Human Resources**

# Privacy Impact Assessment

## Entellitrak Reasonable Accommodation (ETK RA)

### Section 1: System Overview

#### 1.1 Name of Project or System

Entellitrak Reasonable Accommodation (ETK RA)

#### 1.2 Is the system internally or externally hosted?

- Internally Hosted (SEC)
- Externally Hosted
- (Contractor or other agency/organization)

#### 1.3 Reason for completing PIA

- New project or system
  - This is an existing system undergoing an update
- First developed:  
Last updated:  
Description of update:

#### 1.4 Does the system or program employ any of the following technologies?

- Enterprise Data Warehouse (EDW)
- Social Media
- Mobile Application (or GPS)
- Cloud Computing Services
- Web Portal
- None of the Above

### Section 2: Authority and Purpose of Collection

#### 2.1 Describe the project and its purpose or function in the SEC's IT environment

The information in the system concerns employees, applicants, and members of the public who request or receive reasonable accommodations based on a medical condition or disability or a sincerely held religious belief, practice, or observance. The SEC collects this information to evaluate, approve, deny, or implement requests for reasonable accommodations.

In accordance with the Rehabilitation (Rehab) Act of 1973 and the Americans with Disabilities Act (ADA), the SEC is required to provide reasonable accommodations (RA) to qualified employees, applicants, and members of the public with disabilities. In addition, the Equal Employment Opportunity Commission (EEOC) requires that agencies track and meet timeliness standards for processing the RA requests from employees that would result in undue hardship to the SEC. Federal law, the collective bargaining agreement (CBA) between the SEC and the National Treasury Employees Union (NTEU) and other agency policies prohibit religion-based workplace discrimination (including religion-based harassment).

Furthermore, Title VII of The Civil Rights Act of 1964 (Title VII) prohibits employment discrimination based on race, color, religion, sex and national origin. It is SECs position to reasonably accommodate upon notice from employees and applicants who's sincerely held religious beliefs, observances, or practices conflict with work requirements.

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To satisfy these requirements, the SEC Office of Human Resources (OHR) uses ETK RA to efficiently process, track, and report on reasonable and religious accommodation requests submitted to the agency. ETK RA also enhances the SEC's ability to be compliant with a January 2018 regulation under Section 501 of the Rehabilitation Act of 1973 which requires the SEC to meet extensive new recordkeeping and reporting requirements. For example, ETK RA helps the agency to monitor and report progress toward the accomplishment of accommodation procession timeliness goals (i.e., 100% timely processing accommodation requests) as established by the EEOC.

ETK RA allows OHR to track a request from initiation to closure. For each case, the system tracks the interactive process, medical documentation review, and decision (including reconsideration of a denial, if requested). Also, the system documents the implementation of approved RAs that were granted to employees with disabilities. ETK RA is hosted in a cloud environment by Tyler Technologies.

ETK RA is a web-based application that includes two portals to access the system.

- efiler: portal used by individuals to submit a request for reasonable accommodations, upload attachments and track progress of their request.
- RA Specialist: portal where submissions are processed and decisions determinations are recorded and monitored until implementation and closed.

### 2.2 What specific legal authorities, arrangements, and/or agreements allow the information to be collected?

- Rehabilitation Act of 1973
- Americans with Disabilities Act (ADA) and its corresponding Amendments Act of 2008 (ADAAA)
- Title VII of the Civil Rights Act of 1964 (Title VII)
- Equal Employment Opportunity Commission (EEOC) Management Directive (MD) -715

### 2.3 Does the project use, collect, or maintain Social Security numbers (SSNs)? *This includes truncated SSNs.*

- No  
 Yes

If yes, provide the purpose of collection:

If yes, provide the legal authority:

### 2.4 Do you retrieve data in the system by using a personal identifier?

- No  
 Yes  
 Yes, there are three existing SORNs

SEC-10 Personnel Management Employment and Staffing /Training Files

SEC-34 Public Health and Safety Records

OPM/GOVT-10, Employee Medical File System Records

### 2.5 Is the information covered by the Paperwork Reduction Act of 1995 (PRA)?

- No

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Yes

### 2.6 Considering the purpose of the collection, what privacy risks were identified and how were those risks mitigated?

