

FORM 3 (AGENCY REPORT)

(Due on or before July 31, 2022)

Agency:	Office of the New York City Comptroller		
Agency Privacy Officer:	Brittania Stewart		
Email:	BStewar@Comptroller.nyc.gov	Telephone:	212-669-2053
Date of Report:	July 31, 2022		

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)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)* <u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input checked="" type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences* <u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number <u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation <u>Status Information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address <u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information <u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input checked="" type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD <u>Technology-Related Information</u> <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
<u>Other Types of Identifying Information</u> (list below): Educational history, veteran status, employee grievances, earnings and leave balance information, work hours, leave requests, doctor's notes, jury duty service, employee evaluations	
*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).	

2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.

The Office of the NYC Comptroller has many functions that require the collection and retention of identifying information, as enumerated in greater detail below.

1. The **Bureau of Accountancy (BOA)** is responsible for all aspects of the City's financial accounting and reporting. BOA is primarily responsible for the design and management of the City's centralized accounting, internal control and budgeting system, and the Financial Management System (FMS). The Bureau is also responsible for ensuring accuracy in City agency accounting, reconciliation of more than 100 City bank accounts, investment accounting for the City's five main pension plans and eleven variable supplement funds (VSFs), servicing the City's general obligation debt, and approving vendor information in FMS.
 - a. BOA's Accounting Compliance Unit receives returned checks in the mail, as well as phone request to reissue payments. These requests may include the name and address of retired city employees.
 - b. BOA's Workers Compensation Unit within the Fiscal Services Division collects names and addresses in order to provide the Law Department Workers' Compensation Unit with the information to reissue workers compensation checks as necessary.
 - c. BOA's Vendor Support Division receives substitute W-9 forms from public and city agencies containing names, addresses, and tax ID/ and social security numbers of vendors.
 - d. BOA's Capital & Fixed Asset-Policy Division receives substitute W-9 forms containing names, addresses, and tax ID/ and social security numbers from individuals involved in condemnation proceedings.
 - e. BOA's Financial Reporting Division requires copies of drivers' licenses for individuals to pick up checks that have been placed on hold by City agencies.
2. The **Bureau of Administration** supports the work of the other bureaus throughout the Comptroller's Office. It manages the office's capital and operating budgets, as well as its human resource functions, along with procurement and payment, records management, labor relations, timekeeping, payroll, facilities management, support services and information systems.
 - a. The ACCO receives one-time documentation indicating whether a business has been certified as a minority or woman owned business and indicating the specific qualification for that status.
 - b. The Certificate of Residence desk receives documentation of the addresses of members of the public in order to issue certifications of city residence, enabling the holder to pay residence tuition fees at New York State community colleges.
 - c. The Human Resources division collects and retains a variety of forms, records and data in the course of performing core administrative and human resource functions. The human resources division has access to NYCAPS, a citywide repository of personnel data.
 - d. The Labor Relations division receives and retains documentation of employee grievances in order to review and respond to these instances.
 - e. City agencies submit documentation to the Lump Sum Audit unit consisting of employee earnings, leave usage, and final leave balances for auditing of final payments upon employee's separation from City service.
 - f. The Payroll and Timekeeping division collects and retains information relevant to employee work hours, leave requests and payroll, in the normal course of processing and monitoring employee payroll. The division also has access to PMS, the City of New York's automated payroll and timekeeping processing and record keeping system and CHRMS, a system that allows users to run payroll queries.
 - g. The Procurement division receives information from vendors throughout the procurement process, including bids, contract documents and payment and billing documents.
 - h. The Training division collects and retains employee evaluations and improvement plans on an annual basis.
 - i. The Vouchering division collects documentation relating to payments made or stopped by the agency, as well as forms for reimbursement of travel in personal vehicles.
3. The **Audit Bureau** performs audits, investigations and other analyses of City-funded operations in accordance with the New York City Charter, which requires that the Comptroller's Office perform an audit of some aspect of every City agency at least once every four years. The Audit Bureau regularly collects and retains various identifying information necessary for the performance of audits, investigations, and other analyses, including identifying information pertaining to claims made against the City that have been referred by the Bureau of Law and

Adjustment, and submissions made by government agencies and welfare funds in accordance with Comptroller's Directives.

