

FORM # 3

Agency Report Template

INSTRUCTIONS

The Identifying Information Law requires each agency to submit a **report** regarding, among other items, the collection, retention, and disclosure of identifying information by such agency and their “human services” contractors or subcontractors, **by no later than July 31, 2018**, and every two years thereafter by July 31. This report must be completed by the agency and submitted to the Mayor, at reports@cityhall.nyc.gov; City Council Speaker, at reports@council.nyc.gov; Chief Privacy Officer (“CPO”), at PrivacyOfficer@cityhall.nyc.gov; and Identifying Information Protection Committee (“Committee”), at NYCPrivacyCommittee@cityhall.nyc.gov. While the Law does not specify who at the agency must complete the report, the Agency Privacy Officer (“APO”) is likely best positioned to do so. Reports completed by APOs who are not lawyers should be reviewed and approved by the agency’s General Counsel or other counsel to the agency before submission by the agency. Agency reports, to be reviewed by the CPO and Committee, will help to inform citywide policies and procedures promulgated by the CPO and new agency requirements for the protection of identifying information, in a manner consistent with the Law. **Agency reports must be signed by the agency head or designee prior to submission.**

The answers provided in the Inventory and Routine Designation Form should provide a significant amount of information needed to complete this Report Form. Each question or prompt includes references to specific requirements in the Law.

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 (on file with the CPO).

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.

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AGENCY REPORT

(due on or before July 31, 2018, and by July 31 every two years thereafter)

Agency:	Department of Consumer Affairs		
Agency Privacy Officer:	Michael Tiger		
Email:	mtiger@dca.nyc.gov	Telephone:	212-436-0175
Date of Report:	July 31, 2018		

1. Specify the types of identifying information collected, retained, and disclosed by the agency

Check all that apply.

<input checked="" type="checkbox"/> Name	<input checked="" type="checkbox"/> Date of Birth
<input checked="" type="checkbox"/> Current and/or previous home addresses	<input checked="" type="checkbox"/> Place of Birth
<input checked="" type="checkbox"/> Gender identity	<input checked="" type="checkbox"/> Race
<input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Marital or partnership status
<input checked="" type="checkbox"/> Contact information (e.g., phone or email)	<input checked="" type="checkbox"/> Citizenship/immigration status
<input checked="" type="checkbox"/> Religion	<input checked="" type="checkbox"/> Nationality
<input checked="" type="checkbox"/> Employment status	<input checked="" type="checkbox"/> Country of origin
<input checked="" type="checkbox"/> Employer information	<input checked="" type="checkbox"/> Languages spoken
<input checked="" type="checkbox"/> Employment address	<input checked="" type="checkbox"/> Social media account information
<input checked="" type="checkbox"/> Motor vehicle information	<input checked="" type="checkbox"/> Income tax information
<input checked="" type="checkbox"/> Biometric information	<input checked="" type="checkbox"/> Any scheduled court appearances
<input checked="" type="checkbox"/> Eligibility for/receipt of public assistance or city services	<input checked="" type="checkbox"/> Arrest record or criminal conviction
<input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault	<input checked="" type="checkbox"/> Status as crime victim or witness
<input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD	<input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor
<input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD	<input checked="" type="checkbox"/> Social Security Number
<input checked="" type="checkbox"/> Other: Other identifying information collected during the work of various Divisions to further DCA's mission.	

N.Y.C. Admin. Code §23-1205(1)(a)

2. Specify the reasons why collection and retention of identifying information specified above furthers the purposes or mission of your agency.

- The Licensing Division collects, retains, and discloses identifying information as part of its role of administering licenses for DCA-regulated businesses, as well as issuing all permits on behalf of the Department of Health and Mental Hygiene ("DOHMH"), pursuant to a contract with that agency. DCA licenses include more than 65,000 businesses/individuals in 55 different categories such as debt collection agencies, parking garages/lots, and tobacco retail dealers. DOHMH licenses/permits include more than 50,000 businesses/individuals in 50 different categories, such as food service establishments, mobile food vendors, and tattoo artists.
- The Enforcement Division collects, retains, and discloses identifying information as part of its role ensuring compliance with all relevant City of New York Administrative Code provisions, the Rules of the City of New York, and various State regulations. It routinely inspects businesses licensed by DCA as well as non-licensed businesses that must comply with consumer protection laws and weights and measures laws. The Tobacco Units within the Division conduct undercover inspections with minors to enforce State and City laws regulating the sale of tobacco

products. The Petroleum Unit ensures that consumers are getting the correct amount of gasoline at gas stations. In addition, Enforcement conducts qualifying inspections (for new licensees and renewals) and compliance inspections. Through the Visiting Inspector Program, the Division also provides education to newly licensed businesses about our rules and regulations to encourage a culture of compliance.

