

Diversity, Equity, Inclusion and Equal Employment Opportunity (DEI-EEO) Plan

Fiscal Year 2024

DEPARTMENT OF SANITATION



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I. Commitment and Accountability Statement by the Agency Head

Colleagues,

At the Department of Sanitation, our employees reflect the remarkable range of cultures and perspectives of our great City's population. We recognize that unique individuals, collaborative teams and inclusive leaders are the engines of new ideas and far-reaching impact. It's our willingness to embrace the richness of our diverse teams, ideas and possibilities that drives our growth and progress.

A diverse workforce that represents a wide range of backgrounds, perspectives and experiences is an important part of DSNY's mission and is directly related to our ability to innovate and keep New York City clean, safe and healthy. Diversity and inclusion are embraced, people are hired and advanced on their merits, and employees treat each other with mutual respect and dignity. We strive to be an Agency in which the best people want to work and where opportunities to develop are widely available.

DSNY has a longstanding commitment to equal employment opportunity for all employees and applicants for employment. No person is unlawfully excluded from employment opportunities based on race, color, religion, national origin, sex, age, disability, veteran status or other protected classes. Unlawful discrimination, sexual and workplace harassment and other inappropriate conduct will not be tolerated at the Department of Sanitation.

Allegations of harassment or inappropriate conduct toward an employee or job applicant will be immediately investigated by DSNY's Office of Equity, Diversity & Inclusion ("OEDI"), and where allegations are substantiated, appropriate action will be taken. Further, reprisal against an employee who engages in protected activity by reporting illegal discrimination, sexual or workplace harassment or inappropriate conduct will not be tolerated. DSNY supports the rights of all employees to exercise their rights under applicable EEO statutes and regulations.

For more information on how to report discrimination or harassment in the workplace, please contact Director Ryan David at 212-291-1371 or rdavid1@dsny.nyc.gov.

Equal employment opportunity is a part of the performance evaluation for every DSNY manager and supervisor. All levels of supervision within DSNY must create and maintain a workplace that is free of unlawful discrimination and sexual and other illegal harassment with the same passion and leadership as other organizational responsibilities.

As evidence of its commitment, DSNY will conduct periodic EEO training for its employees that address, among other things, the issues of discriminatory hiring practices, sexual and workplace harassment and other inappropriate conduct.

The Department of Sanitation is committed to an environment where Equal Employment Opportunity and Diversity and Inclusion are a natural part of the culture. My expectation is that you will join me in providing your full commitment and support.

Remember. We are one team, working together to do one thing – serve the citizens of New York with pride, excellence, and **STRENGTH**.

After all, we are the City's **STRONGEST!**

Sincerely,

Jessica S. Tisch

☒ This statement is the same as last year.

☒ This statement will be disseminated to all employees in the agency.

II. Recognition and Accomplishments

In the past year, our agency accomplished the following as part of our commitment to DEI and EEO:

1. **EEO Training** – In Fiscal Year 2023, DSNY completed over 21,000 EEO-related trainings to employees. This includes trainings in (1) Everybody Matters: EEO Basic and Diversity & Inclusion; (2) Sexual Harassment Prevention, and (3) LGBTQ: The Power of Inclusion. DSNY attained an employee completion rate of 100% or SHP in Training Cycle 5. DSNY attained an employee completion rate of 99% for Everybody Matters in Training Cycle 1. The Department is committed to providing quality training to all employees, including bringing awareness regarding one's rights and responsibilities under the City's EEO Policy, as well as promoting a diverse and inclusive work environment in which all employees are treated with dignity, decency, and respect.

2. **Employee Recognition** – In Fiscal Year 2023, DSNY convened a Graduation, Promotion, and Recognition Ceremony, to celebrate its newly diverse class of Sanitation Workers and to honor uniformed and civilian employees who have been promoted and have made positive contributions in the workplace and community.

3. **2023 NYC Pride March** – On June 25, 2023, Pride of DSNY, the Department's newest employee resource group, marched for the first time in the NYC Pride Parade and represented New York City's Strongest.

4. **Sanitation Worker Exam #2060** – In 2023, DSNY launched an aggressive recruitment campaign to attract a diverse pool of applicants to register for Sanitation Worker Exam #2060, to join New York's Strongest. This includes participating in 184 total engagements over a four-week period and reaching over 35,000 customers. A diverse group of over 50,000 test-takers registered to take the exam.

5. **Addressing Quality of Life Issues for New Yorkers Citywide** – In FY 2023, DSNY took the lead to implement several new initiatives to improve the quality of life for New Yorkers Citywide.

This includes the creation of the Targeted Neighborhood Taskforce (tasked to regularly clean over 1,500 “No Man’s Land” areas around the city); the launch of the Queens Curbside Composting Program, which will be expanded to Brooklyn, Bronx, and Staten Island in FY 2024 and Manhattan in FY 2025; the installation of 400 Smart Composting Bins around New York City, to keep compostable material out of landfills; improving the efficiency of DSNY’s Enforcement Unit to effectively enforce illegal street vending, illegal dumping, and removing derelict vehicles from the City’s streets, and; the agency being tasked with taking the lead on graffiti removal.

6. Construction of Female Locker Rooms at Field Districts – In FY 2023, DSNY completed construction of female locker rooms at Queens Districts 8, 10, and 12.

III. Workforce Review and Analysis

Please provide the total agency headcount as of 6/30/2023

Total Headcount: 10,035

1. Using FY 2023 CEEDS Workforce Dashboards and DSNY workforce data, DSNY conducted an analysis to determine whether there was under-representation or over-representation of women and racial or ethnic minority group members in certain job categories. In FY 2023, underutilization was noted for Females and Black individuals in the Managers job group, Females and Asian/Pacific Islander individuals in the Personal Services job group, Females and Black individuals in the Craft job group and Asian/Pacific Islander individuals in the Laborers job group. Notably, the Managers job group included both competitive and non-competitive job titles, the Personal Services job group included only Labor class job titles, the Craft job group included only competitive titles, and the Laborers job group included competitive and Labor class job titles. In FY 2024, DSNY’s EEO Officer, Ryan David, will meet with DSNY’s Principal Human Resources Professional, and Agency Head on a quarterly basis to review DSNY’s employment practices and policies to identify whether there are barriers to equal employment opportunities and to determine what, if any, actions are required to correct deficiencies. Prior to each meeting, Mr. David will prepare an agenda for the meeting listing any areas, if any, that he has identified where there are barriers to equal employment opportunities for applicants and/or employees. During the meetings, Mr. David will also take minutes documenting the data reviewed, the barriers identified, and DSNY’s strategy to address each barrier.

2. In FY 2024, the agency will remind and encourage its employees to update self-ID information regarding race/ethnicity, gender, and veteran status through any of the following means:

- ☒ NYCAPS Employee Self Service (by email; strongly recommended every year)
- ☒ Agency’s intranet site

- ☒ On-boarding of new employees
- ☒ Employees unable to complete the self-identification form using ESS will be provided an opportunity to submit paper form to the EEO Office.
- ☒ In FY 2024, the agency will inform and remind employees of the option to add preferred name in ESS.

3. DSNY values diversity at all levels of its workforce, from entry level to senior management, between civilian and uniformed employees, and among races, nationalities, genders, and beliefs. In FY 2024, DSNY's EEO Officer, Personnel Officer, and Agency Head will hold quarterly meetings dedicated solely to identifying barriers to equal employment opportunities and implementing corrective action where deficiencies are noted. At these quarterly meetings, the participants will also review the progress made to correct deficiencies identified in prior periods and discuss strategies for continued improvement in the next period.

- ☒ The agency conducts regular reviews of the CEEDS workforce reports and the summary dashboard sent to the EEO Officer by DCAS' Citywide Equity and Inclusion (CEI) to provide demographic data and trends. The review includes an analysis of workforce composition by job title, job group, race/ethnicity, and gender for all employees; new hires, promotions, and separation data; and utilization analysis.

Agency Head

☒ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

Human Resources

☒ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

General Counsel

☒ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

Other (___specify)

☐ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

- ☒ The agency review entails a discussion concerning perceived workplace barriers for job groups that may surface in underutilization reports and for factors that may be creating these barriers (e.g., hiring patterns in specific job titles).