4. The **Bureau of Asset Management (BAM)** oversees the investment portfolio for each system and related defined contribution funds. In this role, the Comptroller provides investment advice, implements Board decisions, and reports on investment performance. The Bureau of Asset Management advises the Boards on all investment-related topics, including investment policy and strategy, asset allocation, manager structure, manager selection and financial and economic developments that may affect the systems.
 - a. BAM's Compliance division collects investment trading information from employees covered by the agency's Personal Trading policy.
 - b. BAM's Pensions unit collects and reviews applications for disability retirement are submitted to each Systems' Medical Review Board.
 - c. BAM's contracting division collects information from parties seeking to do business with BAM on the Mayor's Office of Contracts' "Doing Business Data Form," which includes name, address, and DOB.
5. The **Bureau of Contract Administration ("BCA")** is responsible under the City Charter for registering all contracts funded by the City or by funds controlled by the City prior to their implementation. Actions requiring BCA registration also include franchises, concessions, leases, permits, etc. BCA is required to register a contract within thirty-calendar days of the date of filing unless contract registration process ensures there is adequate funding in the City's treasury i. there remains no unexpended and unapplied balance of the appropriation or fund applicable thereto, sufficient to pay the estimated expense of executing such contract, as certified by the officer making the same; ii. that required certifications have not been made; or iii. the proposed vendor has been debarred by the city. In addition, the comptroller may, within thirty days of the date of filing of the contract with the comptroller's office, object in writing to the registration of the contract, if in the comptroller's judgment there is sufficient reason to believe that there is possible corruption in the letting of the contract or that the proposed contractor is involved in corrupt activity. BCA, via the Comptroller's Central Imaging Facility and electronic interfaces (e.g. PASSPort, citrix/sharepoint links), receives contracts and related actions submitted by mayoral and non-mayoral agencies for the purposes of registration. Documents submitted and reviewed as part of the registration process are retained in the Comptroller's OASIS system. BCA limits access to OASIS and other systems used as part of the registration process (e.g. PASSPort, FMS) to only staff who have the responsibility of reviewing and registering contracts.
6. The **Bureau of Law & Adjustment (BLA)**, pursuant to the City Charter, settles claims against and on behalf of the City New York. In connection with this work, BLA collects and/or discloses and retains claims-related information and associated investigatory documents, GML 50-h hearing transcripts and abstracts, as well as litigation-related documents furnished by the New York City Law Department to investigate, evaluate, adjust and settle or authorize settlement of claims for and against the City. BLA uses the Omnibus Automated Image Storage Information System (OASIS) database to store and track claims.
7. The **Bureau of Labor Law (BLL)** sets the prevailing wage required to be paid by City contractors on public works projects, building service contracts, and certain other service contracts, and investigates and enforces violations of the prevailing wage and living wage on such City contracts. BLL also enforces violations of the prevailing wage and living wage on such City contracts. In conducting its investigations, BLL collects information regarding the hours worked, wages paid, and benefits provided to workers employed by contractors.
8. The **Budget Bureau** evaluates the fiscal health of the City by reviewing the City's revenue collections, expenditures, capital program, debt capacity and the condition of the local economy and by preparing analytical reports. The Budget Bureau collects and retain various economic, financial and demographic data in doing its analysis. The data collected are usually presented in an aggregated form, and not in their original form. For example, data on addresses are not published but used to show geographical distribution.
9. The **Bureau of Engineering (BOE)** provides liability and damage reports for use in property damage tort claims and, in concert with BLA's Settlement and Adjudication Division, settles and adjusts public work contract claims and contract disputes in accordance with Section 93i of the New York City Charter and the alternate dispute resolution procedures mandated under Section 4-09 of the PPB rules and City contracts. In conducting its investigation, BOE collects, discloses and retains information regarding the hours worked, wages paid and benefits provided to workers employed by contractors/consultants and property owners.
10. The **Office of General Counsel (OGC)** is responsible for all legal matters relating to the work of or affecting the operations of the Comptroller's Office. OGC's FOIL division collects the name and contact information of members of the public who submit FOIL requests.
11. The **Public Affairs Bureau** is the public face of the agency and includes the Community Action Center, Community Affairs, and Special Events. The Community Action Center assists constituents from the five boroughs and connects them to City agency resources. The Community Affairs team collects basic information from

community stakeholders who attend meetings with the Comptroller. The Special Events division collects basic information from constituents that attend agency heritage events and town halls.

