

FORM # 3
Agency Report Template

(Revised April 2020)

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial reports related to their collection, disclosure, and retention of identifying information and their privacy protection practices. Agencies should review their 2018 reports, and begin collecting any updated information as soon as possible. The agency's updated and completed Inventory Form (Form #1), together with the Routine Designation Forms (Form #2) and Forms for the Agency Privacy Officer Approval of Collections and Disclosures on a Case-by-Case Basis (Form #5), should contain a significant amount of the information necessary to complete the report. While the Law does not specify who must complete the report, the APO is best positioned to do so, with final review and approval before submission by either the agency's General Counsel, or other counsel to the agency.

Agencies should review their 2018 versions of Form #3: Agency Report Template, and using this information and any updates to this report since 2018, complete a new Form #3 for 2020. This Form must be submitted to the CPO at PrivacyOfficer@cityhall.nyc.gov. The report must also be submitted to the Mayor, at MOReports@cityhall.nyc.gov, City Council Speaker, at reports@council.nyc.gov and the Citywide Privacy Protection Committee, at NYCPrivacyCommittee@cityhall.nyc.gov. Additionally, per N.Y.C. Charter §1133(a), agencies must submit their report to the City's Department of Records and Information Services online submissions portal at <https://a860-gpp.nyc.gov> within ten days of submission to the CPO, the Mayor, the City Council Speaker, and the Citywide Privacy Protection Committee. **Agency reports must be signed by the agency head or designee prior to submission.**

NOTE: For questions requesting information about existing agency policies relating to the disclosure of identifying information, agencies should describe their specific agency policies, and may also reference the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies, issued as City policy in April 2017, and the Identifying Information Law Rider.

IMPORTANT NOTE

THE INFORMATION CONTAINED IN THE AGENCY REPORT WILL BE PUBLIC INFORMATION. PREPARERS OF THIS REPORT SHOULD CONSULT WITH THEIR AGENCY'S GENERAL COUNSEL OR THE CHIEF PRIVACY OFFICER REGARDING ANY QUESTIONS AS TO WHETHER THE AGENCY'S RESPONSES TO QUESTIONS IN THE REPORT ARE PROVIDED IN ACCORDANCE WITH APPLICABLE LAW AND CITY POLICY.

**THESE INSTRUCTIONS AND VERSION CONTROL INFORMATION
ON THE FOLLOWING PAGE SHOULD BE DETACHED
FROM THE REPORT BEFORE SUBMISSION**

VERSION CONTROL

Version	Description of Change	Approver	Date
2.0	Updated completion date; miscellaneous clarifying revisions.	Laura Negrón Chief Privacy Officer, City of New York	April 2020
1.0	First Version	Laura Negrón Chief Privacy Officer, City of New York	April 2018

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AGENCY REPORT

(due on or before July 31, 2020)

Agency:	Department of Design and Construction		
Agency Privacy Officer:	David. J. Varoli		
Email:	varolid@ddc.nyc.gov	Telephone:	(718)391-1728
Date of Report:	July 31, 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)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs	<u>Government Program Information</u> <input checked="" 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 type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information
<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>Law Enforcement Information</u> <input 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
<u>Demographic Information</u> <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	<u>Technology-Related Information</u> <input checked="" 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>Status Information</u> <input 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	
<u>Other Types of Identifying Information</u> (list below): 	
<small>*Type of identifying information designated by the CPO (see CPO Policies & 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>Collection and retention of names, addresses, contact information, employment status, employment information, employment address, date of birth, and Social Security Number furthers the purposes or mission of our agency because it is necessary for hiring and staffing our agency. Device identifiers such as serial numbers are used to track agency devices that are released to agency employees.</p> <p>Collection and retention of scheduled appointments with any employee, contractor, or subcontractor furthers the purposes or mission of our agency because much of our scheduling is done through Outlook, which retains this information.</p>
<small>N.Y.C. Admin. Code §23-1205(a)(1)(f)</small>

Identifying Information Law

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.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Administration (HR, EEO, Labor): personnel, employee benefits, payroll, and related employee information	<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
Legal (litigation, enforcement): personnel, payroll, scheduled appointments, and related employee information	<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
FOIL	<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
Engineering Audit Office	<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
ACCO	<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
IT	<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

N.Y.C. Admin. Code §23-1205(a)(1)(b)

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.

Only authorized employees may disclose identifying information to other agencies, local public authorities or local public benefit corporations as per routine agency business.

Requests for disclosure from non-routine third parties must be made through the Freedom of Information Law and are subject to the privacy protections of FOIL.

DDC contractors and subcontractors do not have access to identifying information.

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 such policies specify that access to such information must be necessary for the performance of their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<p>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.</p>	<p>Yes</p>
<p>N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)</p>	

<p>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.</p>
<p>Not applicable. Besides FOIL requests, DDC does not handle proposals for disclosures of identifying information.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)</p>

<p>10. Describe the agency’s current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.</p>
<p>Routine disclosures are those (1) made during the normal course of city agency business and (2) “furthers the purpose or mission of the agency.”</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)</p>

<p>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.</p>
<p>Not applicable. DDC does not make disclosures of identifying information unless required under public disclosure laws. DDC’s Law Division reviews such request on a case-by-case basis.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)</p>

<p>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.</p>
<p>Not applicable.</p>
<p>N.Y.C. Admin. Code §23-1205(a)(4)</p>

<p>13. Describe the agency’s use of agreements for any use or disclosure of identifying information.</p>

Not applicable.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

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.

It requires the agency to conduct inventory of the agency's collections and disclosures of identifying information, the designation of certain disclosures and collections as "routine," and the preparation and submission of an agency report.

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.

Not applicable.

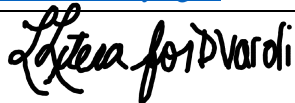
N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL FOR AGENCY REPORT

Preparer of Agency Report:

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Agency Head (or designee):

Name:	David Varoli		
Title:	General Counsel		
Email:	varolid@ddc.nyc.gov	Phone:	(718) 391-1728
Signature:		Date:	July 31, 2020

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