A potential privacy risk is that individuals may enter unnecessary or excessive information about themselves in the system to submit an RA request. To mitigate this risk, ETK RA uses a web form to collect only information about an individual that is necessary to evaluate the request.

### Section 3: Data Collection, Minimization, and Retention

#### 3.1 What information is collected, maintained, used, or disseminated about individuals? *Check all that apply.*

The system does not collect, maintain, use, or disseminate information about individuals.

##### Identifying Numbers

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Social Security Number  | <input type="checkbox"/> Alien Registration      | <input type="checkbox"/> Financial Accounts     |
| <input type="checkbox"/> Taxpayer ID             | <input type="checkbox"/> Driver's License Number | <input type="checkbox"/> Financial Transactions |
| <input checked="" type="checkbox"/> Employee ID  | <input type="checkbox"/> Passport Information    | <input type="checkbox"/> Vehicle Identifiers    |
| <input checked="" type="checkbox"/> File/Case ID | <input type="checkbox"/> Credit Card Number      | <input type="checkbox"/> Employer ID            |
| <input type="checkbox"/> Other                   |  |   |

##### General Personal Data

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Name           | <input checked="" type="checkbox"/> Date of Birth    | <input type="checkbox"/> Marriage Records               |
| <input type="checkbox"/> Maiden Name               | <input type="checkbox"/> Place of Birth              | <input type="checkbox"/> Financial Information          |
| <input type="checkbox"/> Alias                     | <input checked="" type="checkbox"/> Home Address     | <input checked="" type="checkbox"/> Medical Information |
| <input type="checkbox"/> Gender                    | <input checked="" type="checkbox"/> Telephone Number | <input type="checkbox"/> Military Service               |
| <input type="checkbox"/> Age                       | <input checked="" type="checkbox"/> Email Address    | <input type="checkbox"/> Mother's Maiden Name           |
| <input type="checkbox"/> Race/Ethnicity            | <input type="checkbox"/> Education Records           | <input type="checkbox"/> Health Plan Numbers            |
| <input type="checkbox"/> Civil or Criminal History | <input checked="" type="checkbox"/> Zip Code         |   |
| <input type="checkbox"/> Other                     |  |   |

:

##### Work-Related Data

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Occupation   | <input checked="" type="checkbox"/> Telephone Number | <input type="checkbox"/> Salary              |
| <input checked="" type="checkbox"/> Job Title    | <input checked="" type="checkbox"/> Email Address    | <input type="checkbox"/> Work History        |
| <input checked="" type="checkbox"/> Work Address | <input type="checkbox"/> Certificate/License Number  | <input type="checkbox"/> Business Associates |
| <input type="checkbox"/> PIV Card Information    | <input type="checkbox"/> Fax Number                  |  |
| <input checked="" type="checkbox"/> Other        | Grade/Pay Plan                                       |  |

:

##### Distinguishing Features/Biometrics

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fingerprints    | <input type="checkbox"/> Photographs      | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Voice Recording | <input type="checkbox"/> Video Recordings | <input type="checkbox"/> Voice Signature     |
| <input type="checkbox"/> Other           |   |  |

:

##### System Administration/Audit Data

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> User ID    | <input checked="" type="checkbox"/> Date/Time of Access | <input checked="" type="checkbox"/> ID Files Accessed |
| <input checked="" type="checkbox"/> IP Address | <input checked="" type="checkbox"/> Queries Ran         | <input type="checkbox"/> Contents of Files            |
| <input type="checkbox"/> Other                 |   |   |

#### 3.2 Why is the PII listed in Question 3.1 collected, used, shared, or maintained by the system or project?

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Information is collected for review and processing of a request for reasonable and religious accommodation.