12. The agency receives resumes for open job postings. Those resumes include full names, home addresses, personal email addresses, and personal phone numbers.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
N.Y.C. Admin. Code §23-1205(a)(1)(b)	
1. BOA's Financial Reporting and Fiscal Services Unit receives returned checks in the mail, as well as phone request to reissue payments. These requests may include the name and address of retired city employees.	<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
2. BOA's Workers Compensation Unit within the Fiscal Services Division collects names and addresses in order to provide the Law Department Workers' Compensation Unit with the information to reissue workers compensation checks as necessary.	<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
3. BOA's Vendor Support Division receives substitute W-9 forms from public and city agencies containing names, addresses, and tax ID/ and social security numbers of vendors.	<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
4. BOA's Capital & Fixed Asset-Policy Division receives substitute W-9 forms containing names, addresses, and tax ID/ and social security numbers from individuals involved in condemnation proceedings.	<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
5. BOA's Financial Reporting Division requires each agency to submit a pre-authorized list of approved check pick-up individuals and when picking up, provide copy of drivers' licenses for individuals to pick up checks that have been placed on hold by City agencies.	<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
6. Administration's ACCO receives one-time documentation indicating whether a business has been certified as a minority or woman owned business and indicating the specific qualification for that status.	<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
7. Administration's Certificate of Residence Desk receives documentation of the addresses of members of the public in order to issue certifications of city residence, enabling the holder to pay residence tuition fees at New York State community colleges.	<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

8. Administration's Human Resources division collects and retains a variety of forms, records and data in the course of performing core administrative and human resource functions. The human resources division has access to NYCAPS, a citywide repository of personnel data.	<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
9. Administration's Labor Relations division receives and retains documentation of employee grievances in order to review and respond to these instances.	<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
10. City agencies submit documentation to Administration's Lump Sum Audit unit consisting of employee earnings, leave usage, and final leave balances for auditing of final payments upon employee's separation from City service	<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
11. Administration's Payroll and Timekeeping division collects and retains information relevant to employee work hours, leave requests and payroll, in the normal course of processing and monitoring employee payroll. The division also has access to PMS, the City of New York's automated payroll and timekeeping processing and record keeping system and CHRMS, a system that allows users to run payroll queries.	<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
12. Administration's Procurement division receives information from vendors throughout the procurement process, including bids, contract documents and payment and billing documents.	<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
13. Administration's Training division collects and retains employee evaluations and improvement plans on an annual basis.	<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
14. Administration's Vouchering division collects documentation relating to payments made or stopped by the agency, as well as forms for reimbursement of travel in personal vehicles.	<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
15. The Audit Bureau regularly collects and retains various identifying information necessary for the performance of audits, investigations, and other analyses, including identifying information pertaining to claims made against the City that have been referred by the Bureau of Law and Adjustment, and submissions made by government agencies and welfare funds in accordance with Comptroller's Directives.	<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
16. BAM's Compliance division collects investment trading information from employees covered by the agency's Personal Trading policy.	<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
17. BAM's Pensions unit collects and reviews applications for disability retirement are submitted to each Systems' Medical Review Board.	<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
18. BAM's Contracting division collects information from parties seeking to do business with BAM on the Mayor's Office of Contracts' "Doing Business Data Form," which includes name, address, and DOB.	<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
19. BCA receives and retains contracts submitted by mayoral and non-mayoral agencies for the purposes of contract registration.	<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
20. BLA collects and/or discloses and retains claims-related information and associated investigatory documents, GML 50-h hearing transcripts and abstracts, as well as litigation-related documents furnished by the New York City Law Department to investigate, evaluate, adjust and settle or authorize settlement of claims for and against the City. BLA uses the Omnibus Automated Image Storage Information System (OAISIS) database to store and track claims.	<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
21. BLL collects information regarding the hours worked, wages paid, and benefits provided to workers employed by contractors as part of its investigations.	<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
22. BOE collects, discloses and retains information regarding the hours worked, wages paid and benefits provided to workers employed by contractors/consultants and property owners as part of its investigations.	<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
23. OGC's FOIL division collects the name and contact information—including email address, home address, and phone numbers—of members of the public who submit FOIL requests.	<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
24. Public Affairs' Community Affairs team collects basic information from community stakeholders who attend meetings with the Comptroller.	<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
25. Public Affairs' Special Events division collects basic information from constituents that attend agency heritage events and town halls.	<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
26. The Bureau of Labor Law may disclose the names, addresses, and social security numbers of workers covered by stipulations of settlement to the NYC Human Resources Administration's Office of Child Support Enforcement. The purpose of this disclosure is to check for child support liens before making settlement payments to workers.	<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
27. The Bureau of Law and Adjustment may disclose name and social security number to other city agencies to check for liens before making settlement payments.	<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

