



EEO VIEWS

**SPRING
2003**

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Commissioner

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Deputy Commissioner

Martha Osenni
EEO Officer

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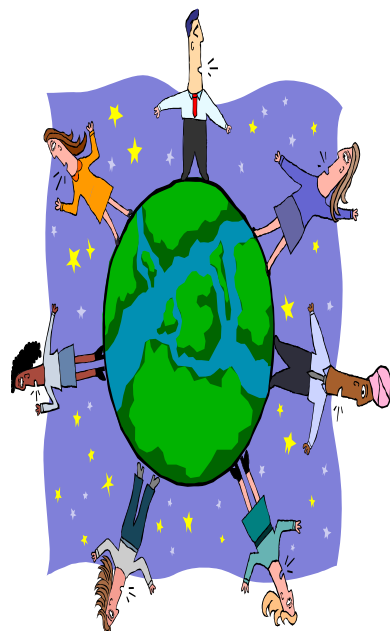
A Message from the Commissioner

I am writing to affirm New York's City's Equal Employment Opportunity Policy (EEO) within the Department and express my strong commitment to its goals. The Department of Environmental Protection's EEO Office implements uniform standards and procedures guaranteeing equal opportunities for all municipal employees, as well as individuals applying for municipal jobs. I believe that the existence of such a plan for DEP, and assurance that it is adhered to both in letter and in spirit by all who work here, can only serve to better our agency.

An important part of our agency's plan is to make sure that all of our employees have easy access to the information and materials they need. DEP has an EEO office, led by Martha Osenni. Martha can be reached at (718) 595-3432. Please feel free to contact her with any questions or concerns you may have.

The EEO office provides resources to inform employees of their rights to equal opportunities within the agency. These resources include: regularly scheduled training on EEO laws, the City's and the Agency's policies, hostile work environment issues, and other topics; career guidance; and regularly making the Agency's EEO Policy available to each DEP employee through e-mail and other formats.

Here at DEP we have the fortune of working in an organization whose diversity reflects the wide range of cultures and backgrounds that make New York City the greatest city in the world. I am excited by the opportunities that such a work environment creates, especially if we work to ensure that all of us have equal access and equal rights within the workplace. Thank you for helping make DEP a place where such equality is possible.



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A Message from the EEO Office

As we begin a new year, we reflect on the development and accomplishments of the EEO Office. The past year marked a year of significant growth for the EEO Office. Much of this growth was made possible through the effort, support, and assistance this office received

from managers and supervisors throughout the agency. Their cooperation and assistance with our training efforts, investigation process, and mediations played a critical role in increasing EEO awareness and in ensuring EEO compliance.

We commend and extend our appreciation to all of the managers and supervisors who continue to support the mission of our office; and their continued efforts to ensuring our workplace is free of discrimination, harassment and retaliation.

TOP 10 THINGS TO KNOW ABOUT EEO

1. The largest number of EEO complaints filed with the Federal Enforcement Agency, the United States Equal Employment Opportunity Commission, alleged discrimination on the basis of race (36%). Sex discrimination was alleged in about 32% of the charges, disability bias in about 20%, and age in 20%. All of these percentage breakdowns have remained relatively stable over the past few years, except for retaliation claims, which have increased by 11.4%.

2. Under federal, state and local law, employers, supervisors and managers are prohibited from retaliating against individuals (which may include current employees, applicants or former employees) who file EEO complaints, oppose unlawful discrimination or participate in any manner in an investigation, proceeding or hearing stemming from the enforcement of anti-discrimination laws.

3. Sexually explicit e-mails and pictures in the workplace may create a hostile working environment that may constitute sexual harassment. So might jokes, gestures, comments, etc. Other forms of harassment, based on a person's actual or perceived protected status, is

also prohibited. Thus, if a person is harassed because of age, race, skin color, religion, national origin or disability for example, s/he is protected by this Policy, as well as by federal, state and local anti-discrimination laws.

4. The Americans with Disabilities Act (ADA), the New York State Human Rights Law and the New York City Human Rights Law prohibits



employment discrimination against qualified employees and applicants with physical or mental disabilities. These laws also require an employer to make reasonable accommodations for the known physical or mental limitations of a qualified individual with a disability unless the employer can demonstrate that the accommodation would impose an undue hardship. Employees with disabilities may be eligible for the City's

55-A program which offers non-competitive status to eligible persons.

5. You do not have to be born in the United States or be an American citizen to hold most positions in New York City government, but you must be able to prove that you are legally entitled to work in the United States. You may provide proof from among a number of documents which are specified under

the Immigrant Reform and Control Act of 1986.

6. Employees may also be protected from discrimination when they are associated with persons in a protected category.

7. Stereotyping occurs when we apply a bias to all members of a group (e.g. "Athletes are not smart"). Stereotyping and intolerance to differences between yourself and others leads to discrimination. Discrimination is treating people differently, unequally, and usually negatively because they are a member of a particular group.

8. A complaint of discrimination must be made with an agency EEO professional within one year of the alleged incident.

9. The Equal Employment Opportunity ("EEO") Officers of mayoral agencies collect information about complaints of discrimination and may investigate these complaints, even if they're anonymous.

10. DEP has its own Equal Employment Opportunity office. All DEP employees should have received or will receive EEO training. All employees should have a copy of the DEP's EEO Policy and Reasonable Accommodation Policy.