IV. EEO, Diversity, Inclusion, and Equity Initiatives for FY 2024

1. Goals and strategies to enhance DEI and EEO in areas of Workforce, Workplace, Community, and Race Relations.

- ❖ **Workforce:** We strive for a diverse, inclusive workforce that is representative of our city, committed to our mission, and engaged in helping us meet our ambitious goals.
- ❖ **Workplace:** We want our employees, present and future to view us as an employer of choice. To do that we will provide a workplace that values diversity of thought and background.
- ❖ **Community:** The hallmark of continuing economic development and recovery is through outreach to utilization of any investment in our communities.
- ❖ **Equity, Inclusion and Race Relations Initiatives:** Our mission is to empower underrepresented employees and elevate inclusion in the workplace.

2. Planned Programs, Initiatives, Actions

Describe the ongoing and new programs, actions, and initiatives planned for FY 2024, which are aimed toward enhancement and expansion of the three foundations of Diversity and EEO strategy: Workforce, Workplace, and Community.

A. Workforce

Initiative #1 – Build a Diverse and Inclusive DSNY Workforce

DSNY values diversity at all levels of its workforce, from entry level to senior management, between civilian and uniformed employees, and among races, nationalities, genders, and beliefs. DSNY will take action to correct deficiencies in underutilization. DSNY's EEO Officer, the Deputy Commissioner of Human Capital, and DSNY's Commissioner will hold a quarterly meeting dedicated solely to identifying barriers to equal employment opportunities and implementing corrective action where deficiencies are noted. At these quarterly meetings, the parties will also review the progress made to correct deficiencies in prior periods and discuss strategies for continued improvement in the next period. The EEO Officer will document the data reviewed, the barriers identified, and DSNY's strategy to address each barrier.

Indicator(s):

- Quarterly meetings between EEO Officer, Deputy Commissioner of Human Capital, and DSNY Commissioner to review and discuss underutilization in certain titles.

- Documenting the data reviewed, the barriers identified, and DSNY's strategy to address each barrier.

B. Workplace

Initiative #1 - EEO Training for All Employees

DSNY maintains a longstanding commitment to ensuring equal opportunity for all employees and applicants for employment. As an integral part of this commitment, DSNY conducts periodic EEO training for its employees to prevent unlawful discrimination in the workplace and promote a diverse and inclusive work environment.

In Fiscal Year 2024, DSNY has set an ambitious goal to complete more than 25,000 EEO-related trainings to employees. This includes trainings in (1) Everybody Matters: EEO Basic and Diversity & Inclusion; (2) Sexual Harassment Prevention; (3) LGBTQ: The Power of Inclusion, and (4) Structured Interviewing and Unconscious Bias. DSNY has also set goals to have 100% of all employees complete training in Sexual Harassment Prevention for Training Cycle 6 (September 1, 2023, to August 31, 2024) and 100% of all employees complete training in LGBTQ: The Power of Inclusion for Training Cycle 2 (April 1, 2022, to March 31, 2024).

To accomplish its goal, the Department will conduct instructor led EEO training at all new employee orientation and when employees are promoted to the rank of manager or supervisor. DSNY will conduct instructor-led training for existing uniformed employees at the field district location, in which there are 59 field districts throughout New York City. Civilian employees will be trained using DCAS' computer-based training modules.

Indicator(s):

- 25,000 EEO-related training completions by DSNY employees
- 100% employee completion rate in Sexual Harassment Prevention, Training Cycle 6
- 100% employee completion rate in LGBTQ: The Power of Inclusion, Training Cycle 2

Initiative #2 – EEO Intensive Workshop Training for DSNY Superintendents

General Superintendents (Level I) are responsible for the day-to-day operation of a sanitation district and manage anywhere between 50 to over 100 uniformed employees. (Note: DSNY operates over 59 field districts throughout the five boroughs of New York City.) Superintendents are the agency's first line of defense to claims of discrimination and/or harassment made by uniformed employees.

In Fiscal Year 2024, DSNY will conduct a series of intensive EEO workshops for all General Superintendents (Level I). The workshops are designed to provide Superintendents with the tools necessary to recognize, prevent and end harassment and/or discrimination in the workplace. The workshop will provide a refresher to superintendents to the world of EEO, explaining the law and reviewing real-life scenarios and best practices. The training will also cover topics including disparate treatment, adverse impact, and reasonable accommodation.

Finally, the workshops will help superintendents strengthen their skills in leading and managing a diverse and inclusive workforce.

Indicator(s):

- 100% completion rate of all General Superintendents (Level I)

Initiative #3 – Improve Employee Engagement and Communications

As a large multifaceted agency, DSNY must make efforts to keep our staff engaged, cohesive and unified in achieving our shared mission. With over 10,000 employees working three shifts across New York City, opportunities for us to gather as a community are critical for engagement and morale. We continue to make use of “Administrative Bulletins,” an electronic bulletin board to promote social event invitations, charitable fundraising campaigns, professional development opportunities, promotion and award recognition and other news. Events that welcome DSNY staff and their families to highlight our work are great for spreading public awareness, but also for building comradery and engagement among our staff. DSNY-days at professional sporting events and charitable fundraising campaigns have been popular with our staff and bring positive publicity for the Department. We will continue to support and expand these events for people to show their pride in the Department, socialize with one another’s families and give back to the community through group volunteer events.

Indicator(s):

- DSNY will compare participation at agency-hosted events year over year, where applicable.

Initiative #4 – Improve Personnel Spaces

DSNY is committed to ensuring that all its employees have access to clean, healthy, and safe workspaces, particularly for our uniformed field staff. Improving our garages continues to be a priority as we seek to improve our facilities to make them ADA compliant.

Indicator(s):

- DSNY will rehabilitate Queens East 11 and 13, Staten Island 3, and Brooklyn 6 to make them ADA accessible.
- ☒ Promote employee involvement by supporting Employee Resource Groups (ERGs).

List below the names of existing ERGs:

1. African American Benevolent Society
2. Asian Jade Society
3. Columbia Association

4. DSNY Retiree, Inc.
5. Emerald Society
6. Hebrew Spiritual Society
7. Holy Name Society
8. Pride of Sanitation Association, Inc.
9. Sanitation Association de Latinos
10. United Women of Sanitation Association

- ☐ Agency will create a Diversity Council to leverage equity and inclusion programs
- ☐ Agency Diversity Council is in existence and active
- ☒ Agency will sponsor focus groups, Town Halls and learning events on race, equity, and inclusion
- ☒ Agency will inform employees of their rights and protections under the New York City EEO Policy
- ☒ Agency will ensure that its workplaces post anti-hate or anti-discrimination poster

C. Community

In FY 2024, the agency will:

- ☒ Continue or plan to promote diversity and EEO community outreach in providing government services
- ☒ Promote participation with minority and women owned business enterprises (MWBES)
- ☐ Conduct a customer satisfaction survey
- ☒ Expand language services for the public

Initiative #1 – Expansion of Curbside Composting

In FY 2023, DSNY began implementing the nation's largest composting program. The program began in Queens on October 3, 2022, and after a brief winter pause became year-round on March 7, 2023 guaranteeing free service of weekly collection of compostable materials for every single Queens Borough resident. While curbside composting programs have existed in New York City for the last decade, none have ever served more than approximately 40 percent of the city.

In FY 2024, DSNY will expand curbside composting to Brooklyn on October 2, 2023, and Staten

Island and the Bronx on March 25, 2024. (Note: Service to Manhattan will come in FY 2025, on October 7, 2024.) The program is built on several efficiencies that drive costs down, including the use of dual-bin trucks and a rightsizing of the workforce to reduce overtime. While DSNY will make its own Brown Bins available, this program also includes the flexibility for New Yorkers to use any bin of 55 gallons or less with a secure lid.

Indicator(s):

- DSNY expansion of curbside composting to Staten Island and the Bronx on March 25, 2024.
- Tonnage amounts of curbside composting collected by Borough.