- The General Counsel Division collects, retains, and discloses identifying information as part of its role overseeing the agency's legal work. This work includes the investigation of violations of Title 20 of the NYC Administrative Code, Chapter 6 of the Rules of the City of New York and other laws and rules within DCA's jurisdictional authority, legal review of contracts, proposed rules and legislation, licensing and enforcement documents, and external communications. The General Counsel Division also contains DCA's Disciplinary Advocate Officer ("DAO"), Freedom of Information Law Officer ("FOIL") Officer, and, as described below, the Consumer Services Unit and Legal Settlement and Case Support Unit.
- The Consumer Services Unit collects, retains, and discloses identifying information as the face of DCA for many consumers. It may be their first and sometimes only point of contact with the agency. Most often, these consumers are seeking: (a) assistance with an individual complaint against a business; and (b) information about a particular business (whether they are licensed and whether complaints have been filed against them). Consumer Services fields between 55,000–75,000 individual consumer requests each year. Consumer Services also mediates consumer complaints, educates consumers and businesses, processes inspection requests, and refers consumers to the correct agency for assistance when the matter at hand is not handled by DCA.
- The Legal Settlement and Case Support Unit collects, retains, and discloses identifying information, furthering DCA's mission, as it: (a) contains DCA's Settlement Officers who offer to resolve violations charged by DCA prior to adjudication at OATH; and (b) ensures that decisions by OATH, adjudicating violations issued by DCA, are properly reflected in DCA's records.
- DCA's Office of Labor Policy & Standards ("OLPS") collects, retains, and discloses identifying information while acting as NYC's central resource for workers. The Office is a dedicated voice in City government for workers in NYC, protecting and promoting labor standards and policies that create fair workplaces to ensure all workers can realize their rights, regardless of immigration status. OLPS is required, pursuant to the NYC Charter and Administrative Code, to collect and analyze available federal, state, and local data on the city's workforce; facilitate the exchange and dissemination of information in consultation with city agencies, federal and state officials, businesses, employees; independent contractors, and nonprofit organizations working in the field of worker education, safety, and protection; and promote research covering the demographics of workers, including, at a minimum, age, gender, ethnicity, and preferred language.
- The Office of Financial Empowerment ("OFE") collects, retains, and discloses identifying information, as part of its mission to focus on initiatives that support New Yorkers and communities with low incomes in building wealth and improving their financial health. OFE is the first local government initiative in the country with the mission to educate, empower, and protect New Yorkers and neighborhoods with low incomes so they can build assets and make the most of their financial resources. OFE uses data and research, policy, partnerships, and convenings to advance its mission. Using this model, OFE is able to develop, offer, and advocate for innovative programs and products for all New Yorkers.
- External Affairs ("EA") collects, retains, and discloses identifying information as the intergovernmental division of the agency and custodian of DCA's relationship with City Hall, elected officials, government entities, community and faith-based organizations, and stakeholders with broad policy and public affairs jurisdiction. EA is responsible for these relationships in order to ensure that the agency speaks with a singular and consistent voice to officials and entities that have touchpoints across DCA's wide jurisdiction.
- The Communications & Marketing Division collects, retains, and discloses identifying information, as it translates and promotes DCA's work to protect and enhance the daily economic lives of New Yorkers to the public to further advance the Agency's mission to create thriving communities. The Division produces DCA's public-facing media (brochures, reports, letterhead, videos, etc.); develops and executes integrated, multimedia public awareness campaigns; promotes and protects the Agency in the press; creates content and engages the public using the

Agency's digital presence (website, social media, and Live Chat for Businesses); maintains 311 content; and ensures plain language, language access, effective design, and accurate branding in Agency communications.

- The Division of Technology and Strategic Solutions (“DoTSS”) collects, retains, and discloses identifying information as the Division that is responsible for the successful implementation of technology to support IT strategic goals aligned with the DCA mission.
- The Finance Division collects, retains, and discloses identifying information as it works with all divisions to assess operational needs, create budgets, and monitor spending and expenses. Finance collaborates with divisions to acquire funding for new initiatives and, if necessary, additional funding to sustain current programs whether it is through State and Federal subsidies, intra-city agreements or the City’s Office of Management and Budget. Additionally, Finance centrally purchases all goods and services used by the agency. This entails coordinating and processing divisional requests in a timely manner while adhering to City and State procurement regulations. Finance also maintains agency bank accounts, issues reimbursements, consumer restitutions as well as refund checks, oversees petty cash requests, and reconciles all of DCA’s revenue.
- The Collections Division collects, retains, and discloses identifying information managing the agency’s efforts to collect and process payment on fees and fines from businesses that violate the law. The Division’s work is necessary to ensure that businesses and individuals maintain compliance with the laws and rules enforced by DCA.
- The General Services Division collects, retains, and discloses identifying information maintaining the facilities, mailroom, and fleet of DCA vehicles for the agency. Without this operational support, DCA could not achieve its mission of protecting and enhancing the daily economic lives of New Yorkers.
- The Human Capital (“HC”) Division collects, retains, and discloses identifying information as it serves the agency’s employees. HC staff is committed to providing employee services such as recruitment, on-boarding, training and staff development, employee and labor relations, performance evaluations, personnel transactions, time and leave provisions, payroll, employee benefits, special leave requests, and agency-wide special events. HC staff also provides guidance on agency and citywide personnel rules and regulations, policies, and procedures.
- DCA’s Equal Employment Opportunity (“EEO”) Coordinator collects, retains, and discloses identifying information in his or her role investigating and providing recommendations for DCA-internal EEO claims.
- DCA is a U-Visa certifying agency. DCA’s Designated U-Visa Representative collects, retains, and discloses identifying information in his or her role assessing U-Visa Certification applications submitted to DCA by undocumented immigrants.
- DCA discloses identifying information when responding to audits brought by the NYC Comptroller and other auditing agencies.