### 3.3 Whose information may be collected, used, shared, or maintained by the system?

- SEC Employees  
Purpose: Information is collected to process employee requests for reasonable and religious accommodation.
- SEC Federal Contractors  
Purpose:
- Interns  
Purpose:
- Members of the Public  
Purpose: Information is collected to process RA request for visitors.
- Employee Family Members  
Purpose:
- Former Employees  
Purpose:
- Job Applicants  
Purpose: Information is collected to process job applicants requests for reasonable and religious accommodation.
- Vendors  
Purpose:
- Other:  
Purpose:

### 3.4 Describe the PII minimizing mechanisms and if the PII from the system is being used for testing, training, and/or research efforts.

Live personally identifiable information (PII) data is not used for testing, training or research.

### 3.5 Has a retention schedule been established by the National Archives and Records Administration (NARA)?

- No.
- Yes.

### 3.6 What are the procedures for identification and disposition at the end of the retention period?

All records are permanent. Records should be deleted based on the following national archives and records administration (NARA) records retention guidelines:

GRS 2.3 Item 20, DAA-GRS-2015-0007-0004 (reasonable accommodation program files).  
Destroy 3 years after being superseded, but longer retention is authorized if required for business use.

GRS 2.3 Item 21, DAA-GRS-2015-0007-0005 (Reasonable accommodation employee case files).

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Destroy 3 years after employee separation from the agency or all appeals are concluded whichever is later, but longer retention is authorized if required for business use.

### 3.7 Will the system monitor members of the public, employees, and/or contractors?

- N/A
- Members of the Public  
Purpose:
- Employees  
Purpose:
- Contractors:  
Purpose:

### 3.8 Considering the type of information collected, what privacy risks were identified and how were those risks mitigated?

The system collects information related to disability or religious belief, observance, or practice for the evaluation of reasonable and religious accommodation requests. The privacy risk is unauthorized disclosure of this information. The risk is mitigated by implementing role-based access controls.

## Section 4: Openness and Transparency

### 4.1 What forms of privacy notice were provided to the individuals prior to collection of data? *Check all that apply.*

- Privacy Act Statement  
Notice will be provided on login site.
- System of Records Notice  
SORNs SEC-10: Personnel Management Employment and Staffing /Training Files and SEC-34 Public Health and Safety Records & OPM/GOVT-10, Employee Medical File System  
Records are not provided to individuals prior to collection, but are published in the Federal Register and available on the SEC's website, [www.sec.gov](http://www.sec.gov).
- Privacy Impact Assessment  
  
Date of Last Update:
- Web Privacy Policy
- Other notice:
- Notice was not provided.

### 4.2 Considering the method(s) of notice provided, what privacy risks were identified regarding adequate notice and how were those risks mitigated?

Adequate notice to individuals is provided as identified in section 4.1 above. In the event, an individual is not able to submit a reasonable and religious accommodation requests themselves due to disability, the individual submitting the request on their behalf is provided notice.

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### Section 5: Limits on Uses and Sharing of Information

#### 5.1 What methods are used to analyze the data?

Data is analyzed by OHR staff via RA Specialist portal. RA Specialists manually review the submitted reasonable accommodation request and any supporting attached documents such as medical documentation or religious statement. All information provided in support of an individual's reasonable accommodation request is analyzed using an individualized assessment on a case-by-case basis.

#### 5.2 Will internal organizations have access to the data?

- No
- Yes

Organization: Office of Human Resources. The Office of Support Services (OSO), Office of Information Technology (OIT), and Office of Financial Management (OFM) will have limited access to information when delivering RAs for their respective areas.

#### 5.3 Describe the risk to privacy from internal sharing and describe how the risks are mitigated.

The primary privacy risk associated with internal sharing is that information in ETK RA could be erroneously disclosed to unauthorized parties. This privacy risk is mitigated as the system limits access to information in the system to only authorized users and the internal SEC divisions and offices identified in section 5.2 above.

#### 5.4 Will external organizations have access to the data?

- No
- Yes

Organization:

#### 5.5 Describe the risk to privacy from external sharing and describe how the risks are mitigated.

There is no privacy risk associated with external sharing because the system has no interconnections with external systems.