Initiative #2 – Business Containerization

In FY 2024, a new administrative rule will be finalized requiring food-related businesses to put trash in rigid containers with secure lids. The announcement is the newest part of the city's efforts to combat rodent infestations and improve quality of life in the five boroughs. The rule will go into effect August 1, 2023.

Under the new rule, all food-related businesses, including restaurants, delis, grocery stores, bodegas, and caterers, will be required to put trash and compostable materials into secure containers instead of placed in bags directly on the street. Approximately 40,000 businesses citywide – or 20 percent of businesses in the city – will be impacted by the new rule.

Indicator(s):

- Compliance with the business containerization rule for food-related businesses.

Initiative #3 – Clean City Alliance

The Sanitation Foundation is the official non-profit partner organization of DSNY. The mission of the foundation is twofold: to celebrate and support the essential Sanitation workforce and advance the Department's ambitious zero-waste agenda.

In FY 2023 Mayor Eric Adams, DSNY, and the Sanitation Foundation have announced a major new philanthropic undertaking – the Clean City Alliance – focused on cleaning high-traffic commercial corridors across the city.

The Clean City Alliance is a privately funded initiative to provide supplemental daily cleaning services in neighborhoods now serviced by a local business improvement district. The Sanitation Foundation is deploying dedicated workforce teams year-round to provide supplemental sanitation services to neighborhoods across the city. This work will make a tangible difference in maintaining the cleanliness of the city sidewalks and improving the quality of life for residents and visitors.

The program launched in June 2023 in two highly diverse neighborhood communities in Central Brooklyn – along Nostrand Avenue in Bedford-Stuyvesant and along Utica Avenue in Crown Heights. Ultimately, the program will be rolled out in all five boroughs.

Indicator(s):

- Expansion of the Clean City Alliance to all five boroughs.

V. Recruitment

A. Recruitment Efforts

DSNY is an inclusive agency that values diversity throughout its workforce, whether uniformed, civilian, entry level or senior management. We strive for a workforce that is representative of the diverse city that we serve; however, the process of filling vacancies for most of our positions is determined by the results of civil service examinations.

During the registration period for exams that lead to DSNY jobs, we will promote opportunities and encourage women and men of all backgrounds to complete exams, particularly groups who have been underutilized in certain job titles. DSNY will leverage its partnerships with other City agencies, including the Department of Education, the Mayor's Office for People with Disability and DCAS' Office of Citywide Recruitment, among others, to promote opportunities. The Agency will also participate in New York City Government Hiring Halls, which will offer on-the-spot interviews for select DSNY positions. Moreover, the agency will perform outreach and promote DSNY vacancies through online and print publications in compliance with Local Law 30 and, when necessary, place advertisements using the top 150 Community & Ethnic Media print publications, as identified by the Mayor's Office of Community and Ethnic Media. DSNY will perform outreach at various community-based organizations and events in the five boroughs to promote registration for upcoming exams.

The EEO Officer, Agency Personnel Officer, and Agency Head will meet quarterly to review DSNY's employment practices and policies to identify whether there are barriers to equal employment opportunities and to determine what, if any, actions are required to correct deficiencies. For internal job announcements, the agency will distribute vacancies to all DSNY employees and reach out to Employee Resource Groups to encourage a diverse and qualified applicant pool. Females are underutilized in DSNY's uniformed titles, in all ranks (Sanitation Worker and above). DSNY will encourage female uniformed employees to apply for promotion and will conduct informational sessions to identify barriers to mitigate the number of self-demotions and implement additional support where appropriate.

In FY 2024, the Agency will eliminate structural barriers in the interviewing and selection process for discretionary hiring and promotions by requiring all hiring managers to complete Structured Interviewing and Unconscious Bias training. The EEO Officer will ensure that there is a diverse panel of interviewers in each Bureau. Finally, the EEO Officer will review all discretionary hires and promotions and participate on various promotion boards to ensure a fair and equitable selection practices.

B. Recruitment for Civil Service Exams

List any planned recruitment events for FY 2024 that will be held by the agency to promote open-competitive civil service examinations.

Event Date	Event Name	Borough
July 8, 2023	Cooper Park Health Fair	Brooklyn
July 25, 2023	Phyl's Academy	Brooklyn
July 28, 2023	The Carl Ullman School	Queens
July 30, 2023	Flatbush Avenue BID Street Fair	Brooklyn
August 4, 2023	Public School 373	Staten Island
August 22, 2023	Community Day (Canarsie Park)	Brooklyn
August 25, 2023	Boardwalk Bash 2023	Staten Island
September 6, 2023	Back to School Event	Queens
September 9, 2023	East New Yor Music Festival	Brooklyn
September 10, 2023	Back to School Fair	Brooklyn

List planned expenditures for FY 2024 related to recruiting candidates for open-competitive and promotion civil service exams.

Borough	Approximate Dollar Amount (\$)
Bronx	\$5,000
Brooklyn	\$5,000
Manhattan	\$5,000
Queens	\$5,000
Staten Island	\$5,000

(Note: The agency's most used civil service job title is Sanitation Worker (6,429 employees). On June 8, 2022, to June 30, 2022, DCAS opened registration for the next Sanitation Worker Exam (#2060). DSNY launched an aggressive recruitment campaign to attract a diverse applicant pool and spent \$600,000 in recruitment to generate interest in the test among New Yorkers who are traditionally demographically underrepresented at DSNY. A total of 51,387 candidates registered to take Sanitation Worker Exam #2060. In Fall 2022, DCAS administered examination for Exam #2060. It is anticipated that DCAS will establish an Eligible to Hire List in Spring 2024. DSNY will continue to use a professional advertising agency when necessary for vacant positions in competitive and non-competitive titles when necessary for vacation positions to ensure a diverse candidate pool.)

C. Recruitment Sources

1. **Online and Print Publications** – The agency will distribute job notices in compliance with Local Law 30 and, when necessary, place advertisements using the top 150 Community & Ethnic Media print publications, as identified by the Mayor's Office of Community and Ethnic Media to ensure a diverse candidate pool.

2. **Mayor’s Office for People with Disabilities (“MOPD”)** – DSNY will provide job vacancy notices with MOPD to share with clients. The Agency has been successful in the past using MOPD to have candidates appointed under the 55-a program.

3. **Department of Education & Colleges/Universities**– DSNY will provide job vacancy notices to DOE and post announcements on career sites of colleges and universities in New York City to provide internship opportunities and hire for entry titles.

4. **Community Based Organizations and Events** – DSNY will perform outreach at community-based organizations and community events throughout the five boroughs to promote registration for upcoming civil service examinations to ensure a diverse applicant pool. (e.g., Nontraditional Employment for Women NYC, Street Corner Resources, NYPD End Gun Violence Campaign events).

5. **DCAS Office of Citywide Recruitment** – DSNY will partner with DCAS Office of Citywide Recruitment and participate in various recruitment events across all five boroughs to share information about City government jobs and the examination process.

D. Internships/Fellowships

The agency provided the following internship opportunities in FY 2023:

Type of Internship\Fellowship	Total	Race/Ethnicity *[#s] * Use self-ID data	Gender * [#s] * Use self-ID data
1. Urban Fellows			M __ F__ Non-Binary __ Other __ Unknown __
2. Public Service Corps			M __ F__ Non-Binary __ Other __ Unknown __
3. Summer College Interns	33	Black <u>8</u> Hispanic <u>1</u> Asian/Pacific Islander <u>13</u> Native American <u>0</u> White <u>10</u> Two or more Races <u>0</u> Unknown <u>1</u>	M <u>22</u> F <u>11</u> Non-Binary __ Other __ Unknown __

4. Summer Graduate Interns	9	Black <u>0</u> Hispanic <u>1</u> Asian/Pacific Islander <u>4</u> Native American <u>0</u> White <u>3</u> Two or more Races <u>0</u> Unknown <u>1</u>	M <u>5</u> F <u>4</u> Non-Binary ____ Other ____ Unknown ____
5. Other (specify): College Aides	30	Black <u>9</u> Hispanic <u>8</u> Asian/Pacific Islander <u>6</u> Native American <u>0</u> White <u>1</u> Two or more Races <u>2</u> Unknown <u>4</u>	M <u>9</u> F <u>21</u> Non-Binary ____ Other ____ Unknown ____

DSNY will continue to staff college aides year-round and provide summer internship opportunities to undergraduate and graduate students in Summer 2024. DSNY College Aides and Summer Interns will gain work experience by performing meaningful work and provide an outlet for the individual to showcase their talents.