N.Y.C. Admin. Code §23-1205(1)(f)

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.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
<p>The Licensing Division collects and retains information from license applicants through the basic license application, and various addenda and documents submitted with the basic license application and other supplementary forms. This information is necessary for the Licensing Division to perform its core function of administering DCA licenses.</p> <p>Pursuant to a contract between DCA and DOHMH, the Licensing Division also administers DOHMH licenses. And, pursuant to that contract, the Licensing Division collects and retains information from license applicants through DOHMH’s basic license application, and various addenda and documents submitted with that basic license application and other supplementary forms.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>DCA’s basic license application requests that all license applicants disclose their prior criminal history. For certain license categories, pursuant to the Administrative Code, the Licensing Division collects applicants’ fingerprints through an electronic system administered by the New York State Division of Criminal Justice (“DCJS”) and collects criminal history information from DCJS and the Federal Bureau of Investigation. Licensing obtains additional information it collects from the Office of Court Administration, public records, and other databases.</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>DCA contracts with third-party testing companies to administer exams for certain license categories.</p> <p>In the process of administering these exams, these contractors obtain license applicants’ names and application numbers and retain their test results.</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>DCA discloses identifying information about a license applicant to sister City agencies to satisfy its legal obligations to ensure that each licensee has satisfied all licensing requirements. DCA also discloses identifying information contained in the license application package to several agencies in multi-stakeholder license categories, like newsstands and sidewalk cafes.</p> <p>DCA also discloses identifying information to the Department of Finance and the Environmental Control Board to ensure that license applicants do not have any outstanding tax liens or fines owed to the City.</p> <p>DCA also discloses information about an applicant’s child support history to the Human Resources Administration.</p> <p>In all these situations, Licensing reciprocally collects identifying information.</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>In certain categories, as required by the Administrative Code, Licensing shares license applications with City Council and other elected officials. In all these situations, Licensing reciprocally collects identifying information.</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>DCA discloses identifying information about license applicants in certain categories to New York State agencies to satisfy DCA’s obligations under the law to ensure that each licensee has satisfied all licensing requirements. For example, for certain license categories Licensing discloses applicant information to the State Gaming Commission or the Department of Motor Vehicles.</p> <p>For certain categories, DCA also discloses identifying information to the State Department of Taxation and Finance to obtain information concerning monies owed to the State.</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

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<p>In all these situations, Licensing reciprocally collects identifying information.</p>	
<p>DCA discloses identifying information about license applicants in certain categories to federal government agencies to satisfy DCA's obligations under the law to ensure that each licensee has satisfied all licensing requirements.</p> <p>For example, for certain categories, DCA confirms whether an applicant is an honorably discharged veteran or honorably discharged veteran with service-related disabilities with the U.S. Department of Veterans Affairs. As another example, for employment agencies, DCA obtains an applicant's criminal history from the Federal Bureau of Investigation.</p> <p>In all these situations, Licensing reciprocally collects identifying information.</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>In certain categories, as required by the Administrative Code, Licensing shares license applications with the relevant community board.</p> <p>In all these situations, Licensing reciprocally collects identifying information.</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>In the pedicab license category, where many applicants have driver's licenses from foreign countries, Licensing will confirm the driver's license with the relevant embassy or consulate.</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>In the pedicab license category, applicants submit proof of insurance that Licensing confirms with the insurance companies.</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>The Enforcement Division collects and retains information from businesses and individuals it inspects (during patrol inspections, requested inspections, and qualifying inspections), including, but not limited to, names and signatures of individual licensees and business employees (included on summonses, certificates of inspection, and related inspection documents), books and records of the business, and photographs of license documents, signs and receipts, and financial and tax documents.</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>The Enforcement Division collects and retains information from businesses and individuals it inspects as part of the Visiting Inspector Program, including, but not limited to, names and signatures of individual licensees and business employees, language preferences for the licensees, and answers to a follow-up survey.</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>The Enforcement Division collects license plates and VIN numbers for seized vehicles and, in certain license categories, for qualifying or compliance inspections.</p> <p>The Enforcement Division collects and retains additional information about a vehicle or a driver from the Department of Motor Vehicles.</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>The Enforcement Division collects and retains information about a potential enforcement target provided by elected officials, sister City agencies and State agencies.</p> <p>The Enforcement Division also collects and retains LD-6 forms from PD, which may contain identifying information, for the purpose of conforming those violations for adjudication at the Office of Administrative Trials and Hearings.</p> <p>The Enforcement Division also collects and retains identifying information from and discloses</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

