

PRIVACY IMPACT ASSESSMENT**Section I. Nature of the System:**

1. Provide the commonly used name of the system, spelling out any acronyms. If the system will be referred to by acronym, include that in parentheses after the name.

The Injunction Litigation Branch System (ILBS).

2. In five sentences or less, provide a generalized broad description of the system and its purpose. (*What does this system do; what function does it fulfill.*)

ILBS is an information data storage and retrieval system that electronically records actions that initiate, change, or complete activities within the lifecycle of cases that are processed in the Injunction Litigation Branch of the Division of Advice. This database is used to store current and historical information, to produce reports, and to respond to public requests under the Freedom of Information Act (FOIA). ILBS data may also be used to assist in evaluating Regional Office employee performance.

3. Describe the stage of development of this system:

This is a new system which is --
 Still in the planning stages.
 Mid-way to launch.
 Ready for launch.
 Anticipated Launch Date: _____

We propose to change an existing system, the changes of which are:
 Still in the planning stages.
 Mid-way to launch.
 Ready for launch.
 Anticipated Launch Date: _____

Other (Explain, providing the data required above for new or existing systems.)

This is an existing system that is in the maintenance stage. There are periodic releases as the system is updated; however, the overall system remains operational.

4. Is this system required by law or Executive Order?

No.
 Yes. (*List the law or Executive Order and the implementing NLRB policies and regulations.*)

Section II. Data in the System:

1. Will this system contain personal data elements? (*See Definitions for a list of common data elements considered personal.*)

No (*Go to Section IX.*)

Yes (*Continue.*)

2. List those personal data elements or types of data elements that the system will contain:

- Full name of NLRB employees to the cases are assigned. This is both current and historical information.

3. What are the sources of the personal information in the system? (Check all that apply:)

____ NLRB files or databases.

X Non-NLRB files or databases. (List.)

Unions and law firms representing an individual or group may provide the personal information

____ State and local agencies. (List.)

X The record subject himself.

X Supervisors.

____ Other third party sources. (List.)

The manager, supervisor, and attorney involved in the case provide their names for entry into the system

4. Are the personal data elements described in detail and itemized in a record layout or other document? If yes, provide the name of the document and attach a copy.

No.

5. Review the list of personal data elements you currently collect. Is each data element essential to perform some official function? [Note: This question only pertains to data elements you specifically solicit. It does NOT apply to personal data that may be voluntarily provided in a "Remarks," "Comments," "Explanation," or similar type of block where the individual is free to add information of his choosing.]

X 5a. Yes, all data elements solicited are absolutely essential. (Go to Section III.)

____ 5b. Some of the solicited data elements are nice to have but not essential.

____ 5c. None of the personal data elements are necessary. The program could function efficiently without personal data.

6. If you checked blocks 5b or 5c above, list the data elements that are not essential.

Section III. Verifying Data.

1. For data collected from sources other than NLRB records and the record subject himself, describe how the data will be verified for --

Not applicable - no other sources of data.

- a. Accuracy:
- b. Completeness:
- c. Relevance:
- d. Timeliness:

2. Describe your procedures for determining if data have been tampered with by unauthorized persons. (*Note: Do not go into so much detail as to compromise system security.*)

The application resides on existing NLRB platforms that are protected by the NLRB firewall and intrusion detection systems.

Section IV. Access to the Data.

1. Who will have access to the data in the system (Users, Managers, System Administrators, Developers, Others)?

Access to ILBS data is based on a "need to know" model where access rights are controlled at the Divisional level. The Division of Advice computer assistant is considered the system administrator of ILBS with regard to Access Control. ILB staff members, including supervisors, attorneys, and support staff.

2. How is right of access to the data by a user determined?

The system/application administrator is responsible for assigning access based on the users' needs to perform case processing duties.

3. Are criteria, procedures, controls, and responsibilities regarding access documented?

No.

4. What controls are in place to prevent the misuse (e.g. browsing) of data by those having access? (*Note: Do not go into so much detail as to compromise system security.*)

Users must have passwords to enter the system. Attorney users have access to existing case records, but do not have the ability to create new case records or have access to reports.

Information about an individual is based on input from the individuals assigned to cases. Reports can summarize and manipulate data; however, reports are only accessible to supervisors and managers.

2a. Will the new data be placed in the individual's employment or other type of record (whether manual or electronic) that is retrieved by name, SSN, or other personal identifier?

No _____
 Yes X (Identify the record, database, or type of record or database.)

