

# PRIVACY IMPACT ASSESSMENT

## iComplaints

### 1. Contact Information

<b>A/GIS Deputy Assistant Secretary</b> Bureau of Administration Global Information Services
--

### 2. System Information

(a) 11/2022

(b) **Name of system:** iComplaints

(c) **System acronym:** N/A

**Bureau:** Office of Civil Rights (S/OCR)

(d) **iMatrix Asset ID Number:** 965

(e) **Child systems (if applicable) and iMatrix Asset ID Number:** N/A

(f)

- ☐ New system
- ☐ Significant modification to an existing system
- ☒ To update existing PIA for a triennial security reauthorization

(g) **Explanation of modification (if applicable):** N/A

(a) **Does the system have a completed and submitted data types document in Xacta?**

☒ Yes ☐ No - Contact IRM/IA at [IASolutionCenter@state.gov](mailto:IASolutionCenter@state.gov) for assistance.

(b)

☒ Yes ☐ No

If yes, has the privacy questionnaire in Xacta been completed?

☒ Yes ☐ No

(c) **Describe the purpose of the system:**

iComplaints is a Department of State adaptation of a Commercial-off-the-Shelf (COTS) product developed specifically to manage the Equal Employment Opportunity (EEO) process and generate the Form 462 annual report. iComplaints allows S/OCR to track

and manage EEO complaints and cases. Its set of business rules ensures compliance with EEOC MD-110, EEOC reporting requirements, and 29 CFR 1614. All capabilities are provided through a highly automated interface.

**(d) Describe the personally identifiable information (PII) that the system collects, uses, maintains, or disseminates:**

The system collects name, mailing address, telephone number, business email, business title, business address, business phone, age, sex, and race (only if it is an age, sex, or race discrimination complaint).

**(e) What are the specific legal authorities and/or agreements that allow the information to be collected?**

- 29 C.F.R. 1614
- Management Directive 110.

**(f) Is the information searchable by a personal identifier (e.g., name or Social Security number, etc.)?**

☒ Yes, provide:

- SORN Name and Number:  
Records Maintained by the Office of Civil Rights, State-09
- SORN publication date (found under the Volume Number and above the Public Notice Number on the published SORN):  
July 14, 2015

☐ No, explain how the information is retrieved without a personal identifier.

**(g) Does the existing SORN need to be amended to reflect the inclusion of this new or significantly modified system?** ☐ Yes ☒ No

If yes, please notify the Privacy Office at [Privacy@state.gov](mailto:Privacy@state.gov).

**(h) Is there a records retention schedule submitted to or approved by the National Archives and Records Administration (NARA) for this system?** ☒ Yes ☐ No

(If uncertain about this question, please contact the Department's Records Officer at [records@state.gov](mailto:records@state.gov).)

If yes provide (Consolidate as much as possible):

- Schedule number (e.g., (XX-587-XX-XXX)):  
A-02-040-03, A-03-002-25 and A-02-040-09
- Disposition Authority Number:  
N/A

- Length of time the information is retained in the system:  
A-02-040-03: Temporary. Destroy when 7 years old, but longer retention is authorized if required for business use.  
A-03-002-25: Temporary. Destroy when 3 years old, but longer retention is authorized if required for business use.  
A-02-040-09: Temporary. Destroy when no longer needed.
- Type of information retained in the system:  
A-02-040-03, A-03-002-25 and A-02-040-09: EEO records

**(a) What entities below are the original sources of the information in the system? Please check all that apply.**

- ☐ Members of the Public
- ☒ U.S. Government employees/Contractor employees
- ☐ Other (people who are not U.S. Citizens or LPRs)

**(b) On what other entities above is PII maintained in the system?**

- ☐ Members of the Public
- ☐ U.S. Government employees/Contractor employees
- ☐ Other
- ☒ N/A

**(c) If the system contains Social Security Numbers (SSNs), is the collection necessary?**

- ☐ Yes ☒ No ☐ N/A

- If yes, under what authorization?