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<p>identifying information to sister City agencies as part of joint enforcement efforts.</p>	
<p>The Enforcement Division collects and retains birth certificates, Social Security cards, ID's, and other related documents for minors who participate in underage tobacco inspections.</p>	<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>
<p>The Enforcement Division collects and retains identifying information if there is a report of an incident, such as an accident or a threat directed at an inspector.</p>	<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>
<p>The Enforcement Division, as part of the adjudication process, sends summonses issued against businesses and individuals to the Office of Administrative Trials and Hearings ("OATH"). At hearings before OATH, inspectors introduce exhibits and provide testimony that may contain identifying information.</p>	<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>
<p>DCA discloses identifying information collected during inspections enforcing State law to relevant State agencies.</p> <p>For example, DCA discloses identifying information collected during tobacco inspections to the State Department of Health through the EHIPS database and the State Department of Health.</p> <p>Another example is that DCA discloses information collected during inspection of businesses for compliance with the New York Agriculture and Markets laws to the New York State Department of Agriculture and Markets.</p>	<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>
<p>DCA discloses identifying information collected during inspections to other City agencies with regulatory authority such as the Department of Finance and the Department of Health and Mental Hygiene for tobacco inspections.</p>	<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>
<p>The General Counsel Division investigates violations of Title 20 of the NYC Administrative Code, Chapter 6 of the Rules of New York and other laws and rules within DCA's jurisdictional authority. As a result of these investigations, the General Counsel Division, among other things, reviews complaints, enters into settlements, and commences enforcement actions at OATH and in New York Supreme Court. This work is essential to DCA's mission of protecting and enhancing the daily economic lives of New Yorkers.</p> <p>As part of this work, the General Counsel Division collects, retains, and discloses identifying information from consumers, businesses, other individuals, and sister agencies during the investigation and adjudication process. In particular, the General Counsel Division discloses identifying information to OATH and the courts (which maintain filings that are publicly-available and conduct proceedings open to the public) when prosecuting violations, to businesses when disclosure is necessary for resolution of the investigation, and to process servers to serve subpoenas, court complaints, and other papers.</p> <p>The General Counsel discloses identifying information if it is undertaking a joint enforcement effort or if it is referring a matter to another agency (with the consumer's consent). The Division will receive reciprocal identifying information.</p>	<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>

<p>The General Counsel Division contains DCA's Freedom of Information Law ("FOIL") officer. In responding to FOIL requests, DCA discloses identifying information in compliance with the law.</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>The General Counsel Division contains DCA's Disciplinary Advocate Officer ("DAO"). The DAO investigates and, as appropriate, brings charges, against DCA employees, both internally and at various disciplinary adjudicatory bodies.</p> <p>As part of this work, the General Counsel Division collects, retains, and discloses employee identifying information during the investigation and adjudication process.</p> <p>The DAO also sends DOI monthly reports and a yearly corruption report.</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>The General Counsel Division's DAO is also responsible for monitoring DCA's compliance with the conflict-of-interest rules.</p> <p>As part of this work, the General Counsel Division collects and retains employee information related to conflicts, and discloses it to the Conflicts of Interest Board. The General Counsel Division also makes standard donation and fundraising disclosures to the Conflicts of Interest Board.</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>The General Counsel Division represents DCA in labor and employment-related actions before administrative bodies.</p> <p>As part of this work, the General Counsel Division collects, retains, and discloses employee information during the investigation and adjudication process.</p> <p>The General Counsel Division also discloses employee identifying information when sister City agencies, such as OLR or the Law Department, represent DCA in labor and employment-related actions.</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>The General Counsel Division routinely discloses identifying information in its agency records, upon request, to law enforcement agencies such as DOI and PD.</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>The General Counsel Division assists the Licensing Division by assessing whether new and renewal license applicants satisfy the requirements of NYC's laws and rules and are fit to hold a license.</p> <p>As part of this work, the General Counsel Division collects, retains, and discloses identifying information necessary to undertake this licensing assessment.</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>The General Counsel Division provides legal review of DCA's contracts. To the extent the contracts contain identifying information, the General Counsel Division collects and retains the information and discloses it to sister City agencies, such as the Law Department.</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>The General Counsel Division contains DCA's Business Compliance Counsel who, among other things, answers questions posed by businesses and individuals about DCA's laws and rules.</p> <p>The General Counsel Division collects and retains identifying information provided by these businesses and individuals.</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>The General Counsel Division routinely responds to subpoena requests on behalf of the agency and, in so doing, discloses identifying information, in compliance with the law. Subpoenas are reviewed on a case-by-case basis and appropriate redactions are included in any disclosures.</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>The General Counsel Division administers ADA requests from external parties who are seeking to access DCA services. As part of that process, the General Division collects and retains identifying information concerning the individual making the request.</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>The General Counsel Division provides the final agency determination for certain State law charges within its enforcement jurisdiction. The General Counsel Division collects, retains, and discloses identifying information as part of issuing those determinations.</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>In performing its work, the General Counsel Division routinely seeks counsel from the Law Department, which requires the disclosure of identifying information.</p> <p>Reciprocally, the Law Department seeks identifying information when it represents the City or DCA in litigation.</p> <p>More generally, the General Counsel Division discloses identifying information to sister City agencies, City Hall, and City Council, when those other arms of City government seek counsel about the laws and rules enforced by DCA.</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>The General Counsel Division discloses biographical and license-related information about newsstand licensees to JC Decaux, the City's street furniture contractor.</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>OLPS investigates violations of various laws and rules within OLPS' jurisdictional authority. As a result of these investigations, OLPS, among other things, reviews complaints, conducts comprehensive regulatory investigations, enters into settlements, and commences enforcement actions at OATH. This work is essential to DCA's mission of protecting and enhancing the daily economic lives of New Yorkers.</p> <p>As part of this work, OLPS collects, retains, and discloses identifying information from workers, businesses, other individuals, and sister agencies during the investigation and adjudication process. In particular, OLPS discloses identifying information to OATH (which maintains filings that are publicly-available and conducts proceedings open to the public) when prosecuting violations, to employers when disclosure is necessary for resolution of the investigation, and to process servers to serve subpoenas and other papers.</p> <p>OLPS also discloses identifying information if it is undertaking a joint enforcement effort or if it is referring a matter to another agency (with a worker's consent) and will receive reciprocal identifying information.</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>Pursuant to the Deductions Law – Chapter 13 of Title 20 of the NYC Administrative Code -- fast food employers must honor employee requests to deduct voluntary payments from their paychecks to send to nonprofits that have a registration letter from OLPS.</p> <p>To assess a nonprofit's eligibility for a registration letter, OLPS collects and retains identifying information about individuals at the nonprofit, and authorizations from employees who seek to</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