E. 55-a Program

Section 55-a of the New York State Civil Service Law allows a qualified person with a certified mental or physical disability to be hired into a competitive civil service position without having to take and pass a civil service examination. The City encourages agencies to use the 55-a program as a tool to build a diverse workforce and create greater access to City employment for qualified candidates with disabilities.

- Presently, the agency employs 10 [number] 55-a participants. [Enter '0' if none]
- There are 1 [number] participants who have been in the program less than 2 years.
- In the last fiscal year, a total of 6 [number] new applications for the program were received and 0 participants left the program due to [state reasons] _____.

The goals of the 55-a Coordinator for FY 2024 are:

1. Provide accurate information about the 55-a Program
2. Remind hiring managers of the applicant pool

3. Educate and assist applicants and employees on how and where to apply
4. Coordinate the application process between the employee/candidate, HR, supervisor and DCAS.

☐ Agency uses mostly non-competitive titles which are not eligible for the 55-a Program.

☐ Agency does not use the 55-a Program and has no participating employees.

VI. Selection (Hiring and Promotion)

A. Career Counselors

In FY 2024, the agency's Career Counselor will perform the following tasks:

- Review policies, procedures, and practices related to hiring (including vacancy announcements, use of certification lists, and the selection process for mission critical occupations.
- Promote employee awareness of opportunities for promotion and transfer within the agency.
- Arrange for agency wide notification of promotional and transfer opportunities.
- Encourage the use of training and development programs to improve skills, performance, and career opportunities.
 - Provide information to staff on both internal and external Professional Development training sources.
 - Explain the civil service process to staff and what it means to become a permanent civil servant.
 - Provide technical assistance in applying for upcoming civil service exams.
- Provide agency staff with citywide vacancy announcements, civil service exam notices and other career development information.
- Assist employees and Job Training Program participants in assessing and planning to develop career paths.
- Provide resources and support for:

- Targeted job searches
- Development job search strategies
- Resume preparation
- Review of effective interview techniques
- Review of techniques to promote career growth and deal with change
- Internship Exploration

B. New Hires and Promotions

In FY 2024, the agency will do the following:

- The agency will ensure that all hiring managers and promotion board members are trained in Structured Interviewing and Unconscious Bias to avoid unintentional biases in discretionary hiring.
- The Department will ensure a diverse panel of interviewers to conduct interviews for hiring and promotion.
- The EEO Officer will review all selections made by hiring managers and promotion board members for discretionary job titles.
- All new hires will participate in orientation to provide information to staff regarding the civil service process and promote opportunities for growth.
- The EEO Officer will have quarterly meetings with the Agency Head to review recruitment, hiring, promotion, and selection practices to eliminate structural barriers.

C. EEO Role in Hiring and Selection Process

In FY 2024, the agency EEO Officer will do the following:

- ☒ Ensure that all vacancy announcements include the revised NYC EEO I Anti-Discrimination Statement.
- ☒ Review vacancy postings to ensure elimination of language that has the potential for gender and age stereotyping and other unlawful discrimination. (It is recommended to use gender-neutral terms and pronouns and language that is age-inclusive).
- ☒ Actively monitor agency job postings and ensure recruitment strategy aligns with the diversity goals of the agency.
- ☒ Provide consultation regarding creation/review of objective criteria for evaluating candidates for hire or promotion and applying those criteria consistently to all candidates.
- ☒ In collaboration with the Director of Human Resources, review interview questions to ensure that they are EEO-compliant, job-related, and required by business necessity.

- ☒ Assist the hiring manager if a reasonable accommodation is requested during the interview.
- ☒ Observe interviews, when necessary, especially for underutilized job titles and/or mid- and high-level discretionary positions.
- ☒ Advise Human Resources to use candidate evaluation form for uniform assessment and equity.
- ☒ Periodically review candidate evaluation forms and conduct a job applicant analysis via the NYCAPS eHire Applicant Interview Log reports to advise Human Resources of any demographic trends and/or EEO concerns based on available self-ID data.
- ☒ Review hiring package to evaluate that the selection process was conducted in accordance with EEO best practices.
- ☐ Other: _____

D. Layoffs

During periods of layoffs, terminations, and demotions due to legitimate business/operational reasons, what is your protocol for analyzing the impact of such actions based upon gender, race, and age?

- ☒ The agency will use the DCAS Layoff Procedure as guidance, should there be any layoffs, terminations, and demotions due to legitimate business/operational reasons in FY 2024.
- ☒ The agency will analyze the impact of layoffs or terminations on racial, gender, age groups, and people with disabilities.
- ☒ Where layoffs or terminations would have a disproportionate impact on any of these groups, the agency will document that the targeted titles or programs were selected based on objective criteria and justified by business necessity.
- ☒ The Agency Personnel Officer, EEO Officer and General Counsel will be involved in making layoff or termination decisions. It should be noted that layoffs must be conducted by seniority in compliance with civil service law (for competitive titles) and union contract (for non-competitive and labor class titles).

VII. Training

Training Topic	Type of Audience (e.g., All Staff, Front-line Employees, Managers, Supervisors, etc.)	Goal Number of Participants	Projected Dates
1. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (e-learning)	All employees – Biennially (Cycle 2 must be completed by March 31, 2025.)	4000	July 2023 to June 2024
2. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (classroom/live webinar)	All employees – Biennially (Cycle 2 must be completed by March 31, 2025.)	6000	July 2023 to June 2024
3. Sexual Harassment Prevention (e-learning)	All employees – Annually (Cycle 6 runs between September 1, 2023 – August 31, 2024)	4000	Sept. 2023 to Aug 2024
4. Sexual Harassment Prevention (classroom/live webinar)	All employees – Annually (Cycle 6 runs between September 1, 2023 – August 31, 2024)	6000	Sept. 2023 to Aug 2024
5. lgbTq – Power of Inclusion (e-learning)	Managers, Supervisors, and Front-line employees (must be completed by March 31, 2024) All other employees	400	July 2023 to March 2024
6. lgbTq – Power of Inclusion (classroom/live webinar)	Managers, Supervisors, and Front-line employees (must be completed by March 31, 2024) All other employees	6000	July 2023 to March 2024
7. Disability Awareness and Etiquette			
8. Structured Interviewing and Unconscious Bias (classroom/live webinar)	Agency staff involved in the hiring process.	100	Oct. 2023 to Nov. 2023

VIII. Reasonable Accommodation

DSNY's Policy and Administrative Procedure #2022-05 ("Reasonable Accommodations") establishes the agency's procedural guidelines for accommodations, in compliance with federal, state, and local laws, and the City's EEO Policy.

DSNY's Reasonable Accommodation Policy and Procedures:

Requests for Accommodation

The Reasonable Accommodation process will begin when either an individual requests a reasonable accommodation from OEDI, an individual raises an issue in the workplace that implicates the potential need for an accommodation, or a supervisor or manager becomes aware that an accommodation may be helpful to permit an individual to perform the essential functions of their position.

- i. To request a reasonable accommodation, an individual should fill out the Reasonable Accommodation form, found on the DSNY Intranet Home Page, under the section titled Office of Equity, Diversity & Inclusion. The individual should email the completed form to OEDI@dsny.nyc.gov. If the individual cannot access the form online, they should contact OEDI via phone at 212-291-1380 or by emailing OEDI@dsny.nyc.gov.
- ii. If a supervisor, manager, or the Employee Assistance Unit ("EAU") becomes aware that an individual may be seeking a reasonable accommodation or that an accommodation may be helpful to permit the individual to perform the essential functions of the position, they must refer the individual to OEDI. The supervisor, manager, or EAU must email OEDI@dsny.nyc.gov the name and contact information of the individual who is seeking a reasonable accommodation or for whom an accommodation may be helpful to perform the essential functions of their position.

