

**LEGAL
REQUIREMENTS**

20 CFR Part 603
45 CFR 303.3
MCLA 400.83
MCLA 421.11
MCLA 421.54

The Michigan Department of Labor (MDOL) is required by state law to disclose wage and unemployment compensation claim records to DSS when requested for purposes of administering federally funded programs including the Title IV-D child support program. DSS may redisclose wage and claim information to local child support agencies when those agencies:

- request the information to locate absent parents or to establish or enforce child support obligations under Title IV-D of the Social Security Act; and
- comply with certain safeguarding and security requirements to protect the confidentiality of disclosed information.

IV-D agencies are required by federal regulation to utilize wage and claim records to locate absent parents. Wage and claim records must be utilized in appropriate cases when the location of an absent parent is unknown at application or referral or becomes unknown in an open case. In cases in which previous location attempts have failed, regulations require location attempts using state employment security files on a quarterly basis or immediately upon receipt of new information which may aid in location.

AGENCY POLICY**Wage And Claim
Records**

Michigan-based employers are required by state law to file quarterly wage reports with MDOL. Those reports include amounts of employees gross quarterly wages and employer names, addresses and identification numbers. Employers must file wage reports by the 25th day of the month following the end of the calendar quarter. For example, the January-March report is due by April 25.

MDOL enters data from the quarterly wage reports into a computerized wage data file. That file contains wage data for up to five calendar quarters.

MDOL also maintains unemployment compensation claim records. The MDOL claim data file contains information concerning benefit amounts and claimant home addresses. Claim files are updated on a daily basis.

Wage and claim information is available to support specialists in IV-D cases through standard search requests submitted to the State Parent

Locator Service (PLS) in OCS Central Office. Wage and claim records may also be obtained as a result of a SSN search request. (Refer to Item 420 for instructions on requesting State PLS services.) The State PLS obtains records from MDOL through the Absent Parent/Labor Department (APL) File Match System.

Match Process

A master file of APL match requests is created on tape on a weekly basis from standard search requests. Duplicate match requests received from the same source on the same absent parent are identified and rejected when the APL master request file is created.

MDOL processes the APL match requests against the wage data file and the claim data file based on SSN. Matches are run twice weekly. When MDOL locates a record based on an individual's SSN, the match is reported to DSS via magnetic tape.

Unmatched requests are identified by OCS and are recycled through the match process on a quarterly basis until a record is located or 12 months elapse.

Edits of Matched Requests

MDOL matches absent parent records to wage and claim files solely based on SSNs. Matched requests reported to OCS are then edited to identify absent parent names that do not match employee or claimant names provided by MDOL. This edit process matches on the first four positions of the last names (absent parent vs. employee or claimant). If the last names match, the match is reported on the APL-013, Department of Labor Matched

Requests. If the last names do not match, the case is reported to requestors on Report APL-027, Department of Labor Mismatched Requests.

Matched Request Report

Matched requests which pass the name comparison edit are reported to support specialists on the APL-013, Department of Labor Matched Requests (See Exhibit 1). Claim information reported on the APL-013 includes the claimant's name and address, benefit payments for up to 13 weeks, and, when known, the MESC branch office which processed the claim.

When a wage record is available, the name and address of the absent parent's employer and wage amounts for up to five quarters are provided on the APL-013. The employer address reported is the employer's payroll office address or the employee's work location. Since some Michigan based employers have work sites outside Michigan, the employer address may be out-of-state. When available, data from multiple employers will be included on the APL-013. Also, both a wage and a claim record may be reported for the same absent parent.

In some instances, the quarterly wage amount reported by an employer for a payer may be zero. This may occur when an employee has not been removed from an employer's payroll records even though no wages were earned during the report quarter.

Generally, matched requests are reported to the support specialist within six weeks of the standard search request.

**Mismatched
Request**

The APL-027, Department of Labor Mismatched Requests, reports MDOL wage and claim records in cases in which SSNs match but the last name of the absent parent does not match the last name of the employee/claimant. The support specialist must determine whether the reported record belongs to the absent parent before using the record for referral or other purposes.

In some instances, the reported discrepancy will merely reflect spelling differences between agency records or differences in spacing or punctuation. MDOL enters names into the wage data file exactly as reported by employers. Surnames with prefixes such as Mac, Mc, Van may or may not have a space after the prefix. Similarly, surnames such as O'Brian or D'Amelio may be entered into the wage file with or without an apostrophe. Such discrepancies may also exist between absent parent and claimant names.

When the reported discrepancy appears to be valid, the support specialist should compare the SSN listed on the APL-027 to IV-D records to determine whether an error may have occurred when the match request was prepared. If that error did not occur, it indicates that the SSN on file in the IV-D record is incorrect or that MDOL files are incorrect. The support specialist should attempt to verify the accuracy of the SSN on file in the IV-D record. If necessary, a request for a SSN search may be submitted to the State PLS. Refer to Item 420 for instructions on requesting a SSN search.

**Unmatched
Request Report**

The APL system identifies absent parents for whom no wage or claim record was located on the initial match attempt. Those names are reported to the requestor on Report APL-014, Department of Labor Unmatched Requests (see Exhibit 3), and are recycled through the match process on a quarterly basis until a record is located or 12 months elapse.

CONFIDENTIALITY

Wage and claim information obtained from MDOL is confidential and must be protected against unauthorized use and disclosure. Refer to Item 500 for policy concerning redisclosure of wage and claim records.

Reports APL-013 and APL-027 must be stored in a place physically secure from access by unauthorized persons. MDOL personnel must be permitted to make on-site inspections to ensure that the confidentiality and security requirements are being met.

**State Law
Sanctions**

The Department is required to inform employees with access to MDOL wage and claim records of sanctions specified in the Michigan Employment Security Act concerning unauthorized disclosure of such records. Subsections 54 (a) and (e) of that Act are as follows:

- Sec. 54. (a) A person who shall wilfully violate or intentionally fail to comply with any of the provisions of this act, or a regulation of the commission promulgated under the authority of this act shall be deemed guilty of a misdemeanor, notwithstanding any other penalties imposed under this act or any other statute of this state or of the United States.
- Sec. 54 (e) A person who, without proper authority from the commission, represents himself or herself to be an employee of the commission to an employing unit or person for the purpose of securing information regarding the unemployment or employment records of an individual is guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not more than 90 days, or by a fine of not more than \$1,000.00, or both.