



NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Andrew M. Cuomo
Governor

January 24, 2011

Ms. Susan Radosh
Field Representative
Public Employees Federation
1168-70 Troy-Schenectady Road
P.O. Box 12414
Albany, NY 12212-2414

Re: Out of Title Work Grievance, Disability
Analysts, G-23 and above, as a class

Dear Ms. Radosh:

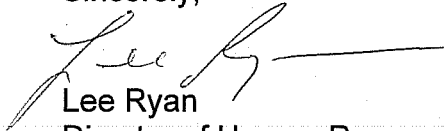
I am in receipt of the Article 17 grievance that you filed on behalf of Disability Analysts (DA) Grade 23 and above, statewide. Your assertion that it is beyond the scope of responsibility for Disability Analysts serving in a supervisory capacity within the Division of Disability Determinations to ensure the safety and security of its confidential data is disconcerting.

While all Office of Temporary and Disability Assistance (OTDA) employees are reminded on an annual basis of their responsibility to maintain the security of its sensitive data, OTDA supervisors, by the very nature of their positions, are expected to ensure complete compliance in this area. The fact that cleaning staff are not employees of OTDA should make it more apparent to OTDA supervisors, that such staff should be monitored when they are in the vicinity of such information and systems.

The Disability Analysts who are serving in a supervisory capacity are not performing duties beyond their scope of responsibility. Their role is to simply visually monitor the location of non-OTDA staff in the DAs' immediate work area, to ensure that such staff does not gain access to confidential data.

This supervisory activity is de minimus in its scope as it requires no more than ten minutes per day. Therefore, this grievance is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Ryan", with a long horizontal line extending to the right.

Lee Ryan

Director of Human Resources

cc: John Paolucci
Eric Schwenzfeier
Linda Glassman
Gloria Toal
Donna Faresta
Jill Shadick
Grace Hastings
Maddie Shannon-Roberts
Richard Fletcher