



Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
Arva R. Rice
Commissioners

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Deputy Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 615. 8931 fax

BY MAIL AND EMAIL

May 3, 2017

Ellen Hoffman
President
Office of Administrative Tax Appeals
1 Centre Street, Suite 2400
New York, NY 10007

Re: Preliminary Determination for Audit: Review, Evaluation and Monitoring of the Office of Administrative Tax Appeals' Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Dear President Hoffman:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPCC), thank you and your agency for the cooperation extended to our staff during the course of this audit. This letter contains the Commission's findings and preliminary determinations pursuant to our audit and analysis of your agency's Employment Practices and Procedures for the period covering July 1, 2014 to December 31, 2016.

The New York City Charter, Chapter 36, Section 831(d)(5) of the New York City Charter empowers this Commission to audit and evaluate the employment practices and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for women and minority employees and applicants seeking employment. Sections 831(d)(2) and 832(c) authorize this Commission to make a determination that any agency's plan, program, procedure, approach, measure or standard does not provide equal employment opportunity, require appropriate corrective action and monitor the implementation of the corrective action it prescribes.

The Office of Administrative Tax Appeals, which may herein be referred to as "the agency," falls within the Commission's purview under Chapter 36, Section 831(a) of the New York City Charter, which delineates city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau, corporation, authority, or other agency of government where the majority of the board members of such agency are appointed by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury..."



The purpose of this audit and analysis is to evaluate the agency's Employment Practices and Procedures, not to issue findings of discrimination pursuant to the New York City Human Rights Law. This Commission has adopted *Uniform Standards for EEPD Audits*¹ and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. These standards are founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; the New York City Human Rights Law (NYC Administrative Code §§8-107(1)(a) and (d), 8-107.13, and 8-107.1); the New York State Civil Service Law §55-a; the Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7); the Americans with Disabilities Act and its Accessibility Guidelines; and the equal employment opportunity requirements of the New York City Charter. Prescribed corrective actions are consistent with the aforementioned parameters.

Since this Commission is empowered to review and recommend actions which each agency should consider including in its annual plan of measures and programs to provide equal employment opportunity (Annual EEO Plan), the audited agency should incorporate required corrective actions in its current EEO Program and prospective Annual EEO Plans.

Scope and Methodology

This Commission's audit methodology includes collection and analysis of the documents, records and data the agency provides in response to the *EEPC Document and Information Request Form*; responses to the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, review of the agency's *Annual EEO Plans* and *Quarterly EEO Reports* and analysis of workforce and utilization data from the *Citywide Equal Employment Database System* (CEEDS).

This Commission reviews the workforce statistics and utilization analysis information available via CEEDS to understand the concentrations of race and gender groups within an agency's workforce. (CEEDS may be unavailable for certain non-mayoral agencies. In such cases, the EEPD requests that the agency submit similar statistics and analysis.) EEO Program Analysts examine imbalances between the number of employees in a particular job category and the number that would reasonably be expected when compared to their availability in the relevant labor market. Personnel transactions are reviewed in order to ascertain the agency's employment practices. Where underutilization is revealed within an agency's workforce, EEO Program Analysts assess whether the agency has undertaken reasonable measures to address it.

EEO professionals (including, but not limited to, past or current EEO Officers, Deputy or Co-EEO Officers, EEO Counselors, EEO Trainers, EEO Investigators, Disability Rights Coordinators, Career Counselors, 55-a Program Coordinators) and others involved in EEO program administration such as the Principal Human Resources Professional are given a two-week deadline to complete and return their individual questionnaires. The Commission's EEO Program Analysts also conduct

¹ Corresponding audit/analysis standards are numbered throughout the document.



additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

Description of the Agency

The Office of Administrative Tax Appeals is an agency established by the New York City Charter, Section 150, comprising the New York City Tax Appeals Tribunal and the New York City Tax Commission. The President of the Tax Appeals Tribunal and Tax Commission, is also the Director of the Office of Administrative Tax Appeals, the umbrella agency comprising the Tax Commission and Tax Appeals Tribunal. New York City Tax Appeals Tribunal hears and decides cases involving protests from notices issued by the Commissioner of Finance (which give the right to petition for a hearing), involving NYC-administered taxes and charges other than real property tax. The Tax Commission's core responsibilities include reviewing and analyzing, conducting hearings, rendering determinations, ordering remedial action where appropriate, and issuing written notifications of outcome in connection with annual applications for correction of real property tax assessments. (Source <http://a856-gbol.nyc.gov/GBOLWebsite/GreenBook/Details?orgId=3093>)

The agency's total workforce, at the end of the audit period, was 55. A summary of the agency's workforce data is included as **Appendix 2**.