The Cooperative Dialogue

Within 10 days of receiving a request for a reasonable accommodation or being notified that an individual may need a possible accommodation, OEDI will reach out to the individual to begin the cooperative dialogue regarding the potential accommodation. The cooperative dialogue may include one or more of the following steps:

- i. **Examining Job Duties and Essential Job Functions:** To be eligible for a reasonable accommodation, the individual must meet the qualifications for the job and still be able to perform the essential duties of the position. As part of the cooperative dialogue, OEDI will determine if the individual can perform the essential functions of the position with a reasonable accommodation.
- ii. **Meeting with the Employee and/or Requesting Documentation:** Based on the type of accommodation requested, OEDI may meet with the individual and/or request documentation to support their request.
 - a. **Documentation for Accommodations Based on Disability**
 1. OEDI will communicate with the individual to discuss their disability and the specific ways in which the disability prevents the individual from performing

the job's essential functions. If needed, OEDI may ask the individual to provide medical documentation sufficient to describe the nature, severity, and duration of their impairment, limitations on performing the essential job functions, specific accommodations sought, and the need for the accommodation sought.

2. If the medical documentation the individual provides is deemed insufficient, OEDI may ask the individual to have their medical provider submit additional documentation. If OEDI is unable to obtain sufficient information directly from the individual or their medical provider, OEDI may ask an individual to submit to an examination by a health professional selected by DSNY, at DSNY's expense.

b. Documentation for Accommodations Based on Religion

1. If OEDI has questions regarding an individual's request for religious accommodation, OEDI may ask for supporting documentation regarding the individual's religion or why the individual's religious practice requires an accommodation.
2. The documentation requested may include the individual's firsthand explanation, or explanations from others, such as fellow adherents, or religious leaders (e.g., a minister, rabbi, priest, imam, or pastor) who have knowledge of the religious practice or beliefs.

c. Documentation for Victims of Domestic Violence, Sex Offenses, or Stalking

1. OEDI may ask the individual to provide appropriate documentation supporting their status as a victim of domestic violence, sex offenses, or stalking. This documentation may include documentation from an employee, agent, or volunteer of a victim services organization, attorney, member of the clergy, medical or other professional services provider, as well as police or court records or any other corroborating evidence.

d. Documentation for Accommodations Based on Pregnancy, Childbirth, or Related Medical Conditions

1. OEDI may request that the individual provide reasonable medical documentation from a licensed medical practitioner supporting the individual's initial request or a request for extension of a reasonable accommodation following pregnancy.
2. OEDI may require any individual who performs safety sensitive functions, including, but not limited to, uniformed Sanitation Workers, to provide documentation from a licensed medical practitioner describing the individual's condition and confirming whether they can safely complete the duties of their position with or without reasonable accommodation. If

necessary, and in consultation with the individual, OEDI may make recommendations for an alternate work assignment.

- iii. **Discussing Possible Accommodations:** OEDI will discuss possible reasonable accommodations with the individual, considering the individual's ability to perform the essential functions of the position with a specific reasonable accommodation.

OEDI will consider an individual's preference for a particular form of reasonable accommodation. However, OEDI has the discretion to choose among various appropriate reasonable accommodations that will enable the performance of the individual's essential job functions or ensure access to equal employment opportunities.

OEDI Determination

Within 30 days of conclusion of the cooperative dialogue, or as soon as possible, OEDI will issue a written decision notifying the individual if the accommodation requested is granted or denied, or if an alternative accommodation is being offered.

The Appeal Process

If OEDI denies an individual's request, or offers an accommodation other than the one requested, the individual may appeal the decision to the DSNY Commissioner or their designee.

- i. The individual must email Appeals@dsny.nyc.gov to request an appeal within 30 days of receipt of OEDI's decision.
- ii. Within 15 business days of receiving an appeal, the DSNY Commissioner (or their designee) will review and decide the appeal and issue a notice of the decision to the individual. If a decision on appeal cannot be rendered within 15 business days, the individual will be informed in writing of the reason for the delay and when a decision on the appeal will be rendered.

Describe your agency's practices for analyzing statistics with regard to volume, trends, and speed of disposition of EEO complaints and reasonable accommodation requests and appeals:

The EEO Officer will review quarterly OEDI's caseload, trends, and speed of disposition of EEO complaints and reasonable accommodation requests and appeals to ensure compliance with the City's EEO Policy and to initiate corrective action when necessary.

- ☒ Managers, supervisors, human resources personnel and discipline personnel are required to report to the EEO Office any reasonable accommodation requests and needs that are received, observed, learned about, or suspected, so that the EEO Office may facilitate discussions, research appropriate accommodations, and assist with the resolution of the matter.

- ☒ Absent of any undue hardship, the agency provides reasonable accommodation for disability, religion, victims of domestic violence, sex offense and stalking, pregnancy, childbirth, or a related medical condition.
- ☒ The agency follows the City's Reasonable Accommodation Procedure.
- ☒ The agency grants or denies request 30 days after submission or as soon as possible.
- ☒ The Agency Head or designee must review and grant or deny an appeal fifteen (15) days after submission of appeal.
- ☒ If the review and decision on appeal is not done by the Agency Head.
Provide the name and title of the designee¹ : Ethel Corcoran, Reasonable Accommodation Appeals Officer
- ☒ The designee reports directly to the Agency Head.
- ☒ The agency will input the Reasonable Accommodation activity on the DCAS Citywide Complaint and Reasonable Accommodation (CAD) Database and update the information as needed.

¹ EEO Officer and General Counsel should **NOT** be appointed as agency head designee for review of appeals to reasonable accommodation decisions. Refer to the revised guidelines below. Note the conflict of interest; in the event of an external challenge to the denial of a reasonable accommodation, the agency's General Counsel would be tasked with defending the agency against a decision in which that office was a decision maker on appeal.

IX. Compliance and Implementation of Requirements Under Executive Orders and Local Laws

A. Local Law 92 (2018): Annual Sexual Harassment Prevention training

- ☒ The agency plans to train all new employees on Sexual Harassment Prevention within 30 days of start date.
- ☒ The agency will train all current employees on Sexual Harassment Prevention (Cycle 6 – September 1, 2023 – August 31, 2024) as indicated in the Section VII Training above.

B. Local Law 97 (2018): Annual Sexual Harassment and Complaint Reporting

- ☒ The agency will ensure that sexual harassment complaints, and all other EEO complaints, are investigated and closed within 90 days.
- ☒ The agency will input sexual harassment complaint data, as well as all other types of complaints, on the DCAS Citywide Complaint and Reasonable Accommodation (CAD) Database, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.

C. Local Law 121 (2020): Age Discrimination Training

- ☒ The agency plans to train all new employees on Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees within 30 days of start date.
- ☒ The agency will train all current employees on Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (Cycle 2: April 1, 2023 – March 31, 2025) as indicated in the Section VII Training above.

D. Local Law 27 (2023): Access to Workplace Facilities

- ☒ Employees have access to gender appropriate bathrooms and lactation rooms.
- ☒ Employees are provided with information on how to request workplace accommodations and has access to respective facilities, including access for individuals with disabilities.

In FY 2023, DSNY has provided the following accommodations to our workforce:

- ☒ Reassignment

- ☒ Modification of Work Schedule
- ☒ Flexible leave
- ☒ Modification or Purchase of Furniture and Equipment
- ☒ Modification of Workplace Practice, Policy and/or Procedure
- ☒ Grooming/Attire

E. Local Law 27 (2023): Diversity and Inclusion Training for FY 2024

- ☒ List of diversity and inclusion training for FY 2024 is included in section VII of this annual plan.

F. Executive Order 16: Training on Transgender Diversity and Inclusion

Under Executive Order No. 16 of 2016, the agency must provide supervisory and front-line staff training approved by DCAS on transgender diversity and inclusion. Pursuant to Executive Order No. 16, this training must be provided to all newly hired supervisory and managerial employees and line staff whose work tasks involve contact with the public. The current Cycle 4 runs from April 1, 2022, to March 31, 2024.