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Add additional rows as needed.

Describe Type of Collection or Disclosure

n/a

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. Be as specific as possible.

NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.

This agency has a strict rule to not disclose documents, except for those pre-approved routine disclosures, without forwarding such requests to the Office of General Counsel. The agency uses agreements with other City agencies to address certain disclosures of identifying information. The agency also has a FOIL process, through which city agencies, local public authorities, local public benefit corporations, and third parties, can request records and which are produced in redacted form to the extent permissible by law. Consistent with law, identifying information is redacted prior to FOIL disclosure to any and all third parties. The agency may also disclose identifying information if we receive a subpoena. The Office of General Counsel will review the subpoena to determine the scope and legality.

Agency attorneys review all agency contracts with contractors. If a contractor will have access to identifying information, agency attorneys will include the appropriate identifying information rider with the contract. Technology contracts that involve the collection of identifying information will also include a rider developed by City to address protection and security of technology.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.	<p>Disclosures are made to City agencies, local public authorities or local public benefit corporations only as necessary to perform stated governmental functions.</p> <p>City agencies, local public authorities or local public benefit corporations, and third parties are also directed to submit a FOIL request for records that include identifying information. The FOIL Officer redacts identifying information prior to disclosure except where a third party requests their own information. If a person is requesting records that include their own identifying information, that person must provide proof of identity before that information is disclosed. Directing records requests to the FOIL officer, who also works within the Office of General Counsel, minimizes the possibility that identifying information is improperly disclosed to other City agencies, local public authorities or local public benefit corporations, or third parties. Non-Routine disclosures are also reviewed by the Office of General Counsel. The Office of General Counsel will decide whether such a disclosure is permissible and/or required by law. The Office of General Counsel also reviews agency contracts to determine if contractors/vendors will have access to identifying information.</p> <p>Staff supervisors and unit heads are aware that non-routine requests for document disclosures should be submitted to the Office of General Counsel for review.</p>
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. Be as specific as possible.
Any non-routine proposals for disclosures are routed through the Office of General Counsel and the agency's data privacy office, who will make a determination whether such a disclosure is permissible and/or required by law.
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. Be as specific as possible.
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Any non-routine proposals for disclosures are routed through the Office of General Counsel and the agency's data privacy office, who will make a determination whether such a disclosure is permissible and/or required by law.

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 have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.

Employees may make such disclosures only after receiving authorization from the Office of General Counsel.

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 since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.

Software used for Comptroller SMTP mail provides adaptive redaction to automate scanning and redacting payment card information and any other sensitive or inappropriate information from leaving or entering organization. It is automated and occurs in real time via a policy discovering words, phrases and tokens. Upon each incident or occurrence of such an event, a system administrator is notified via an email. Additional protection of sensitive information, such as bank transactions and contract documents are secured by SEG mail encryption of outbound and inbound mail routes.

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.

The Comptroller's Office adheres to the citywide contractual guidelines regarding privacy and security of identifying information. Specific language can be found in NYC General Provisions Governing Contracts for Consultants, Professional, Technical, Human and Client Services Appendix A Section 5.08 B and Legal Services Appendix A Sections 5.02, 5.03, and 5.08.

The Audit Bureau also may enter into confidentiality agreements with both City agencies and non-City entities. In these cases, Audit Bureau staff, under the direction and supervision of the General Counsel's Office, works with the outside entity to draft an agreement that addresses the protection and safeguarding of identifying information that is collected during the audit or investigation. These confidentiality agreements state that the Comptroller's Office will observe necessary and appropriate physical, electronic, and managerial safeguards to protect information that is deemed confidential, including restricting access to those employees of the Bureau whose responsibilities require it, and will not use or disclose confidential information in a manner that violates any applicable federal, state, or local laws, or the terms of the agreement. They also provide for notice to the outside entity should the Comptroller receive a subpoena or FOIL request seeking confidential information.