Taken from: Top 10 Things to Know About EEO — www.nyc.gov.dcas/eeo

Mandated EEO Training

As New York City employees, we are each mandated to receive annual training concerning our rights and responsibilities relative to EEO Law and the agency's Equal Employment Opportunity Policy (EEO).

To insure compliance with this mandate, the DEP's Equal Employment Opportunity Office conducts EEO Training for all DEP employees. This training provides an opportunity to become familiar with EEO policies and procedures at DEP; and to answer any questions you may have regarding EEO related matters. The training also explains how we can work together to prevent sexual harassment, and how to insure a work environment which is respectful for all employees.

Training can easily be customized to meet the particular needs of your bureau and division, while still meeting mandated requirements. Any Bureau Manager who wishes to arrange EEO Training for his/her staff can contact the DEP's EEO Office at (718)595-3400 to discuss training options.



EEO Investigator

The City of New York is strongly committed to improving the representation of persons with disabilities within its work force. One of the programs used by the City to provide opportunities to qualified persons with disabilities is a program known as the "55-a Program."

Section 55-a of the New York State Civil Service Law permits

Religious Observance

Under the Law, employers are required to make reasonable accommodation for the religious needs of employees and job applicants including the observance of the Sabbath and other holy days. Accommodation issues typically arise when an employee's religious practices conflict with his/her assigned work schedule. If you take time off for religious observance, the employer does not have to pay for the time taken off and may require you to make up the time.

Taken From: NYC Commission on Human Rights

EEO Staff

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EEO Office Main Number:
(718)595-3400

IDEAS? ARTICLES?

*Tell us what you think or what you would
like to see in the next issue.*

Send submissions to:
NYC Department of Environmental Protection
Human Resources Management
Equal Employment Opportunity
59-17 Junction Blvd. - 20th Floor
Flushing, NY 11373
Attn: Newsletter

EEO BUREAU LIAISONS

The EEO Office would like to welcome and announce the appointment of two new Bureau EEO Liaisons. Ms Denise Dyce will be replacing ms. Sandra Fernandez for Legal Affairs and Ms. Delores Toles will be replacing Ms. Diana Lamadrid for the Bureau of Customer Services.

Name	Bureau	Phone #
Aimee Edwards	Environmental Engineering	(718)595-6219
Alan Wasserman	ACCO	(718)595-3211
Delores Toles	Customer Services	(718)595-4339
Denise Dyce	Legal Affairs	(718)595-6608
Diane Futrell	Wastewater Treatment	(718)595-6855
Elestene Houston	Environmental Compliance	(718)595-4429
Francine Hart	Correspondence & Constituent Affairs	(718)595-4151
Helaine Balsam	Environmental Control Board	(212)361-1594
Mary Grannum	Environmental Planning & Assessment	(718)595-4411
Maureen Mair	Environmental Control Board	(212)361-1594
Naomi Hamer	Water & Sewer Operations	(718)595-5372
Sarah Simpson	Management Information Services	(718)595-4038
Sherri Roth	Water Supply	(914)742-2029

When To File A Complaint

An employee or applicant for employment should consult with an EEO Officer if s/he believes that s/he is being discriminated against by a manager, supervisor, another employee, or an independent contractor of the City of New York because of actual or perceived: age, alienage or citizenship status, color, creed, disability, gender, marital status, national origin, prior record of arrest or conviction, race, religion, or sexual orientation. The EEO professional will assist the person to determine whether the issue s/he has raised is appropriate for resolution through the complaint process. Employees will not be retaliated against for consulting with an EEO professional about suspicion of discrimination or for filing a complaint or cooperating in an investigation.

An employee or applicant should follow the same procedure if s/he believes s/he has been sexually or otherwise harassed on any of the above listed bases by a manager, supervisor, another employee, or an independent contractor of your agency or another City agency. If an employee or employment applicant believes s/he is being harassed or retaliated against because s/he

consulted with an EEO officer, filed a discrimination complaint, or cooperated in the investigation of a complaint, s/he is encouraged to also report this behavior to the EEO professional for investigation and other action.

Federal, state and city laws prohibits the following types of discrimination based on your actual or perceived membership in a protected group:

1. Discriminatory treatment of employees or applicants in hiring, testing, work assignments, working conditions, salary and benefits, evaluation, promotions, training, transfers, discipline, termination, and any other terms and conditions of employment;
2. Policies that have a disproportionate impact on a group protected by law, unless they are justified by business necessity;
3. Failure to make a reasonable accommodation for an employee with a disability, or for an employee's religious observance; or

4. Discriminatory harassment, intimidation, ridicule or insults.

Persons who wish to discuss a problem concerning discrimination without revealing their identity may do so by telephoning or writing the EEO Officer.

All EEO matters will be handled under the supervision of the EEO Officer, in consultation with the Agency's Legal Counsel where appropriate. The EEO Officer will treat complaints and other information provided by employees confidentially.

The EEO professional will interview the person seeking assistance to determine whether the person should receive assistance in the form of counseling, whether the person wants to request mediation, or whether the person wishes to file a complaint of discrimination which will be investigated, or to file a formal complaint with an external administrative agency.

Taken From: DEP's Equal Employment Opportunity Policy Book