



THE COUNCIL  
OF  
THE CITY OF NEW YORK

CITY HALL  
NEW YORK, N.Y. 10007

March 27, 2023

Jacques Jiha, Ph.D., Director  
New York City Mayor's Office of Management and Budget  
255 Greenwich Street  
New York, NY 10007

Dear Director Jiha:

I am writing to you, as Chair of the New York City Council's Oversight & Investigations Committee, urgently seeking clarity and a detailed description of any Office of Management and Budget (OMB) policies and practices, either written or unwritten, that have restricted city agencies' abilities to hire and retain necessary staff. I am also seeking your immediate action to remove or justify any remaining barriers to fill the vacancies that are plaguing agencies across our City.

The scope of the staffing crisis has been the subject of numerous reports and our Preliminary Budget hearings. It should be self-evident that the weakened capacity of our City agencies is a disservice to all New Yorkers. It has undermined our City's ability to deliver critical services, including federal SNAP food benefits, housing vouchers, and affordable housing development.

It also is undermining the City's economy. As a result of delays to the processing of certain benefits, federal and state dollars that should be flowing into our City are being delayed or left on the table in ways that are highly detrimental to our budget and economy. In addition, the understaffing of agency positions that collect and generate revenue is impeding the ability to collect revenues due to the City.

Many of my colleagues and I have serious concerns about the role OMB may be playing in hindrance of hiring at City agencies. Specifically, [OMB's recent memo](#) suggests that it has created excessive hurdles to agencies' hiring and retention, including restrictions to salary offers above the low-end of the listed range and by refusing to approve agency hiring lists in a timely way or at all. Such interference in successful hiring was also the subject of a [report that cited a former OMB staff member](#), who confirmed such actions. This is consistent with reports the Council has received from officials of multiple agencies about OMB's role in impeding staff hiring and retention.

In sum, OMB must not utilize abstract fiscal policies and practices that possess only a budgetary lens to restrict hiring when our City's agencies and public servants need reinforcements to deliver vital services to the people of New York City. The Council's focus is to ensure New Yorkers receive the city services they need for themselves, their families and neighborhoods. OMB must work more

constructively and transparently with city agencies to resolve our city's hiring and retention challenges, not contribute to them.

To enable the Council to better understand OMB's role in agency staffing, please provide the following information by April 7, 2023:

- (1) All bulletins, memoranda, rules, guidance, similar documents, and other forms of correspondence, including written and unwritten (i.e., records of phone calls and other oral communications), between OMB and any City agency related to staffing or personnel/staffing budget considerations, deliberations, decisions, or determinations since January 2022 in electronically readable and searchable format (i.e. OCR);
- (2) A spreadsheet detailing OMB's approvals and denials of City agencies' hiring requests since January 2022, including but not limited to the: (a) requesting City agency; (b) date of City agency request; (c) title, salary, residency requirement, and any other characteristics relevant to the request; (d) date of OMB's response; (e) reason(s) and/or rule(s) cited in OMB's approval or denial of the request (e.g., the "2-to-1 rule," the position's attrition rate, etc.); and (f) final outcome of the request including, where applicable, an approved salary and a starting date of the City worker;<sup>1</sup> and
- (3) For any rule(s) cited in 2(e) above, a detailed description of what rule(s) OMB has rescinded or modified and the date OMB did so.

Please send the requested information and any questions to the Council's Director of Oversight & Investigations, Aaron Mendelsohn, at [amendelsohn@council.nyc.gov](mailto:amendelsohn@council.nyc.gov) or (212) 482-4240. This information will, among other things, inform the Council's understanding to help resolve the City's agency staffing issues and its questions for future hearings. Thank you for your prompt attention to these issues and your continued partnership with the Council to address our City's dire staffing crisis.

Sincerely,



Gale Brewer

Council Member, 6<sup>th</sup> District  
Chair, Oversight & Investigations Committee

Cc: Sheena Wright, First Deputy Mayor

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<sup>1</sup> Please provide this spreadsheet in both unlocked Excel format and locked PDF format.