- ☒ The agency plans to train all new employees within 30 days of start date.
- ☒ All managers, supervisors, and front-line employees will be re-trained every two years, no later than the third quarter of the Fiscal Year, as indicated in Section VII Training above.
- ☒ In addition, all other employees will be trained or re-trained every two years, as indicated in Section VII Training above.
- ☒ The agency will ensure that the Transgender Restroom Access notice/poster is posted where required, e.g., on bulletin boards, near restrooms and, in digital form, where other EEO notices and announcements can be found.

X. Audits and Corrective Measures

- ☐ The agency is NOT involved in an audit conducted by NYC EEPC or another governmental agency specific to our EEO practices.
- ☐ The agency is currently being audited or preparing responses to an audit conducted by the EEPC or _____ to our EEO practices. Upon forwarding our responses to the recommendations issued by the EEPC, the agency will submit to OCEI an amendment letter, which shall amend the agency plan for FY 2024 to include and implement EEPC recommendations that will be implemented during the fiscal year.
- ☐ The agency is subject to any other oversight or review by a federal, state or city civil rights agency _____.
- ☒ Within the last two years the agency was involved in an audit conducted by the EEPC specific to our EEO practices.
- ☒ The agency will continue/be required to implement corrective actions during the year that this plan is in effect. **Please see attached EEPC's Final Determination issued on August 8, 2023.**
- ☐ The agency received a Certificate of Compliance from the auditing agency.

XI. Agency Head Signature

Jessica S Tisch

Print Name of Agency Head

Jessie Tisch

Signature of Agency Head

11/27/2023

Date

Appendix A: Contact Information for Agency EEO Personnel

Agency EEO Office mailing address: DSNY Office of Equity, Diversity & Inclusion, 375 Pearl Street, 18th Floor, New York, NY 10038

	Title/Function	Name	Email	Telephone
1.	Agency EEO Officer	Ryan David	Rdavid1@dsny.nyc.gov	212-291-1371
2.	Agency Deputy EEO Officer	Julie Cascino	JCascino@dsny.nyc.gov	212-291-1374
3.	Agency (Chief) Diversity & Inclusion Officer	Ryan David	Rdavid1@dsny.nyc.gov	212-291-1371
4.	Chief Diversity Officer/Chief MWBE Officer per E.O. 59	Christopher Metzler	CMetzler@dsny.nyc.gov	646-885-5061
5.	ADA Coordinator	Ryan David	Rdavid1@dsny.nyc.gov	212-291-1371
6.	Disability Rights Coordinator	Ryan David	Rdavid1@dsny.nyc.gov	212-291-1371
7.	Disability Services Facilitator	Ryan David	Rdavid1@dsny.nyc.gov	212-291-1371
8.	55-a Coordinator	Ryan David	Rdavid1@dsny.nyc.gov	212-291-1371
9.	EEO Investigator(s)	Daniel Casados	DCasados@dsny.nyc.gov	212-291-1375
10.	Career Counselor(s)	Adil Tahir	Atahir@dsny.nyc.gov	646-885-1081
11.	EEO Training Liaison(s)	Evelyn Nieves-Moscol	ENieves1@dsny.nyc.gov	212-291-1372
12.	EEO Counselor(s)	Daniel Casados	DCasados@dsny.nyc.gov	212-291-1375

Appendix B: Local Law 28 (2023) – Diverse Recruitment and Retention

Agency Name: Department of Sanitation (DSNY)

Local Law 28 of (2023) is a Local Law to amend the New York City charter and the administrative code of the City of New York, in relation to the evaluation and expansion of diverse recruitment and retention within the municipal government.

Pursuant to Local Law 28 (2023), each agency shall collect and submit the following information for the prior fiscal year to the Department of Citywide Administrative Services by **August 31, 2023**, and annually thereafter.

For each agency-specific training program your agency has that is required for, or relevant to, an applicant's appointment to a position based on an open-competitive civil service examination or a promotion civil service examination, list the following [Include this information for each individual training program within your agency that was completed in FY2023. The table below can be duplicated. If your agency does not have a training program, write "N/A"]:

DSNY conducts voluntary Commercial Drivers' License ("CDL") training for prospective Sanitation Workers, who must hold a CDL in order to be appointed to the Sanitation Worker title.

New Sanitation Worker Commercial Drivers' License Training	Totals
# of applicants enrolled in such program	726
# of applicants who completed the program	486
# of applicants who passed and graduated from the program	486
# of applicants who passed but did not graduate from the program	0
# of applicants who did not pass or graduate from the program	240
# of applicants who accepted any appointment offered based on graduation from the program	486

List all expenditures related to recruiting candidates for open-competitive civil service examinations and promotion civil service examinations in FY 2023.

DSNY did not expend any funds on recruiting, including print or social media advertising, for open-competitive civil service examinations or promotion civil service examinations in FY 2023. The most recent open-competitive exam for the title of Sanitation Worker (a title held by 70% of DSNY employees) occurred in FY 2022.

Borough	Approximate Dollar Amount Spent (\$)
Bronx	\$0
Brooklyn	\$0
Manhattan	\$0
Queens	\$0
Staten Island	\$0

Provide a list of recruiting events, including location, held, or attended by your agency to promote open-competitive civil service examination in FY2023.

Please see the below. DSNY's Community Affairs unit regularly sends employees to free recruiting events at local area schools.

Event Date	Event Name	Borough
6/8/2023	Bronx Academy of Promise Charter School Career Day	Bronx
6/7/2023	PS 83 Career Day	Bronx
6/1/2023	"A better recycling shape" presentation for PS/IS 192	Brooklyn
5/24/2023	Erasmus Hall Career Day	Brooklyn
5/4/2023	IS 7 Career Day	Staten Island
5/5/2023	PS 192 Career Day	Brooklyn
3/27/2023	Rockaway Collegiate HS Career Day	Queens
3/31/2023	Food and Finance HS Career Fair	Manhattan
3/29/2023	Eagle Academy Career Day	Staten Island
3/27/2023	PS 211 Elm Tree School Recycling Presentation	Queens
3/23/2023	PS 60Q Career Day	Queens
3/23/2023	PS/MS 183 Sanitation Presentation	Queens
3/22/2023	PS 78 Career Day Presentation	Staten Island
3/8/2023	PS 8 Sanitation Presentation	Staten Island
2/15/2023	Origins HS Career Day	Brooklyn
2/10/2023	PS 74 Career Day	Staten Island
2/9/2023	Forest Hill High School Career Day	Queens
1/30/2023	Good Shepard School Community Workers Day	Manhattan
12/21/2022	Fort Hamilton High School Career Day	Brooklyn
11/30/2022	St. Luke's School Grade 8 Capstone Research Interview	Manhattan
11/29/2022	Little Red School House First Grade Presentation	Manhattan
12/15/2022	Bronx regional high school career day	Bronx
12/15/2022	Bronx Regional High School Career Day	Bronx
11/18/2022	ST. Saviour High School Career Day	Brooklyn
10/21/2022	Peninsula prep Academy Recycling Presentation	Queens
11/9/2022	Transit Tech CTE High School Career Night	Brooklyn
11/16/2022	James Madison High School Career Fair	Brooklyn
10/21/2022	St Bernard's School Assembly	Manhattan
10/13/2022	Fort Hamilton High School Fall College and Career Fair	Brooklyn
11/10/2022	PS 3 Charrette School Career Day	Manhattan
10/25/2022	Brooklyn High School Career Day	Brooklyn
10/21/2022	New Heights MS 722 Career Day	Brooklyn
10/11/2022	Vista Academy East NY Going Green Workshop	Brooklyn

Provide a list of any preparatory materials developed for applicants or potential applicants for open-competitive civil service examinations or promotion civil service examinations, if applicable. [Include as attachments]

DSNY did not development any preparatory materials for applicants or potential applicants for open-competitive civil service examinations or promotion civil service examinations during FY 23.