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have payments deducted by their employers and sent to that nonprofit.	
Pursuant to the Freelance Isn't Free Act ("FIFA") – Chapter 10 of Title 20 of the NYC Administrative Code – OLPS sends identifying information about freelancers who file a complaint to the hiring party in question in an attempt to resolve the dispute. OLPS also sends surveys to freelancers who filed complaints with OLPS. OLPS collects and retains freelancers' responses to the surveys, which contain identifying 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
OLPS assists the Licensing Division by assessing whether new and renewal license applicants satisfy the workers' rights requirements for certain license categories. As part of this work, OLPS collects and retains identifying information necessary to undertake this licensing assessment.	<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
OFE contracts with various human services contractors to provide free, one-on-one financial counseling and coaching to New Yorkers at Financial Empowerment Centers ("FEC's") and through other financial counseling and coaching programs. These programs help New Yorkers, among other things, take control of their debt, improve credit, deal with debt collection, create a budget, and open a bank account. To provide these services, OFE's human services contractors collect and retains individuals' biographical and financial information and provide that information to OFE, which also collects and retains that information. OFE also collects contact and biographical information to schedule appointments at FEC's.	<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
OFE's financial counseling and coaching human services contractors disclose individuals' financial information to OFE as well as to relatives and caregivers who those individuals have authorized to receive that 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
OFE collects and retains individuals' contact information obtained at community outreach events. Individuals seeking financial counseling and coaching or tax preparation services from OFE, or its human services contractors may, with an individual's consent disclose that individual's contact information to a sister City agency that may help that individual. OFE receives reciprocal referrals from sister City agencies. OFE's human service contractors and OFE collect and retain individuals' contact information, with the individuals' consent, so OFE can provide those individuals with information about OFE's financial counseling and Free Tax Prep services.	<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
OFE contracts with various human services contractors to provide free tax preparation assistance as part of the NYC Free Tax Prep Program. OFE's human services contractors collect contact information from individuals seeking free tax prep assistance and collect, but do not retain, financial information necessary to file individuals' taxes.	<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
The Consumer Services Unit collects and retains identifying information from both consumers who submit complaints and inspection requests to the Division and the complained-about businesses. This information is recorded in the DCA complaint form, the Business Response form, and the documentation provided by both consumers and businesses. During the mediation process, the Consumer Services Unit will disclose identifying 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