**(d) How is the PII collected?**

- **EEO Counseling Request Form:** The EEO Counseling Request Form is an intake form used by S/OCR and the EEO Counselors to record when someone from the Department of State has decided to initiate the EEO process; the form is stored on SharePoint to inform S/OCR that a new case needs to be processed.
  - The intake form then feeds the data into iComplaints.
- **DS-5083 Notice of Rights and Responsibilities:** Once the EEO Counseling Request form is complete, an EEO Counselor is assigned to the case. The Counselor meets with the aggrieved and issues the DS-5083 form. The Counselor proceeds to conduct the counseling process. If resolution is not reached, the aggrieved has the right to file a formal complaint. The DS-5083 Notice of Rights and Responsibilities form is an informational notice form used to identify who is using the EEO process.

- This form is uploaded as a document to iComplaints.
- **DS-3080 EEO Counselor's Report:** Once the EEO Counseling Request Form and the DS-5083 are completed, an EEO Counselor then conducts EEO counseling for the case. This involves various meetings with the aggrieved and management. The EEO Counselor fills out the DS-3080 form at the conclusion of EEO counseling. The 3080 form is much more detailed and is used at the end of the informal process to record the information collected (name, mailing address, telephone number, business email, business title, business address, business phone, age, sex, and race (only if it is an age, sex, or race discrimination complaint)) during the process and the counselors attempts to resolve the informal complaint. This form is completed within 30 days after the intake form.
  - This form is uploaded as a document to iComplaints.
- **DS-3079 Formal Complaint of Discrimination:** If the aggrieved wants to proceed with the formal complaint process, they complete the DS-3079 form summarizing their complaint and requested remedies and submit it to S/OCR. The EEO Counselor fills out the DS-3079 form for every case they counseled, whether resolution was reached or not. The form is submitted to S/OCR and serves as a record of what happened during the informal process. The DS-3079 Formal Complaint of Discrimination form is completed by the aggrieved individual filing a complaint and includes a Privacy Act statement. The PII collected by this form includes the employee's middle initial, mailing address, email address and phone numbers for the employee. This information is needed to ensure S/OCR has multiple ways to get in touch with the employee during the processing of their complaint. It is typically the same PII that was captured in the 3080 form and to have accurate records about who is using the EEO process.
  - This form is uploaded as a document to iComplaints.

**(e) Where is the information housed?**

- ☒ Department-owned equipment
- ☐ FEDRAMP-certified cloud
- ☐ Other Federal agency equipment or cloud
- ☐ Other

- If you did not select "Department-owned equipment," please specify.

**(f) What process is used to determine if the PII is accurate?**

The information is not checked against any other source of information for accuracy. When a EEO Counselor is interviewing the aggrieved, they write down information based on what the aggrieved shares as their current contact information. The aggrieved is advised that they are responsible for notifying S/OCR if there is any change to their contact information.

**(g)**

The information is current when it is collected from the aggrieved. If the aggrieved individual's information has changed or needs to be updated, the aggrieved filing the complaint will need to update their records by contacting the Intake and Resolution Section Chief, via email at SOCR\_direct@state.gov or telephone at (202) 647-9295.

**(h) Does the system use information from commercial sources? Is the information publicly available?**

No, the information does not use commercial sources and is not publicly available.

**(i) How was the minimization of PII in the system considered?**

Collection of PII is minimized as iComplaints only collects information necessary to process the specific complaint of the aggrieved. S/OCR limits PII collected as much as possible and redacts the investigation when possible. The system gives S/OCR the option to generate unique IDs for aggrieved individuals as an alternative to collecting SSNs. We have implemented that option. The system only includes fields for PII that are essential to processing a complaint, like the contact information for an aggrieved. System collects middle initial instead of full middle name.

**(a) What is/are the intended use(s) for the PII?**

The information within iComplaints is used to assist in the processing of employment discrimination claims against the Department.

**(b) Is the use of the PII relevant to the purpose for which the system was designed or for which it is being designed?**

Yes, the use of the information is relevant. Information is collected in iComplaints to support S/OCR's business functions with conflict resolution, employee and supervisor assistance, and diversity management.

**(c) Does the system analyze the PII stored in it? ☐ Yes ☒ No**

If yes:

- (1) What types of methods are used to analyze the PII?
- (2) Does the analysis result in new information?
- (3) Will the new information be placed in the individual's record? ☐ Yes ☐ No
- (4) With the new information, will the Department be able to make new determinations about the individual that would not have been possible without it?  
☐ Yes ☐ No

**(d) If the system will use test data, will it include real PII?**

☐ Yes ☐ No ☒ N/A

If yes, please provide additional details.