BLA has entered a number of Memoranda of Understanding with city agencies that outline the use and dissemination of information maintained in OASIS. BLA also entered a non-disclosure agreement with a DEP contractor when we provided information for a flood study. Finally, 50-h firms contracted by BLA must acknowledge the HIPAA Business Agreement.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

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

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
Freedom of Information Law Requests	Freedom of Information Law requests may include requests for identifying information. Agency personnel determines whether disclosure is permissible under applicable law.	Consistent with the agency's obligations under Public Officer Law Public Officers Law §87 et. seq.
Parties to Litigation	Records including identifying information may be requested as part of ongoing litigation. OGC determines whether disclosure is permissible under applicable law.	Consistent with the agency's obligations under civil discovery rules.
City Agencies	In the course of regular Personnel and Human Resources matters including but not limited to transfer of employees between agencies, and retirement and benefits processing, identifying information may be disclosed to other city agencies.	These are routine HR functions.
Department of Records and Information Services (DORIS)	DORIS may request records that include identifying information for purposes of records management, archiving, and preservation.	To ensure that City records are properly maintained following professional archival and record management practices.
Labor Unions	Labor Unions may request records from Payroll and Timekeeping that include identifying information relating to leave status in the course of its duties as a collective bargaining representative.	These are routine HR functions.
New York State Community Colleges	In rare cases, colleges may request verification of Certificate of Residency documentation. This documentation is usually submitted to the colleges directly by the student. In the cases where information is requested by the colleges, Certificate of Residence staff endeavors to provide confirmation of residence without disclosing any identifying information.	These are routine HR functions.
New York State Workman's Compensation Board	In the course of regular reporting of workman's compensation claims, identifying information may be disclosed to the New York State Workman's Compensation board.	These are routine HR functions.
New York City Employee Retirement System (NYCERS)	NYCERS may request records from Payroll and Timekeeping that include identifying information in the course of its duties managing employee retirement benefits.	These are routine HR functions.
Office of Labor Relations (OLR)	When grievances reach Step 3 of the grievance process, all prior documentation of grievances is submitted to OLR. Ordinarily, this information is submitted directly by the	These are routine HR functions.

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	employee bringing the grievance. If they do not attach the documentation, the Labor Relations division submits this documentation to OLR so that the grievance process may proceed.	
NYC Retirement System – Medical Review Board	The Comptroller as Trustee of the Police Pension Fund, the Fire Department Pension Fund, the New York City Employees’ Retirement System and the Teacher’s Retirement System of the City of New York assesses claims for disability retirement benefits that are brought before the Systems. Applications for disability retirement are submitted to each Systems’ Medical Review Board. The Medical Review Boards review the application and create a case file for each Member.	Consistent with the agency’s obligations under the NYC Administrative Code 13-123 (NYCERS), 13-223 (Police), 13-323 (Fire), and 13-519 (TRS).
Mayor’s Office of Contract Services	Doing Business Data Forms are collected by the Bureau of Asset Management and delivered to the Mayor’s Office of Contract Services for processing.	Completion of the “Doing Business Form” is a requirement for City vendors under NYC’s procurement rules and practices.
Law Department	Law Department accesses OASIS (NOC, 50-h hearing related documents, investigatory documents, etc.) to review claim files where an action started.	Consistent with the agency’s obligations under NYC Charter 93(i).
50-h Panel Firms	Firms conducting 50-h hearings on behalf of the City can access Notices of Claim on OASIS to draft notice of hearings and prepare to take claimant testimony.	Consistent with the agency’s obligations under NYC Charter 93(i).
Son of Sam	OOC provides settlement information on Department of Correction and NYPD claims to the State (Crime Victims Services and NY Attorney General) to collect on behalf of victims of crimes.	Consistent with NYS’s “Son of Sam” Law.
Northrup Grumman	Northrup contracted with OOC to support OASIS database. Any claim specific inquiry to trouble shoot would require at the very least claimant’s name.	Communications and information-sharing with vendors such as Northrup Grumman are necessary to ensure the claims database operates efficiently.
SAS	Data analytics firm with access to claimant identifying information in an excel spreadsheet for modeling project.	Communications and information-sharing with vendors such as SAS are necessary to ensure that claims are analyzed efficiently.
Human Resources Administration	Name, address, date of birth, and social security number to conduct lien search on settled claims.	As an operational matter, BLA conducts lien searches before making payments to claimants.
Department of Finance	Name, address, date of birth, and social security number to conduct lien search on settled claims.	As an operational matter, BLA conducts lien searches before making payments to claimants.
Center for Medicare and Medicaid Services (CMS)	Report to CMS name, date of birth, address, gender, phone number, Health Insurance Claim Number and/or social security number, to Medicare or Medicaid lien searches.	As an operational matter, BLA conducts lien searches before making payments to claimants.
City Agencies	BLA has entered into agreements with the New York Police Department, Department of Correction, Department of Sanitation, and Department of Citywide Administrative	BLA has implemented this information-sharing to enable City agencies to implement best practices and improve risk management.