Identifying Information Law

<p>to the business about the consumer and vice versa, as well as attorneys on both sides of the mediation.</p> <p>At the conclusion of mediation, the Consumer Services Unit also collects, retains, and discloses identifying information in resolution letters and mediation agreements.</p>	
<p>The Consumer Services Unit helps to enforce judgments obtained by consumers against licensees and collects and retains confidential information from the consumers contained in judgment affidavits.</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>The Consumer Services Unit will disclose identifying information, with the consent of an out-of-town consumer, to an in-town family member or friend.</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>In certain cases, with the consumer's consent, the Consumer Services Unit will disclose identifying information concerning the consumer's complaint to a sister City agency, State agency, or federal agency.</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>The Consumer Services Unit collects biographical and contact information necessary to arrange appointments at Financial Empowerment Centers.</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>The External Affairs Division collects and retains identifying information about constituents facing licensing, consumer protection, or worker's rights issue from elected officials, community boards, and the constituents themselves.</p> <p>The External Affairs Division will disclose this information to other agencies as appropriate to address the constituent's issues.</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>For the purpose of organizing outreach events, the External Affairs Division collects and retains contact information of elected officials, volunteers, community based organizations, and event space managers.</p> <p>The External Affairs Division will disclose this information to other agencies as appropriate to organize events.</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>The External Affairs Division collects requests for DCA enforcement action by sister City agencies, elected officials, and community based organizations.</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>The External Affairs Division manages DCA's participation at hearings convened by City Council and other government agencies, including testimony by members of other Divisions and by the Commissioner. Testimony provided by DCA witnesses and other witnesses sometimes contains identifying information.</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>The Communications and Marketing Division discloses identifying information, of consumers, workers, and other individuals assisted by DCA, with those individuals' consent, across DCA's multi-media presence and to reporters.</p> <p>The Communications and Marketing Division also discloses enforcement and complaint information to reporters and across DCA's multi-media presence.</p> <p>The Communications and Marketing Division coordinates its press and multi-media presence with City Hall and sister agencies, as appropriate. In so doing, the Communications and Marketing Division may disclose identifying information included in its press and multi-media efforts to sister City agencies, City Hall and the appropriate media and advertising vendors.</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>The Communications and Marketing Division collects and maintains press contact lists and sign-in sheets for press contacts.</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>DCA maintains several social media accounts. The Communications and Marketing Division collects and maintains the information provided on these accounts, including identifying information provided by social media users, by archiving the accounts.</p> <p>The Communications and Marketing Division also maintains a Live Chat service for businesses. The Communications and Marketing Division collects and maintains the information provided on this account, including identifying information provided by Live Chat users, by archiving the account.</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>The Communications and Marketing Division collects and retains a list of mass mailing targets, which it shares with its mass mailing vendor. That vendor destroys the list after each mailing. The Communications and Marketing Division discloses, where appropriate, mailing lists to sister agencies.</p> <p>The Communications and Marketing Division receives a list e-mail targets from DCA's DoTSS, which it shares with DoITT, which also maintains DCA's e-newsletter distribution list.</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>DoTSS facilitates the technological collection, retention, and disclosure of identifying information by all of DCA's other Divisions. For example, DoTSS sends identifying information to sister City agencies and State agencies, pursuant to the needs of other Divisions.</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>DoTSS grants temporary access to identifying information to contractors developing or working on databases or technological projects for DCA.</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>As part of the Budget process, the Finance Division shares rosters of employees with OMB and undertakes analyses that include identifying information.</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>The Finance Division collects and retains all information to fulfill its accounts receivable and accounts payable functions.</p> <p>The Finance Division discloses payment information to other agencies, as appropriate.</p> <p>The Finance Division also handles certain accounts receivable work for DOHMH, which</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

Identifying Information Law

requires the disclosure of identifying information.	
The Finance Division collects and retains CV's for temporary employees. The Division also collects and retains those employees' timesheets and discloses them to 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
<p>The Finance Division collects and retains all identifying information necessary to undertake DCA's contract and non-contract Procurement information, including contact information, in RFP's and other submissions, and registered contracts and other agreements.</p> <p>The Finance Division discloses this identifying information to the other agencies and arms of City government that participate in the Procurement process, such as MOCS, OMB, the Comptroller, and the Law Department, and other agencies that hold master contracts on which DCA relies.</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
The Finance Division collects and retains identifying information regarding the minors who participate in DCA's tobacco enforcement work. The Division discloses the names and Social Security numbers of those employees to DCA's payroll vendor.	<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
The Collections Division collects and retains identifying biographical, financial, and payment information about a business or individual that owes money to the City or is applying for a DCA license, including verification of identity.	<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
The Collections Division collects and retains identifying information necessary to collect and process payments, including verification of identity.	<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
The Collections Division collects and retains confidential information to determine whether a license applicant is affiliated with an individual or business that owes the City money.	<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
When an individual or business authorizes representation by an expediter, the Collections Division will provide the expediter with the documents that demonstrate the monies owed to the City by that individual or business.	<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
The Collections Division refers cases to the Law Department to commence a collections action in state court. In so doing, the Collections Division provides the Law Department information regarding the case.	<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>The General Services Division collects and retains copies of the driver's license and employee ID for each potential driver of a DCA vehicle.</p> <p>The General Services Division discloses the employee number and license number to DCAS and the Department of Motor Vehicles ("DMV").</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

Identifying Information Law

<p>DMV provides the General Services Division with abstracts about each relevant employee's driving history, which the Division retains.</p> <p>The General Services Division also collects and retains identifying information by logging vehicle use by DCA employees.</p> <p>When there is an incident with a DCA vehicle, the General Services Division collects incident reports from PD and discloses those reports to DCAS and, where necessary, DOI.</p>	
<p>The General Services Division maintains the DCA mailroom, which includes identifying information on incoming and outgoing mail.</p> <p>The mailroom provides mail to the United States Postal Service, UPS, and a messenger service to deliver paychecks to DCA's non-Manhattan facilities.</p> <p>The mailroom also retains a log of certified mail.</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>The General Services Division collects and retains information about incidents at DCA facilities provided by the facilities' security guards.</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>The General Services Division discloses names and telephone numbers to DoITT.</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>The General Services Division collects and retains emergency contact information for the COOP plan.</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>The Human Capital Division collects and retains identifying information as part of the application and interview process. To the extent this information is on NYCAPS, it is disclosed to DCAS.</p> <p>The Commissioner's Office collects, retains, and discloses identifying information to City Hall regarding certain management positions.</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>The Human Capital Division collects, retains, and discloses employee benefit, payroll, reasonable accommodation, evaluation, and related information. The Human Capital Division does so for purposes of processing new hires, payroll, and employment benefits for personnel in all Divisions of DCA. This is a core function that Human Capital performs on behalf of DCA and its employees.</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>The Human Capital Division collects and retains discipline and termination information. As appropriate, the Human Capital Division discloses this information to sister City agencies and State agencies.</p> <p>To the extent an employee is required to undertake a drug test or undertake an independent medical examination, the Human Capital Division discloses identifying information to the appropriate vendor.</p> <p>If an employee leaves for another City agency, the Human Capital Division will send that employee's file to the new agency. Reciprocally, the Human Capital Division will receive files for new employees who come to DCA from other agencies.</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

