

# **Guide for Requesting Information about You (As a Member or Former Member)**

## **Public Employees Retirement Association (PERA)**

This document discusses your rights when PERA collects and keeps information about you. Minnesota Statutes, section 13.025, subdivision 3, requires PERA to have this policy.

### **Data about You**

The Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including, but not limited to, paper documents, recordings, e-mail, digital and computer records, CD-ROMs, DVDs, and photographs.

### **Classification of Data about You**

The Data Practices Act presumes that all government data are public and accessible for inspection and copying unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

Public data: We must give the following public data to anyone who asks; it does not matter who asks for the data or the reason for the request: name, gross pension, and type of benefit awarded.

Private data: We cannot give private data on an individual to the general public, but you have access when the data are about you. The following is an example of private data about you: social security number (full/partial), home address, date of birth, direct deposit account number, and tax withholding data. We can share your private data with you, with someone who has your written permission, with PERA staff who need the data to do their work, and as permitted by law or required by a court order.

Confidential data: Confidential data have the most protection. Data are confidential when made not public by statute or federal law. Neither the public nor you can access confidential data about you. An example of confidential data about you: if you register a complaint with a government entity concerning violations of state laws or local ordinances, your identity is confidential and inaccessible. We can share confidential data about you with PERA staff who need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

### **Your Rights under the Data Practices Act**

PERA must keep all government data in a way that makes it easily accessible for convenient use. We can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights.

**Your Access to Your Data:** You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask PERA not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests.

**When We Collect Data from You:** When we ask you to provide private or confidential data, we will provide a Tennessee warning. The Tennessee warning informs you of the purpose for requesting the data, how the data will be used, whether you may refuse to provide the data, the consequences for refusing to provide the data, and the identity of anyone authorized by law to receive the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release not public data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release data to another person, you may use the consent form we provide on page 8.

**Protecting your Data:** The Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe. In the unfortunate event that we determine a security breach has occurred and an unauthorized person has gained access to your data, we will notify you as required by law.

**When your Data are Inaccurate and/or Incomplete:** You have the right to contest the accuracy or completeness of public and private data about you. If you are a minor, your parent or guardian has the right to challenge data about you. You must notify PERA's responsible authority in writing of your disagreement. PERA will act within 30 days to correct the data or to notify you that we believe the data is accurate. You also have the right to appeal our decision. If your challenge is upheld, the data must be completed, corrected, or destroyed.

### **How to Make a Request for Your Data**

To look at data, or request copies of data that PERA keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the Data Practices Compliance Official listed on page 4. You may make your written request by mail, fax or email, using the data request form on page 6.

If you choose not to use the data request form, your written request should include:

- that you are making a request, under the Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
- whether you would like to inspect the data, have copies of the data, or both;
- a clear description of the data you would like to inspect or have copied; and
- identifying information that proves you are the data subject, or data subject's parent/guardian.

PERA requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity document located on page 7.

### **How We Respond to a Data Request**

Once you make your written request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you in writing within 10 business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you in writing within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
  - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
  - provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page 5.

After we have provided you with access to data about you, and informed you of the content and meaning of the data, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) In addition, we are not required under the Data Practices Act to respond to questions that are not requests for data.

## **Data Practices Contacts**

### **Public Employees Retirement Association (PERA)**

60 Empire Drive – Suite 200  
St. Paul, MN 55103-2088

#### **Responsible Authority**

Doug Anderson  
(651) 201-2690  
(651) 296-8392 fax  
doug.anderson@mnpera.org

#### **Data Practices Compliance Official**

Mary Daly  
(651) 296-7489  
(651) 296-8392 fax  
mary.daly@mnpera.org

**Copy Costs - Data Subjects  
(Member or Former Member)**

**Public Employees Retirement Association (PERA)**

PERA charges data subjects for copies of government data. These charges are authorized under section 13.04, subdivision 3.

You must make arrangement for payment of the copies before we will give them to you.

We do not charge for copies if the cost is less than \$25.

**Actual Cost of Making Copies**

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to make copies is \$23.41 per hour.

**Data Request Form – Data Subjects  
(Member or Former Member)**

**Public Employees Retirement Association (PERA)**

**Date of request:** \_\_\_\_\_

To request data as a data subject, you must show a valid state ID, such as a driver's license, military ID, or passport as proof of identity.

**I am requesting access to data in the following way:**

Note: inspection is free but we charge for copies when the cost is over \$25.00.

☐ Inspection

☐ Copies

☐ Both inspection and copies

**These are the data I am requesting:**

Note: Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

**Contact Information**

Data subject name \_\_\_\_\_

Parent/Guardian name (if applicable) \_\_\_\_\_

Address \_\_\_\_\_

Phone number \_\_\_\_\_ Email address \_\_\_\_\_

Signature of Data Subject or Parent/Guardian \_\_\_\_\_

**Staff Verification**

Identification provided \_\_\_\_\_

Signature of PERA Employee who processed this request \_\_\_\_\_

PERA will respond to your request within 10 business days. If you choose not to pick up your data in person, you must provide a copy of one of the following: a state driver's license, state ID, passport, military ID or tribal ID.

## Standards for Verifying Identity

### Public Employees Retirement Association (PERA)

The following constitute proof of identity.

- An **adult individual** must provide a valid photo ID, such as
  - a state driver's license
  - a military ID
  - a passport
  - a Minnesota ID
  - a Minnesota tribal ID
- A **minor individual** must provide a valid photo ID, such as
  - a state driver's license
  - a military ID
  - a passport
  - a Minnesota ID
  - a Minnesota Tribal ID
  - a Minnesota school ID
- The **parent or guardian of a minor** must provide a valid photo ID *and either*
  - a certified copy of the minor's birth certificate *or*
  - a certified copy of documents that establish the parent or guardian's relationship to the child, such as
    - ❖ a court order relating to divorce, separation, custody, foster care
    - ❖ a foster care contract
    - ❖ an affidavit of parentage
- The **legal guardian for an individual** must provide a valid photo ID *and* a certified copy of appropriate documentation of formal or informal appointment as guardian, such as
  - court order(s)
  - valid power of attorney



ATTENTION	
NAME (PRINT)	PERA ID NUMBER OR LAST FOUR OF SSN
PERSONAL EMAIL ADDRESS	PRIMARY PHONE NUMBER

I understand that data in my retirement records are protected under state and federal privacy regulations and may be disclosed to me upon my written consent.

**I understand that I must establish proof of identity by providing a copy of one of the following: a state driver's license, state ID, passport, military ID or tribal ID.**

**I understand that this consent form will not be accepted (valid) without proof of identity.**

By requesting this information (some of which may be classified as private) to be sent through a FAX machine or non-secure email, I acknowledge the possibility that this information may be seen by other persons after being transmitted by PERA.

SIGNATURE OF MEMBER	DATE
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☐ **Release to me** or ☐ **Release to a third party**

I authorize PERA to release information or records about me to the following:  
(There may be a charge for releasing information.)

NAME	ADDRESS
BUSINESS NAME	EMAIL ADDRESS
PHONE NUMBER	FAX NUMBER

**Please release the following information:**

- ☐ The balance of my account  
☐ Other \_\_\_\_\_

**Please release this information: (check one)**

- ☐ One time only  
☐ From this date until I revoke this consent in writing

**Please transmit this information: (check one)**

- ☐ Through secure e-mail  
☐ Through FAX machine  
☐ By U.S. mail  
☐ Over the telephone or in person

**STAFF VERIFICATION**

ID TYPE
PERA SIGNATURE
DATE