### Section 6: Data Quality and Integrity

#### 6.1 Is the information collected directly from the individual or from another source?

- Directly from the individual.
- Other

source(s):

#### 6.2 What methods will be used to collect the data?

Information for reasonable and religious accommodation requests will be collected electronically using an online form in the ETK RA system.

#### 6.3 How will the data collected from individuals, or derived by the system, be checked for accuracy and completeness?

OHR personnel will contact the applicant to validate all information submitted for reasonable and religious accommodation requests.

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### 6.4 Does the project or system process, or access, PII in any other SEC system?

No

Yes.

System(s):

### 6.5 Consider the sources of the data and methods of collection and discuss the privacy risk for this system related to data quality and integrity? How are these risks mitigated?

The risk of data quality and integrity is minimized by collecting information directly from the individual or individual submitting the reasonable and religious accommodation requests on behalf of an individual. The risk to data quality and integrity is also minimized by the collection method and review for accuracy and completeness as discussed in sections 6.2 and 6.3 respectively.

## Section 7: Individual Participation

### 7.1 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project? If no opportunities are available to consent, decline or opt out, please explain.

Individuals do not have the ability to consent to uses of their information. Individuals may decline to provide information but doing so may impact the reasonable and religious accommodation review and decision process. Also, individuals may cancel/ withdraw their accommodation request in the system at any time throughout the process. This decision will result in an administrative closure notification and this action will be documented and the individual notified via the system.

### 7.2 What procedures are in place to allow individuals to access their information?

Persons wishing to obtain information on the procedures for gaining access to their information in the system may contact the FOIA/Privacy Act Officer, Securities and Exchange Commission, 100 F Street, N.E., Washington, D.C. 20549-2736.

### 7.3 Can individuals amend information about themselves in the system? If so, how?

Individuals are not able to directly amend their accommodation request once submitted in the system. However, individuals can provide supplemental information (e.g., medical documentation) in the system after a request submission. Additionally, individuals may contact the assigned Reasonable Accommodation Specialist who can access and amend their requested accommodation and information in the system. In addition, they may also contact the FOIA/Privacy Act Officer, Securities and Exchange Commission, 100 F Street, N.E., Washington, D.C. 20549-2736.

### 7.4 Discuss the privacy risks related to individual participation and redress? How were these risks mitigated?

There is minimal risk related to individual participation. ETK RA records are covered by existing SORNs, which afford Privacy Act redress options. In addition, an individual has the opportunity to change or update information that is erroneous, inaccurate, or irrelevant.

## Section 8: Security

### 8.1 Can the system be accessed outside of a connected SEC network?

No

Yes

If yes, is secured authentication required?

No

Yes

Not Applicable



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Is the session encrypted?  No  Yes  Not Applicable

### 8.2 Does the project or system involve an online collection of personal data?

- No
  - Yes
- Public            TBD  
URL:

### 8.3 Does the site have a posted privacy notice?

- No
- Yes
- N/A

## Section 9: Accountability and Auditing

### 9.1 Describe what privacy training is provided to users, either general or specific to the system or project.

All SEC staff and contractors receive initial and annual privacy awareness training, which outlines roles and responsibilities for proper handling and protection of PII. SEC Rules of the Road ensure that employees and contractors are aware of their security responsibilities and how to fulfill them.

### 9.2 Does the system generate reports that contain information on individuals?

- No
- Yes

### 9.3 Do contracts for the system include Federal Acquisition Regulation (FAR) and other applicable clauses ensuring adherence to the privacy provisions and practices?

- No
- Yes
- This is not a contractor operated system

### 9.4 Does the system employ audit logging or event logging?

- No
- Yes

### 9.5 Given the sensitivity of the PII in the system, manner of use, and established safeguards, describe the expected residual risk related to access.

The residual risk related to access is the inadvertent disclosure of PII captured about individuals on the RA forms. Limiting access to only authorized users, restricting the level of user's access using a role-based access control help mitigate this risk.

The identified risks include unauthorized access and disclosure. However, these risks are mitigated through access controls, and further mitigated by auditing features (which ensures that data has not been altered or destroyed in an unauthorized manner).