

## **Guidelines: Section 203-d, Employee Personal Identifying Information**

New York State law restricts an employer's use and distribution of an employee's social security number and other personal identifying information.

Unless otherwise required by law, New York Labor Law § 203-d prohibits employers from:

- Publicly posting or displaying an employee's social security number;
- Visibly printing a social security number on any identification badge or card, including any time card;
- Placing a social security number in files with unrestricted access;
- Communicating to the general public an employee's personal identifying information such as:
  - Social Security Number;
  - Home address or telephone number;
  - Personal electronic mailing address;
  - Internet identification name or password;
  - Parents' surnames prior to marriage;
  - Driver license number.
- Using an employee's social security number as an identification number for the purposes of any occupational licensing.

There may be a civil penalty of up to five hundred dollars (\$500) against the employer for any knowing violation of this provision. This includes not taking positive steps to put policies and procedures in place to safeguard against a violation, including procedures to notify affected employees of the above provisions.

The information supplied above may not cover all situations that might arise. For additional information or assistance, contact any Division of Labor Standards office in your area.