Aldrin Rafael Bonilla
Chair/Commissioner

Elaine S. Reiss, Esq.
Vice Chair/Commissioner

Minosca Alcantara, Ed.D.
Ngozi Okaro, Esq.
Nicole Yearwood, MPA
Commissioners

Jeanne M. Victor
Executive Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676.2724 fax

BY EMAIL

August 8, 2023

Jessica Tisch
Commissioner
Department of Sanitation
125 Worth Street, Room 720
New York, NY 10013

Audit Status:

Evaluation of Employment Practices with a Focus on Underutilization for Audit Period July 1, 2020 to December 31, 2022.

Determination: FINAL

Resolution #: 2023AP/268-827-(2023)

Dear Commissioner Tisch:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you and your agency for the continued cooperation extended to our staff. This document serves as a follow-up evaluation and Final Determination to the following:

Preliminary Determination Issued on: July 7, 2023

Response Received: July 20, 2023

Purpose

New York City Charter (City Charter) Chapter 36 empowers the EEPC to audit and evaluate the employment programs, practices, and procedures of City agencies and their efforts to ensure fair and effective equal employment opportunity (EEO) for women and minority employees and applicants. To that end, City Charter Chapter 36 requires the EEPC to conduct audits of City agencies, entities, and offices of elected officials at least once every (4) years to ensure that their employment program is properly structured, efficiently administered, and in compliance with federal, state, and city equal employment opportunity requirements. To the extent that it does not, the EEPC is authorized to make a determination that the agency's employment plan, program, or procedure does not provide equal opportunity; require appropriate corrective action as needed; and monitor the implementation of the prescribed corrective action.

City Charter Chapter 36 also requires that (1) the EEPC assign a compliance monitoring period to monitor the Department of Sanitation's efforts to eliminate areas of non-compliance, if any; and (2) the Department of Sanitation respond in thirty (30) days and submit updates each month during its compliance monitoring period on the progress of its efforts to correct remaining areas of non-compliance.

This is the EEPC's Final Determination regarding the audit, review, and evaluation of the Department of Sanitation's Employment Practices with a Focus on Underutilization. Its purpose is to identify corrective action(s) that were modified or eliminated based on verified information submitted as part of the optional response to the Preliminary Determination and identify remaining corrective action(s) that require further monitoring to ensure implementation.

Next Steps

Mandatory Final Determination Response

Within thirty (30) calendar days of the issuance of this Final Determination, the Department of Sanitation is required to submit a written response to the EEPC's findings. This mandatory response must be signed by the agency head, addressed to the EEPC's Executive Director, and uploaded to the EEPC's compliance monitoring system, TeamCentral.

Compliance Monitoring Period

The assigned compliance monitoring period is: September 1, 2023 to December 31, 2023. Correcting all areas of non-compliance without delay is highly encouraged and will serve to shorten this period.

The ***Monitoring Required*** section below sets forth the assigned corrective actions that the EEPC will monitor for implementation.

If No Corrective Actions Remain:

The Department of Sanitation must submit a mandatory Final Determination Response acknowledging the EEPC's findings. Upon the EEPC's receipt of this acknowledgement, the Department of Sanitation will be exempt from a compliance monitoring period.

If Corrective Actions Remain:

The signed mandatory Final Determination Response (referenced above) should indicate, for each remaining corrective action, (1) the date by which the Department of Sanitation intends to implement it, and (2) what steps the Department of Sanitation has taken, or will take, to correct it during the designated compliance monitoring period.

The Department of Sanitation will be monitored until all identified areas of non-compliance have been sufficiently corrected. During the assigned compliance monitoring period, the agency is required to submit updates during the first week of each month, or more frequently if possible, on its progress toward implementation of each corrective action. These required updates, and documentation to support the implementation of each corrective action, must be uploaded to TeamCentral, the EEPC's electronic compliance monitoring system. Instruction on how to access and navigate TeamCentral is attached.

Upon the implementation of all assigned corrective actions, the EEPC will issue a *Determination of Compliance* at its next scheduled meeting.

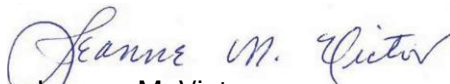
Determinations of Non-Compliance or Partial-Compliance

If Department of Sanitation is unable to rectify all areas of non-compliance in its EEO program within the assigned compliance monitoring period, its Agency Head may be required to appear before the EEPC Board during its next public meeting to explain why the Department of Sanitation was unable to fully implement all assigned corrective actions. The EEPC may also issue a *Determination of Non-Compliance* or *Determination of Partial-Compliance* and add the Department of Sanitation to the next year's audit plan for a follow-up audit.

Conclusion

This is the EEPC's Final Determination in this audit. Once again, the EEPC thanks you and your staff for your assistance during this audit and looks forward to completing compliance monitoring expeditiously to ensure that your agency's EEO program remains in compliance with all applicable laws, regulations, and best practices.

Sincerely,



Jeanne M. Victor
Executive Director

c: Ryan David, Principal EEO Professional, DSNY
Julie Cascino, Deputy Principal EEO Professional, DSNY
Menelik Allsop, Manager, EEO Analysis and Audit Unit, EEPC
Sam Zaccack, EEO Program Analyst, EEPC

Enclosed: TeamCentral Agency Manual

FINAL DETERMINATION

After reviewing the optional response¹ (if applicable) to the EEPC's Preliminary Determination, our Final Determination is as follows:

Agree

Regarding your responses to the following EEPC required corrective actions, we Agree based on documentation that is attached to your response.

Corrective Action #2: Ensure the Principal EEO Professional is trained regarding the prevention, investigation, and resolution of discrimination complaints.

Agency Response: *"DSNY's Principal EEO Professional, [Name], attends regular EEO training, including quarterly EEO Best Practices meetings hosted by the office of Citywide Equity and Inclusion at DCAS. These trainings cover a wide range of pertinent topics, including the prevention, investigation, and resolution of discrimination complaints. On January 19, 2023, Principal EEO Professional [Name] completed the "EEO Essentials - The Complaint and Investigative Process" training, which covered city, state, federal EEO laws; the requirements of the entity's EEO Policies, standards, and procedures; and the prevention, investigation, and resolution of discrimination complaints. A copy of the emailed certificate sent to Principal EEO Professional [Name] upon completion of the training is attached to this response. (See "[Name] - EEO Essentials Certificate - 01.19.2023")." The entity provided an email, dated January 19, 2023, from the Department of Citywide Administrative Services (DCAS) confirming that the principal EEO Professional completed DCAS' EEO Essentials training, which covered the prevention, investigation, and resolution of discrimination complaints.*

EEPC Response: The EEPC accepts the entity's response and submitted documentation to demonstrate that the principal EEO Professional was trained regarding the prevention, investigation, and resolution of discrimination complaints. Corrective Action #2 has been implemented.

Corrective Action #6: Use and maintain an applicant/candidate log or tracking system that tracks the application-to-hiring lifecycle, which includes disability status and veteran status.

Agency Response: *"DSNY collects applicants' veteran status and disability status through e-Hire. On April 5, 2023, Principal EEO Professional [Name] was granted access to the NYCAPS report, which includes demographic data, including disability status and veteran status, for all DSNY applicants. Please find attached (1) a page from the Applicant/Interview Log by Job, which includes all of the requested information, including veteran status and disability status; and (2) a copy of the document provided to Principal EEO Professional [Name] explaining how to access and view the Applicant/Interview Log by Job report (See "Applicant-Interview Log by Job Snapshot" and "NYCAPS LRS Reports Sign-in Quick Guide")." The entity provided a screenshot, dated from August 2022 and September 2022, of the NYCAPS eHire system, which included fields to track disability status and veteran status.*

EEPC Response: The EEPC accepts the entity's response and submitted documentation to demonstrate that the entity used and maintained an applicant/candidate log or tracking system that tracked the application-

¹ Excerpts are italicized.

to-hiring lifecycle, which included disability status and veteran status. Corrective Action #6 has been implemented.

Monitoring Required

The agency's implementation of the following required corrective actions will be monitored during the assigned compliance monitoring period.

Corrective Action #1: Implement an EEO training plan for new and existing employees, which includes all legally required training, to ensure that all individuals who work within the entity, including managers and supervisors, receive all mandatory training, as set forth in the plan; specifically biennial LGBTQ training.