Identifying Information Law

The Human Capital Division will also verify employment to future employers.	
The Human Capital Division discloses rosters of employees to appropriate unions, so that the unions can contact members and alert them of upcoming meetings.	<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
The Human Capital Division collects and retains sign-in sheets at DCA events.	<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
The Legal Settlement and Case Support Unit ensures that OATH decisions adjudicating violations issued by DCA are properly reflected in DCA's ALBA system.	<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>The Legal Settlement and Case Support Unit contains DCA's Settlement Officers who offer to resolve violations charged by DCA prior to adjudication at OATH.</p> <p>The Legal Settlement and Case Support Unit collects and retains identifying information in "pleading letters," letters demanding restitution, and other correspondence sent to businesses and individuals charged with violations by DCA.</p> <p>The Legal Settlement and Case Support Unit also collects and retains identifying information when businesses or individuals contact the Division in an attempt to resolve violations, whether in-person or by various methods of communication.</p> <p>The Legal Settlement and Case Support Unit also collects and retains identifying information in Consent Orders when Settlement Officers resolve violations.</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
Several Divisions participate in the rulemaking process managed by the External Affairs Division, which includes the collection and publication of public comments and the convening of public hearings on proposed rules. Comments provided in response to proposed rules sometimes contain identifying 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
Several Divisions use surveys, interviews, and focus groups to obtain information that can help DCA further its mission to protect and enhance the daily economic lives of New Yorkers. These Divisions and their contractors may collect and retain identifying information as part of these surveys, interviews, and focus groups.	<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
Several Divisions collect and retain contact lists of contractors, partners, elected officials, consumers, workers, and others.	<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>DCA's Equal Employment Opportunity ("EEO") Coordinator investigates and provides recommendations for DCA-internal EEO claims.</p> <p>The EEO Coordinator collects and retains identifying information as part of the investigation and recommendation process. The EEO Coordinator discloses identifying information concerning EEO complaints to DCAS.</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

Identifying Information Law

<p>U-Visa status is a temporary immigration classification that Congress created with the passage of the Victims of Trafficking and Violence Protection Act of 2000. In order to obtain U-Visa status, an undocumented immigrant must submit an application package to the United States Citizenship and Immigration Services (“USCIS”), a federal agency within the U.S. Department of Homeland Security. The application package must include a Form I-918 Supplement B signed by a certifying agency (the “U-Visa Certification”)</p> <p>DCA is a U-Visa certifying agency. DCA’s Designated U-Visa Representative assesses U-Visa Certification applications submitted to DCA by undocumented immigrants. As part of that assessment, the Designated U-Visa Representative collects and retains identifying information regarding the immigrant and the information he or she possesses regarding potential qualifying criminal activity.</p> <p>To the extent an undocumented immigrant’s representative submits the immigrant’s U-Visa certification application, the Designated U-Visa Representative will disclose his or her assessment to the representative.</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>The Commissioner’s Office coordinates DCA’s responses to audits brought by the NYC Comptroller and other auditing agencies. During these audits, DCA produces a significant volume of documents containing identifying information. Before producing such identifying information, DCA enters into a confidentiality agreement with the auditing agency.</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>Across Divisions, DCA and its Human Services contractors routinely conduct business furthering the mission of the Agency using e-mails that will contain identifying information. The business conducted in these e-mails will be covered by other Routine Designations. Likewise, DCA and its Human Services Contractors collect and retain identifying information in their Outlook calendars. Also, across Divisions, DCA employees collect and retain contact information for consumers, workers, other agencies, partner organizations, vendors, contractors, and others necessary to furthering the mission of the Agency.</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>Across Divisions, DCA uses Language Line, a City contractor to provide contemporaneous translations. As part of the process of using Language Line, identifying information is disclosed.</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>N.Y.C. Admin. Code §23-1205(1)(b)</p>	

<p>4. If applicable, specify the types of collections and disclosures approved by the Chief Privacy Officer.</p> <p>Add additional rows as needed.</p>
<p>Describe Type of Collection or Disclosure</p>
<p>The Chief Privacy Officer has not approved specific collections and disclosures by DCA.</p>
<p style="text-align: right;">N.Y.C. Admin. Code §23-1205(1)(b)</p>