**6. Sharing of PII****(a) With whom will the PII be shared internally and/or externally? Please identify the recipients of the information.****Internal:**

Employee filing the complaint will receive a copy of their complaint.

Office of Legal Advisor (L/EMP) receives a copy of the complaint.

**External:**

Through the investigation process, complaints are determined to be required to be routed to one of the following Federal agencies: Equal Employment Opportunity Commission (EEOC) or National Equal Employment Investigative Services Office (NEEOISO).

**(b) What information will be shared?****Internal:**

Those listed in section 6 (a) will receive a PDF copy of the file. The standard PII collected is name and address. Beyond that, the type of PII in the file/complaint depends on the type of complaint as other PII collection depends on the alleged discrimination. For example, age, sex, race might be collected if someone has alleged discrimination based on that protected category as during an investigation, documentation relevant to a claim must be collected. S/OCR limits PII collected as much as possible and redacts content when possible.

**External:**

All the PII listed in section 3(d) will be shared: name, address, telephone number, business email, business title, business address, business phone, age, sex, and race.

**(c) What is the purpose for sharing the information?****Internal:**

The purpose for sharing the information is to perform and process an investigation.

**External:**

NEEOISO - The Department has an official contract with the agency as they provide investigative services for cases.

EEOC - Required to share records with them per federal regulation (29 CFR 1614) that governs EEO process.

**(d) The information to be shared is transmitted or disclosed by what methods?****Internal:**

A PDF copy of the files are shared electronically via OneDrive and include classification markings.

**External:**

EEOC transmission is via PDF and FedSep. NEEOISO transmission is through a secure ELFS external large file system.

**(e) What safeguards are in place for each internal or external sharing arrangement?****Internal:**

A copy of the file is transmitted as a PDF via email on a need-to-know basis for the purpose of processing a complaint.

**External:**

NEEOISO - When S/OCR requests their assistance with a specific case, they are provided an authorization letter which gives them permission to look into specific issues. S/OCR does not have a MOU in place, however there is a contract in place with NEEOISO which outlines documents S/OCR needs to provide and what NEEOISO needs to provide back to the Department.

EEOC - The requirement for electronic records to be shared with EEOC is according to EEOC's requirement as to how files are submitted. They provide specific instructions that S/OCR must follow. The documents shared with the EEOC require S/OCR to use a specific system (i.e. FEDSep). The system requires an account and individuals who request an account have to be approved before they are granted access.

**7. Redress and Notification****(a) Is notice provided to the record subject prior to the collection of his or her information?**

Yes, the DS-5083 Notice of Rights and Obligations form provides notice and rights, as well as a Privacy Act Statement, to the aggrieved should they file a formal complaint with S/OCR pursuant to 29 C.F.R. 1614. The DS-3080 EEO Counselor's Report form and the DS-3079 Formal Complaint of Discrimination form contain Privacy Act statements. Further, aggrieved individuals are provided notice regarding the information collected through the publication of the system of records notice which covers iComplaints, Records Maintained by the Office of Civil Rights, State-09.

**(b) Do record subjects have the opportunity to decline to provide the PII or to consent to particular uses of the PII?**

☒ Yes ☐ No

If yes, how do record subjects grant consent?

Yes, the aggrieved provide consent to the PII collection when they fill out the following forms that include Privacy Act Statements listing Routine Uses of their PII: EEO Counseling Request, DS-5083 Notice of Rights and Obligations, DS-3080 EEO Counselor's Report, and DS-3079 Formal Complaint of Discrimination. If the aggrieved decides not to provide their PII for the above forms, then they cannot file an EEO complaint.

If no, why are record subjects not allowed to provide consent?

**(c) What procedures allow record subjects to gain access to their information?**

As stated in DS-5083 Notice of Rights and Obligations form, should the aggrieved file a formal complaint, S/OCR will provide them with a copy of the EEO Counselor's Report pursuant to 29 C.F.R. 1614. Though the record subjects cannot gain access to iComplaints, the EEO Counselor's Report directly reflects the information of the individual collected in iComplaints. Further the Department's Privacy Act practices allow for record subjects to gain access to their information by contacting the Department's Freedom of Information Act (FOIA) office for copies of the records retained. Details on this process can be found in the covering SORN, State-09, Records Maintained by the Office of Civil Rights.