Agency Response: *"DSNY maintains a longstanding commitment to ensuring equal opportunity for all employees and applicants for employment. As an integral part of this commitment, DSNY conducts periodic EEO training for its employees to prevent unlawful discrimination in the workplace and promote a diverse and inclusive work environment."*

During the Audit Period, DSNY employees completed over 45,000 EEO training courses. Recognizing that DSNY went above and beyond to meet the agency's Sexual Harassment Prevention compliance goals for the calendar year 2020, the Department of Citywide Administrative Services ("DCAS") awarded DSNY the citywide D&I/EEO Training Compliance Award in 2021. DSNY also had over 99% compliance with Sexual Harassment Prevention and Diversity & Inclusion Training in Calendar Years 2022 and 2023, respectively.

The current compliance period for the biennial LGBTQ training runs from April 1, 2022, to March 31, 2024. DSNY has a plan in place to ensure that all 2,500 Department employees with access to a computer will complete the training in a timely manner before the end of the compliance period. However, at this time, DCAS permits City employees to take the LGBTQ training course only as a Computer-Based Training ("CBT") or through in-person training held at DCAS. Unlike with other training courses, there is no option for DSNY to provide alternate instructor led training ("AIL T"). Over 7,500 DSNY employees are members of the Department's uniformed workforce, are assigned to garages throughout the five boroughs, and do not have access to a DSNY computer, which is required to take the CBT course. Due to the fundamental nature of the Department's operation as a field operation and DCAS's limited training schedule, it is also not possible for DSNY to send these 7,500 employees to an in-person training class held outside of the agency.

Nonetheless, DSNY has a plan to ensure that the LGBTQ training is provided to all employees, including the Department's 7,500 uniform employees. DSNY intends to provide the training to these employees through AILT, which DSNY has successfully deployed for other trainings. For example, before Calendar Year 2022, the Diversity & Inclusion training was offered only as an online CBT or in person at DCAS. At DSNY's request, DCAS developed a 'Train the Trainer' course, which enabled DSNY employees to become certified as training instructors. DSNY was then able to provide the Diversity & Inclusion training to uniform employees using the AILT format. DSNY ultimately trained more than 99% of its workforce during the most recent training period, which ended in March 2023. DSNY has already requested that DCAS provide a "Train the Trainer" course for the LGBTQ training, which will enable DSNY employees to become certified to provide the training via the AILT format. Once DSNY is approved to provide the training in the AILT format, DSNY will ensure that all Department employees are trained before the end of the compliance period in March 2024."

EEPC Response: The EEPC accepts the entity's response and recognizes its commitment to the implementation of Corrective Action #1. To demonstrate compliance, provide documentation that new and

existing employees completed all legally required training (biennial LGBTQ training). Documentation that verifies implementation will be reviewed during the compliance monitoring period.

Corrective Action #3: Appoint EEO professionals who are trained in EEO laws and procedures, and their responsibilities under the EEO Policy.

Agency Response: “DSNY provides specialized training to all of its EEO professionals to ensure that they are trained in EEO laws and procedures and their responsibilities under the EEO Policy. DSNY's 153 Superintendents serve as EEO Liaisons at DSNY locations located throughout the five boroughs. DSNY provides specialized instructor led EEO training to all newly promoted Superintendents, which covers, among other relevant topics, EEO laws and procedures, and their responsibilities as EEO Liaisons under the EEO Policy. Please find attached a copy of a training PowerPoint that is used as part of this instructor led training See "DSNY EEO Liaison Training PowerPoint"). During training, all newly promoted Superintendents are also provided with copies of the DSNY policies governing Equal Opportunity Complaints (Policy and Procedure 2022-04) and Reasonable Accommodations (Policy and Procedure 2022-05). All DSNY Superintendents also complete online EEO training every two years as required by the City's EEO Policy.

Beginning in Calendar Year 2023, DSNY will ensure that all current Superintendents receive specialized EEO training annually to ensure that they remain prepared to effectively carry out their duties as EEO Liaisons. DSNY will collect proof of attendance at these trainings. DSNY is also developing a referral form that the Department's EEO Liaisons will use to refer any EEO issues or concerns to DSNY's EEO Office, the Office of Equity, Diversity & Inclusion ("OEDI"). During annual training, copies and links to the referral form will be distributed to all EEO Liaisons.” The entity provided a presentation labeled, *Equal Employment Opportunity In The Workplace*, referred to as the “DSNY EEO Liaison Training PowerPoint” which included information on EEO, Sexual Harassment, and Reasonable Accommodations.

EEPC Response: The EEPC accepts the entity's response and recognizes its commitment to the implementation of Corrective Action #3. To demonstrate full compliance, provide documentation that all EEO professionals are trained in EEO laws and procedures, and their responsibilities under the EEO Policy. Documentation that verifies implementation will be reviewed during the compliance monitoring period.

Corrective Action #4: Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained on the use of uniform, job-related techniques (such as training on structured interviewing) and trained to consider EEO laws/policies (such as training on unconscious bias, diversity and inclusion, etc.) to identify, interview, and select the most capable candidates.

Agency Response: “As noted in DSNY's response to Corrective Action #1, all DSNY employees are regularly trained on EEO laws and policies, including unconscious bias, and diversity and inclusion. To ensure that all hiring managers are specially trained regarding equal employment opportunity in the hiring process, DSNY's EEO Office, OEDI, will identify all hiring managers within the Department. OEDI will then require that all of these hiring managers attend a scheduled Structured Interviewing course led by DCAS on either September 7 or September 27, 2023, which will address job-related techniques and other relevant EEO topics, such as unconscious bias. A copy of the training schedule DCAS Citywide Training Center Schedule is attached showing these upcoming training dates (See "Structured Interviewing Training Schedule - Fall 2023"). OEDI will also ensure that all hiring managers, including newly appointed hiring managers, attend Structured Interview training on a biennial basis.” The entity provided a screenshot of DCAS' Summer 2023 DCAS Citywide Training Center Schedule, which included the scheduled dates that DCAS' Structured Interviewing and Unconscious Bias and Structured Interviewing: Utilizing Follow-Up and Probing Questions trainings will be offered.

EEPC Response: The EEPC accepts the entity's response and recognizes the entity's commitment to the implementation of Corrective Action #4. To demonstrate full compliance, provide documentation that all personnel involved in recruiting and hiring completed training on the use of uniform, job-related techniques to identify, interview, and select the most capable candidates (e.g., structured interviewing and unconscious bias training). Documentation that verifies implementation will be reviewed during the compliance monitoring period.

Corrective Action #5: Ensure that the Principal EEO Professional, Principal Human Resources professional (or designee), and Agency Head review the entity's employment practices and policies to identify whether there are barriers to equal employment opportunities and determine what, if any, actions are required to correct deficiencies (e.g., underutilization or adverse impact). Document the data reviewed, barriers identified (if any), and the entity's strategy to address each barrier.

Agency Response: *"DSNY values diversity at all levels of its workforce, from entry level to senior management, between civilian and uniformed employees, and among races, nationalities, genders, and beliefs. DSNY will take action to correct deficiencies in underutilization. DSNY's Principal EEO professional, Principal HR professional, and Agency Head will hold a bi-annual meeting dedicated solely to identifying barriers to equal employment opportunities and implementing corrective action where deficiencies are noted. At these bi-annual meetings, the participants will also review the progress made to correct deficiencies identified in prior periods and discuss strategies for continued improvement in the next period. DSNY's Principal EEO Professional will document the data reviewed, the barriers identified, and DSNY's strategy to address each barrier."*

EEPC Response: The EEPC recognizes the entity's commitment to the implementation of Corrective Action #5. To demonstrate compliance, provide documentation that the Principal EEO Professional, Principal Human Resources professional (or designee), and Agency Head reviewed the entity's employment practices and policies to identify whether there are barriers to equal employment opportunities and determine what, if any, actions are required to correct deficiencies. Documentation that verifies implementation will be reviewed during the compliance monitoring period.

The EEPC thanks you and your staff for your continued cooperation.