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.	
DCA's Agency Privacy Officer has designated certain disclosures to other City agencies, local public authorities, local public benefit corporations, and third parties as routine. If any DCA employee receives a request for disclosure of identifying information that the Agency Privacy Officer has not designated as routine, that employee must alert the relevant Division's Privacy Liaison who will bring the request to the Agency Privacy Officer. The Agency Privacy Officer will make a determination whether the requested disclosure should be designated as routine or otherwise satisfy a statutory exception. Requests for particularly sensitive information are reviewed by the General Counsel.	
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
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>Generally, because of DCA's relatively small size, it is presumed that all Division employees have access to all Identifying Information the collection, retention, or disclosure of which the Agency Privacy Officer has designated as routine for that Division.</p> <p>However, DCA seeks to limit access to especially sensitive categories of Identifying Information, such as fingerprints and criminal histories.</p>
N.Y.C. Admin. Code §§23-1205(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.
DCA's Agency Privacy Officer has designated certain disclosures from other City agencies, local public authorities, local public benefit corporations, and third parties as routine. If any DCA employee proposes disclosures of identifying information from other City agencies, local public authorities, local public benefit corporations, or third parties that the Agency Privacy Officer has not designated as routine, that employee must alert the relevant Division's Privacy Liaison who will bring the request to the Agency Privacy Officer. The Agency Privacy Officer will make a determination whether the proposed disclosure, and resulting collection, should be designated as routine or otherwise satisfy a statutory exception.
N.Y.C. Admin. Code §23-1205(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.
--

DCA's Agency Privacy Officer has designated certain disclosures to other City agencies, local public authorities, local public benefit corporations, and third parties as routine. If any DCA employee receives a request for disclosure of identifying information that the Agency Privacy Officer has not designated as routine, that employee must alert the relevant Division's Privacy Liaison who will bring the request to the Agency Privacy Officer. The Agency Privacy Officer will make a determination whether the requested disclosure should be designated as routine or otherwise satisfy a statutory exception, such as exigent circumstances.

N.Y.C. Admin. Code §23-1205(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.

Generally, because of DCA's relatively small size, it shall be presumed that all Division employees have access to all Identifying Information the collection, retention, or disclosure of which the Agency Privacy Officer has designated as routine for that Division. Thus, generally speaking, any appropriate Division employee may make disclosures that are designated as routine for that Division. However, DCA seeks to limit access to especially sensitive categories of Identifying Information, such as fingerprints and criminal histories.

N.Y.C. Admin. Code §23-1205(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.

DCA developed its new "Privacy Law Protocol," which governs DCA's collection, retention, and disclosure of identifying information, after the passage of the Identifying Information Law to minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering DCA's mission.

N.Y.C. Admin. Code §23-1205(4)

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

Currently, DCA includes in most contracts a confidentiality clause intended to protect identifying information and in all human services contracts executed after June 15, 2018 the language intended to protect the privacy and security of identifying information provided by the CPO and the Law Department.

DCA also typically enters into contracts or memoranda of understanding with other agencies before routinely disclosing confidential identifying information.

N.Y.C. Admin. Code §23-1205(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
Other governmental agencies and elected officials	<p>DCA primarily discloses identifying information to other government agencies and elected officials to fulfill its obligations as the licensing agency for over 55 licensing categories, as described above.</p> <p>DCA also discloses identifying information to other government agencies, including OATH, to further its enforcement efforts and to fulfill its role in the adjudication process.</p> <p>Other DCA divisions may disclose identifying information to other government agencies and elected officials as necessary to promote DCA's mission, as described above.</p>	<p>DCA's disclosures to other government agencies and elected officials further DCA's mission by, among other things, ensuring that licensees have satisfied all the requirements for their license and ensuring that DCA can fulfill its enforcement role to protect consumers and workers.</p>
Consumers and workers	<p>During the mediation and enforcement processes, DCA will disclose identifying information about business to consumers and workers.</p>	<p>DCA's disclosures to consumers and workers further DCA's mission by allowing DCA to pursue mediations and enforcement actions on their behalf.</p>
Businesses	<p>During the mediation and enforcement processes, DCA will disclose identifying information to the business about consumers and workers, with those consumers' and workers' consent, as well as to attorneys representing the business.</p>	<p>DCA's disclosures to businesses further DCA's mission by allowing DCA to pursue mediations and enforcement actions on behalf of consumers and workers.</p>
Press	<p>DCA discloses identifying information, of consumers, workers, and other individuals assisted by DCA, with those individuals' consent, across DCA's multi-media presence and to reporters. DCA also discloses enforcement and complaint information to reporters and across DCA's multi-media presence.</p>	<p>DCA's disclosures to businesses further DCA's mission by allowing DCA to manage its press and multi-media presence to protect and enhance the daily economic lives of New Yorkers to create thriving communities.</p>

- 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 informed the development of DCA's new "Privacy Law Protocol," which governs DCA's collection, retention, and disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(2)

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

The Chief Privacy Officer has not issued any privacy policies or protocols that have affected DCA's collection, retention, and disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(3)


APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

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SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

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Signature:		Date:	7/31/18

- End of Document