Not Applicable _____

The new data, e.g. the number of cases and dates when these cases were completed, will be used in individual annual evaluations that are placed in employment records.

2b. Can the system make determinations about individuals or employees that would not be possible without the new data?

No _____
 Yes X (Explain.)

Not Applicable _____

The system will enable managers to evaluate the timeliness of individual performance of work.

2c. Will the data be retrieved by personal identifier (name, SSN, employee number, computer ID number, etc.) The data can be retrieved by name, but data relating to individuals is not disclosed to the public.

No _____ (Go to Section VI.)
 Yes X (List retrieval fields.) by name

Not Applicable _____

2d. What are the potential effects on the due process rights of citizens and lawfully admitted aliens? None

2d-1. Consolidation and linkage of files and systems?

Not Applicable X

2d-2. Derivation of data?

Not Applicable X

2d-3. Accelerated information processing and decision-making?

Not Applicable X

2d-4. Use of new technologies?

Not Applicable

2e. How are any effects discussed in 2d-1 through 2d-4 to be mitigated?

Not Applicable

Section VI. Maintenance of Administrative Controls.

1. Explain how the system and its use will ensure equitable treatment of individuals.
 (NOTE: If the system is operated in more than one site, also include a discussion of how consistent use of the system and data will be maintained in all sites.)

The ILBS is less than one year old and has been helpful in accurately reporting individual case assignments. The system is a benefit for individuals because case assignments are uniformly tracked and checked monthly for accuracy.

2. Explain any possibility of disparate treatment of individuals or groups.

3. What are the retention periods for the data in this system?

NLRB is in the process of developing retention schedules for ILBS.

3a. Does your retention period agree with that listed in Appendix 1, of NLRB Files Management and Records Disposition Handbook? Not applicable because the ILBS is not the Official Case File referred to in Appendix 1.

No X (Explain.) Please refer to response to number 3 above.

Yes _____ (List disposal rule from Appendix 1, of NLRB Files Management and Records Disposition Handbook.)

3b. What are the procedures for eliminating the data at the end of the retention period?
 (see above statement)

3c. Where are the procedures discussed in Question 3b above documented?

Not applicable X

3d. Is the system using technologies in ways that the NLRB has not previously employed (e.g. Caller-ID, surveillance, etc.)?

No X (Continue.)

Yes _____ (Identify the technology and describe how these technologies affect individual privacy.)

3e. Will this system provide the capability to identify, locate, and monitor individuals?

No X

Yes _____ (Explain.)

3f. Will this system provide the capability to identify, locate, and monitor groups of people?

No X

Yes _____ (Explain.)

3g. What controls will be used to prevent unauthorized monitoring? (*Note: Do not describe your controls and procedures in so much detail as to compromise system security.*)

Passwords and control over access by the systems/application administrator will prevent unauthorized monitoring.

Section VII. Interface with Privacy Act Systems of Records.

1. Does this system currently operate under an existing NLRB or Government-Wide Privacy Act system of records? *(Note: The NLRB and Government Wide systems are described at: http://www.access.gpo.gov/su_docs/aces/PrivacyAct.shtml and <http://www.whitehouse.gov/omb/memoranda/m99-05-c.html>*

No X *(Go to Section VIII.)*
Yes _____ *(Continue.)*

2. Provide the identifying number and name of each system.

Not Applicable X

3. If an existing NLRB Privacy Act system of records is being modified, will the system notice require amendment or alteration? *(List all proposed changes. Consider the following: Will you be collecting new data elements not previously approved for collection; using the data for new internal purposes; sharing the data with new non-NLRB agencies; keeping the records longer; creating new locations of data, etc?)*

No _____
Yes _____ *(Explain your changes.)*

Not Applicable X

4. If the system currently operates under an existing Government-Wide Privacy Act system of records notice, are your proposed modifications in agreement with the existing notice?

No _____ *(Explain your changes and continue.)*
Yes _____ *(Go to Section VIII.)*

Not Applicable X

5. If you answered "no" to VII-4 above, have you consulted with the government agency that "owns" the government-wide system to determine if they approve of your modifications and intend to amend or alter the existing notice to accommodate your needs?

No _____
Yes _____ *(Provide the name and telephone number of the official with responsibility for the government-wide system.)*

Not Applicable X

Section VIII. Certification:

Certification: I have read and understand the purpose of this assessment. I have also reviewed the definition of "personal data" and have accurately listed the personal data elements collected or accurately answered "no" to Question II-1.

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