

# AGENCY REPORT

## (due on or before July 31, 2020)

<b>Agency:</b>	Equal Employment Practices Commission		
<b>Agency Privacy Officer:</b>	Jennifer Shaw, Esq.		
<b>Email:</b>		<b>Telephone:</b>	
<b>Date of Report:</b>	July 29, 2020		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)*	<b><u>Work-Related Information</u></b> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<b><u>Biometric Information</u></b> <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs	<b><u>Government Program Information</u></b> <input type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information
<b><u>Contact Information</u></b> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<b><u>Law Enforcement Information</u></b> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<b><u>Demographic Information</u></b> <input type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input type="checkbox"/> Languages spoken <input type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<b><u>Technology-Related Information</u></b> <input type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information
<b><u>Status Information</u></b> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input type="checkbox"/> Status as victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	
<b><u>Other Types of Identifying Information</u></b> (list below):  	
<small>*Type of identifying information designated by the CPO (see CPO Policies &amp; Protocols § 3.1.1).</small>	

2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.
<p>The collection and retention of identifying information specified above furthers the purposes and mission of the Equal Employment Practices Commission (EEPC) as follows:</p> <ul style="list-style-type: none"> <li>• Human Resources' collection and retention of candidate and employee information enables fulfillment of the EEPC's Charter mandate by supporting human resources and other personnel related matters.</li> </ul>

<p><b>3. Describe the types of collections and disclosures classified as: (1) pre-approved as “routine,” (2) pre-approved as routine by APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the 2020 Agency Guidance includes detailed examples of routine and non-routine collections and disclosures, with descriptions.</b></p> <p><b>Add additional rows as needed.</b></p>	
<b>Describe the Collection or Disclosure</b>	<b>Classification Type</b>
<p>Human Resources' collection and retention of candidate and employee information for administration of personnel and human resources processes in the course of considering, establishing, maintaining, and concluding terms and conditions of employment including, but not limited to, new hire processing, benefits processing, payroll processing, equal employment opportunity matters, training, occupational health and safety matters, professional development, and retiree processing. Disclosure is in accordance with policies, procedures, mechanisms, systems, and guidelines set by agencies responsible for facilitating these processes.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Legal Unit's collection of identifying information of substantial policymakers who are not in the Payroll Management System (PMS), and disclosure to Conflicts of Interest Board (COIB), to facilitate compliance with annual financial disclosure requirements.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Finance/Budget's collection and retention of information necessary to comply with applicable federal, state, and local procurement rules during the creation and processing of purchase order agreements/contracts for services from individuals as vendors, contractors, or bidders. Disclosure is in accordance with policies, procedures, mechanisms, systems, and guidelines set by agencies responsible for facilitating these processes.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p><b>N.Y.C. Admin. Code §23-1205(a)(1)(b)</b></p>	
<ul style="list-style-type: none"> <li>•Legal's collection of identifying information of substantial policymakers who are not in the Payroll Management System (PMS) facilitates compliance with the Conflicts of Interest Board (COIB) and Department of Investigation (DOI) annual financial disclosure requirements.</li> <li>•Finance/Budget's collection and retention of information necessary for creation and processing of purchase order agreements for services in furtherance of the EEPC's mission from individuals as vendors, including EEPC per diem Commissioners, bidders, and contractors.</li> </ul>	
<p><b>N.Y.C. Admin. Code §23-1205(a)(1)(f)</b></p>	

**4. If applicable, specify the types of collections and disclosures that have been approved by the Chief Privacy Officer as being “in the best interests of the City” which involve any collections and disclosures of identifying information relating to your agency.**

**Add additional rows as needed.**

**Describe Type of Collection or Disclosure**

Not applicable.

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

**5. Describe the agency’s current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties.**

As the identifying information the EEPC collects or retains is limited to that required for the administration of human resources and procurement processes, the disclosures are limited to, and in accordance with, applicable policies, procedures, mechanisms, systems, and guidelines set by agencies responsible for facilitating those functions.

**6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?**

Yes  No

**7. If YES, do such policies specify that access to such information must be necessary for the performance of their duties?**

Yes  No

**8. Describe whether the policies are implemented in a manner that minimizes such access to the greatest extent possible while furthering the purpose or mission of the agency.**

N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)

**9. Describe the agency’s current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties.**

The EEPC does not receive proposals for disclosures of identifying information.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

**10. Describe the agency’s current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.**

As the identifying information the EEPC collects and retains is limited to that required for the administration of human resources and procurement processes, disclosures are classified as routine because they are made during the normal course of agency business and further the purpose and mission of the EEPC.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

**11. Describe the agency's current policies regarding which divisions and categories of employees within an agency make disclosures of identifying information following the approval of the privacy officer.**

As the identifying information the EEPC collects and retains is limited to that required for the administration of human resources and procurement processes, the disclosures are made by employees responsible for those functions: the Director of Finance/Human Resources Management and Administrator of Audits and Executive Services.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

**12. Describe whether the agency has considered or implemented, where applicable, any alternative policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of such agency.**

No alternative policies have been considered.

N.Y.C. Admin. Code §23-1205(a)(4)

**13. Describe the agency's use of agreements for any use or disclosure of identifying information.**

As the identifying information the EEPC collects and retains is limited to that required for the administration of human resources and procurement processes, the disclosures are in accordance with policies, procedures, mechanisms, systems, and guidelines set by agencies responsible for facilitating those functions.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

14. Using the table below, specify the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information, and for each entity, describe (1) the reasons why an agency discloses identifying information to such entity, and (2) why any such disclosures furthers the purpose or mission of such agency.

**Add additional rows as needed.**

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the purpose or mission of the agency
No entities request disclosure of identifying information		

N.Y.C. Admin. Code §23-1205(a)(1)(e)

*- Proceed to Next Question on Following Page -*

**15. Describe the impact of the Identifying Information Law and other applicable laws upon your agency's practices in relation to collection, retention, and disclosure of identifying information.**

The Identifying Information Law and other applicable laws guide the EEPC's practices in relation to the collection, retention, and disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(a)(2)

**16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to the collection, retention, and disclosure of identifying information.**

Privacy policies and protocols issued by the Chief Privacy Officer or the Identifying Information Committee have minimal impact to the EEPC's practices in relation to the collection, retention, and disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(a)(3)


**APPROVAL FOR AGENCY REPORT**

**Preparer of Agency Report:**

<b>Name:</b>	Jennifer Shaw, Esq.		
<b>Title:</b>	Executive Agency Counsel/Director of Compliance		
<b>Email:</b>	██████████	<b>Phone:</b>	██████████

**SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW**

**Agency Head (or designee):**

<b>Name:</b>	Charise Terry		
<b>Title:</b>	Executive Director		
<b>Email:</b>	██████████	<b>Phone:</b>	██████████
<b>Signature:</b>		<b>Date:</b>	07-29-2020

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