Identifying Information Law

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	Services for OASIS access to agency-related Notices of Claim to implement best practices and for risk management. When requested, BLA provides identifying information to Office of Management and Budget to reconcile books.	
Contractors	Contractors under investigation are provided information on the workers found to be underpaid by the Bureau of Labor Law, including employee names, social security numbers, employment status, employer information, and tax information.	Consistent with New York state and city laws that empower the agency to enforce violations of the prevailing wage and living wage on City contracts.
Office of Administrative Trials and Hearings	When the Bureau of Labor Law conducts trials at OATH as required by state and local law, the administrative law judge is provided with information on the workers found to be underpaid by the Bureau of Labor Law, including employee names, social security numbers, employment status, employer information, and tax information.	Consistent with New York state and city laws that empower the agency to enforce violations of the prevailing wage and living wage on City contracts.
Contracting Agencies	As required by state and local law, upon the resolution of an investigation, the Bureau of Labor Law provides all contracting agencies with the final order, which may include information on the workers found to be underpaid, including employee names, employment status, employer information, and tax information.	Consistent with New York state and city laws that empower the agency to enforce violations of the prevailing wage and living wage on City contracts.
NYS Department of Labor	The Bureau of Labor Law refers complaints to the Department of Labor when it is determined that the Department has appropriate jurisdiction over the complaint. Those complaints may include information such as employee names, social security numbers, employment status, employer information, and tax information.	Furtheres the agency's partnership with NYS Department of Labor in the enforcement of state and local wage laws.
Claimants (Contractor/Consultant, Property Owners)	Claimants (Contractors/Consultants, Property Owners) provide information on the labor being claimed (employee names, wages, benefits, tax information)	Consistent with the agency's obligations under NYC Charter 93(i) and the alternate dispute resolution procedures mandated under Section 4-09 of the PPB rules and City contracts.
Contracting Agencies	Contracting Agencies provide Certified Payrolls which provide information on the labor being claimed (employee names, wages, addresses, tax information)	Consistent with the agency's obligations under NYC Charter 93(i) and the alternate dispute resolution procedures mandated under Section 4-09 of the PPB rules and City contracts.
Local, state and federal agencies	Name, address, contact information is provided to these agencies to search for the constituents' case on their behalf and speak with their case manager on their case.	Furtheres the agency's constituent services function.

N.Y.C. Admin. Code §23-1205(a)(1)(e)

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15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

The agency has reviewed policies related to collection, retention, and disclosure of identifying information and considered ways to safeguard identifying information. Agency is also considering whether some collections can be minimized or eliminated.

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 collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

Staff are more attentive to requests for any records, including records that include identifying information, and discuss those requests with the Office of General Counsel. When non-routine requests for disclosures are routed through the Office of General Counsel, the Agency Privacy Officer, FOIL Officer and other attorneys within the Office of General Counsel are consulted before a disclosure is made.

N.Y.C. Admin. Code §23-1205(a)(3)


APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

Name:	Brittania Stewart		
Title:	Associate General Counsel		
Email:	bstewar@comptroller.nyc.gov	Phone:	212-669-2053

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

Name:	Krishna N. O'Neal		
Title:	Acting General Counsel		
Email:	koneal@comptroller.nyc.gov	Phone:	212-669-2377
Electronic Signature:		Date:	07/28/2022

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