

Schools or colleges operating in New York State cannot use your Social Security number for posting or public listing of grades; on class rosters or other lists provided to teachers; on student IDs; in student directories; or for any other public identification purpose.²

How Do I Protect My Social Security Number in the Workplace?

Your employer is prohibited from:

- Posting your Social Security number.
- Printing your Social Security number on any identification badge or card, including any time cards.
- Placing your Social Security number in files with unrestricted access.
- Communicating your personal identifying information to the general public. Personal identifying information is defined as a Social Security number, home address or telephone number, e-mail address, Internet identification name or password, parent's surname prior to marriage or drivers license number.

²See New York State Education Law Section 2-b

Where Can I Find More Information On Social Security Numbers?

Social Security Administration's booklet "Identity Theft and Your Social Security Number," www.ssa.gov/pubs/10064.html

For laws relating to Social Security numbers, see

www.ssa.gov/history/ssn/ssnchron.html

Answers to other questions about Social Security numbers, see

<http://www.ssa.gov/ssnumber/>

"Fact Sheet 10: My Social Security Number: How Secure Is It?" from the Privacy Rights Clearinghouse, at www.privacyrights.org

Please note: This brochure is for informational purposes only and should not be construed as legal advice and/or as policy of the State of New York. It is recommended that you speak with a privacy professional and/ or an attorney for further advice.

A Product of the NYS Consumer Protection Board's Identity Theft Prevention and Mitigation Program



NYS CONSUMER PROTECTION BOARD

Advocating for and Empowering NY Consumers

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**New York State
Consumer
Protection
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**SOCIAL
SECURITY
NUMBER AND
IDENTITY
THEFT**



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Information You Should Know About Your Social Security Number

The Social Security Act of 1935 established Social Security numbers for the use and administration of the Social Security program. In 1961, the Internal Revenue Service began using Social Security numbers as identifying numbers. In 1976, the Tax Reform Act enabled drivers license and motor vehicle registration entities, welfare agencies and State and local tax organizations to use Social Security numbers. Over time, without statutory authorization, businesses, along with additional



governmental and educational entities, began to track individuals using Social Security numbers. Today, the consequence of increased Social Security number use and access, combined with the explosion of technology, is greater incidences of identity theft.

Criminals are able to use a Social Security number to fraudulently obtain credit, open a new bank account or even obtain a drivers license. Thus, restricting the use and exposure of your Social Security number is a key strategy in reducing the likelihood of falling victim to identity theft.

How Do I Protect My Social Security Number?

Do not carry your Social Security number card with you, in your wallet, or in your purse. Instead, keep it in a safe and physically secure place. Consider storing your Social Security card in a safe deposit box or locked safe.

When a business or other entity requests your Social Security number, you should inquire as to why they need the number, is its use authorized or required by law and whether there is an alternative identifier that you can provide. It may not be a statutory requirement for the business to use your Social Security number as a method of record tracking

or identity verification, but you should be aware that businesses can request your Social Security number and even deny you services if you fail to provide it. However, you will limit the prospects of becoming a victim of identity theft by asking questions to understand the purpose for which your Social Security number is needed and by exercising caution in disclosing it.

How Do I Protect My Social Security Number in the Marketplace?

Under State law, a New York business is prohibited from the following:¹

- Making your Social Security number available to the general public.
- Requiring you to transmit your Social Security number over the Internet, unless the

connection is secure or the number is encrypted.

- Requiring you to use your Social Security number to access an Internet website unless a password, PIN or other type of authenticating device is also required to access the website.
- Printing your Social Security number on any material that is mailed to you unless a State or federal law requires the number to be on that document. However, Social Security account numbers can be mailed as part of an application or enrollment process; to establish, amend or terminate an account, contract or policy; or to confirm the accuracy of the Social Security account number. In these cases, Social Security numbers can not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope being opened.
- Printing your Social Security number on any card or tag required for an individual to access products, services or benefits.
- Filing any document available for public inspection with any State agency, political subdivision, or in any court that contains your Social Security account number unless you have consented to such filing or the filing is required by federal or State law or regulation, or by court rule.
- Requiring your Social Security number to be recorded on a negotiable instrument (e.g., check, travelers check, gift certificate, money order, etc.) as a condition for acceptance of such instruments.²

¹See New York State General Business Law Sections 399-dd, 518-a