**(d) Are procedures in place to allow a record subject to correct inaccurate or erroneous information?**

☒ Yes ☐ No

If yes, explain the procedures.

Procedures for record subjects to correct inaccurate or erroneous information are outlined and provided on form DS-5083, Notice of Rights and Obligations form, Section R: Amending Previously Filed Complaint. The form states that the aggrieved individual must submit a written request to the Office of Civil Rights and provide any corrections needed.

Furthermore, the Department's Privacy Act practices allow for record subjects to gain access to and correct their information by contacting the Department's Freedom of Information Act (FOIA) office for copies of the records retained. Details on this process can be found in the covering SORN, Records Maintained by the Office of Civil Rights, State-09.

If no, explain why not.

**(e) By what means are record subjects notified of the procedures to correct their information?**

When the aggrieved individual's interview is conducted, they are provided notice of procedures to correct their information via the DS-5083 Notice of Rights and Obligations form, Section R: Amending Previously Filed Complaint.

The Privacy Act Statement provided on the EEO Counseling Request, DS-3080 EEO Counselor's Report, and the DS-3079 Formal Complaint of Discrimination forms presented at the time of collection, also inform the record subjects of where to find correction procedures via State-09.

## 8. Security Controls

### (a) How is all of the information in the system secured?

This system relies on the inherent security controls native to the Department's Open Network (OpenNet) in addition to the application-level security controls. In lieu of single sign-on, the system requires authentication mechanisms including a username and password to prevent unauthorized users from accessing the data. iComplaints also contains boundary protections through firewalls, routers, and encryption (private keys that encrypt traffic) which monitor and control communications to prevent and detect unauthorized communication. Physical and environmental protections are also in place to protect physical access to the information system.

### (b) Explain the different roles that have been created to provide access to the system and the PII (e.g., users, managers, developers, contractors, other).

Master Administrator: Conduct audit and monitoring analysis and reporting; cannot view PII and does not have access to PII.

Administrators: Can add and edit accounts, view logs of accounts, but cannot view actual iComplaints records; cannot view PII and does not have access to PII.

Super Processor: Can create/read/view/edit records and can search and quickly see status of all case records (where it is in the process – and see what next step is in process); has access to all PII in iComplaints system.

Super User: Can create/read/view/edit records; have access to all PII in iComplaints system.

Legal Staff: Have view only access to all PII data in iComplaints system.

### (c)

iComplaints uses roles within the application to manage access. Access is enforced through user profiles according to the principle of least privilege and the concept of separation of duties.

S/ES-ExecTech maintains a list of personnel authorized to access the information system for purposes of initiating changes, upgrades, and/or modifications to the system. Audit monitoring analysis and reporting capability is implemented as a feature of iComplaints and is only accessible by the Master Administrator.

Additionally, one must be authenticated into OpenNet to gain access to iComplaints intranet web portal where a login to iComplaints web portal would appear. Only authorized users of the system have access to login to iComplaints.

**(d) How is access to data in the system determined for each role identified above?**

For all roles mentioned in 8b, access to data in the system for a new user is approved by the S/OCR Administrators. An email is sent to the administrator to initiate/approve new user access to the information system. Access is enforced through user profiles according to the principle of least privilege and the concept of separation of duties.

**(e)**

Audit monitoring analysis and reporting capability is implemented as a feature of iComplaints and is only accessible by the Master Administrator.

**(f) Are procedures, controls,**

☒ Yes ☐ No

**(g) Explain the privacy training provided to each role identified in 8(b) that has access to PII other than their own.**

All authorized users of iComplaints sign an agreement attesting they will abide by Department IT policies, including those involving data privacy. All users are trained on policies regarding sharing of information during functional training and in-processing. All authorized Department users identified in 8(b) must complete the mandatory annual security training PS800: Cyber Security Awareness, which has a privacy component, and the biennial privacy training PA318: Protecting Personally Identifiable Information.