PRELIMINARY DETERMINATIONS AFTER AUDIT AND ANALYSIS

Following are the corresponding audit standards for each subject area along with the EEPC's findings and required corrective actions, where appropriate:

I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES:

Determination: The agency is in compliance with the standards for this subject area.

1. Issue a general EEO Policy statement or memo reiterating commitment to EEO, declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information of EEO professionals, and attaching, or providing employees pertinent electronic links to, an EEO Policy/Handbook.
- ✓ On October 27, 2015, the President issued an EEO policy statement, which was distributed via email to employees. The EEO policy statement reiterated "*Office of Administrative Tax Appeals [OATA] is committed to preventing illegal discrimination by ensuring that all employees are aware of their rights and obligations under the EEO Policy, by maintaining fair employment practices for all of our employees, and by encouraging a work environment that tolerates and appreciates differences among employees.*" The EEO Policy statement included the names and contact information of the agency's EEO Professionals. (See § I. 2 for the EEO Policy/Handbook distribution.)
2. Distribute/Post a paper or electronic copy of the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies* – or an agency EEO Policy that conforms to city, state and federal laws – for use by managers, supervisors, and legal, human resources and EEO professionals. Include, or attach as addenda: a policy against sexual

harassment; uniform and responsive procedures for investigating discrimination complaints and providing reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the agency's EEO professionals, as well as federal, state and local agencies that enforce laws against discrimination.

- ✓ The agency adhered to the Citywide EEO Policy *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies*, which included sections on sexual harassment, requests for reasonable accommodations, and discrimination complaint investigations; as well as links to the City's *Reasonable Accommodation Procedural Guidelines* and *EEO Compliant Procedural Guidelines*, and contact information for federal, state and local agencies that enforce laws against discrimination. The *Addendum to the EEO Policy 2016*, included an up-to-date list of protected classes under NYC and NYS Human Rights Laws: "*The City of New York is an equal opportunity employer and prohibits discriminatory employment actions against and treatment of City employees and applicants for employment based on actual or perceived race, color, national origin, alienage or citizenship status, religion or creed, gender (including "gender identity" – which refers to a person's actual or perceived sex, and includes self-image, appearance, behavior or expression, whether or not different from that traditionally associated with the legal sex assigned to the person at birth), disability, age (18 and over), military status, prior record of arrest or conviction, marital status, partnership status, caregiver status, genetic information or predisposing genetic characteristic, sexual orientation, status as a victim or witness of domestic violence, sex offenses or stalking, and unemployment status, and consumer credit history.*" The agency distributed to employees in the new hire package the Citywide EEO Policy, as well as the *Addendum to the EEO Policy 2016*, and the *EEO Policy Handbook About EEO: What You May Not Know*. The names and contact information for the EEO professionals were included in the EEO policy statement (see § I.I for agency's EEO policy statement).

II. EEO TRAINING FOR AGENCY:

Determination: The agency is in partial compliance with the standards for this subject area.

3. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
- ✓ The agency ensured employees received EEO training. During February and April 2016, thirty-seven (37) full time employees (67% of workforce) completed *Everybody Matters* training conducted by the Department of Citywide Administrative Services' (DCAS).
 - The agency reported that employees who did not receive training were all part time employees (three (3) part time Commissioners, two (2) Agency attorneys, one (1) Assessor, one (1) clerical) and eleven (11) part time college aides). The agency did not demonstrate that all individuals who work within the agency were trained on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities;

discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures. Corrective Action Required.

Corrective Action #1: Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.

III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion):

Determination: The agency is in partial compliance with the standards for this subject area.

4. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
- ✓ The CEEDS Report – *Work Force Compared with Internal and External Pools* for the period in review indicated no underutilization of any protected group. The most recent data (3rd quarter fiscal year 2017) indicated the same. Therefore, no further analysis was conducted in this area.
5. The principal EEO Professional, HR Professional, and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
- ✓ The agency reported the principal EEO Professional, HR Professional, and General Counsel met on an as needed basis to review the CEEDS workforce composition, utilization, new hires and promotions reports. Additionally, the agency also reported that no EEO complaints were filed during the audit period.
- The agency did not provide documentation that the principal EEO Professional, HR Professional, and General Counsel, reviewed the agency's statistical information, or that employment practices were reviewed annually, to determine what, if any, corrective actions are required to correct deficiencies. Corrective action is required.

Corrective Action #2: Ensure that the principal EEO Professional, HR Professional and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity



within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

6. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.
- ✓ The CEEDS Report – *Work Force Compared with Internal and External Pools* for the period in review indicated no underutilization of any protected group. The most recent data (3rd quarter fiscal year 2017) indicated the same. Therefore, no further analysis was conducted in this area.
7. If women, minorities, or other protected groups are underrepresented in titles where there is *discretion in hiring*, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
- ✓ The CEEDS Report – *Work Force Compared with Internal and External Pools* for the period in review indicated no underutilization of any protected group. The most recent data (3rd quarter fiscal year 2017) indicated the same. Therefore, no further analysis was conducted in this area.
8. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
- ✓ The CEEDS Report – *Work Force Compared with Internal and External Pools* for the period in review indicated no underutilization of any protected group. The most recent data (3rd quarter 2017) indicated the same. Therefore, no further analysis was conducted in this area.
9. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

- The agency did not demonstrate that personnel involved in recruiting and hiring were trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates. Corrective Action Required.

Corrective Action #3: Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

10. Promote employees' awareness of opportunities for advancement and transfer within the agency by: administering incentive programs; publicizing promotions, including promotions into, or changes in, the managerial ranks; and/or using other methods to communicate internal opportunities.

- The agency did not demonstrate that it administered incentive programs; publicized promotions into, or changes in, the managerial ranks; and/or used other methods to communicate internal opportunities for advancement and transfer.

Corrective Action #4: Promote employees' awareness of opportunities for advancement and transfer within the agency by: administering incentive programs; publicizing promotions, including promotions into, or changes in, the managerial ranks; and/or using other methods to communicate internal opportunities.

11. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: providing and encouraging training, development or mentorship programs to improve their performance and skills; establishing internal talent pools via cross-training, cross divisional assignments, job transfers, and/or job rotation; and identifying internal successors with applicable knowledge/skills/abilities.

- The agency did not demonstrate that employees were considered internally for career enhancement, development opportunities and transfer. The agency did not demonstrate that it provided or encouraged training, cross-divisional assignments, transfer or other programs designed to improve employee performance and skills, or identifying internal successors with applicable knowledge/skills/abilities.

Corrective Action #5: Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: providing and encouraging training, development or mentorship programs to improve their performance and skills; establishing internal talent pools via cross-training, cross divisional assignments, job transfers, and/or job rotation; and identifying internal successors with applicable knowledge/skills/abilities.

12. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.

- ✓ During the period in review, the agency advertised several vacant positions including: *Principal Administrative Associate, Director of Appraisal Hearings, Administrative Law Judge (2), and*

Secretary. Each job vacancy notice included the EEO tag line: *"The City of New York is an Equal Opportunity Employer."*

13. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position, applicants'/candidates' names, identification number, ethnicity, gender, disability or veteran status, interview date, interviewers' names, result, reason selected/not selected (or disposition) of each applicant, and recruitment source*. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.
- ✓ During the period in review the agency used NYCAPS eHire, which captured the *position, applicants/ candidates' names, identification number, ethnicity, gender, disability status, veteran status, and recruitment source* of each applicant. Additionally, the agency reported it utilized the *Department of Citywide Administrative Services Applicant Log*, which captured *Division/ Unit, JVN #, Civil Service Title, Office Title, Interviewed By, and Applicant Name, observed Ethnicity, Gender, Disability Status, Veteran Status, Interview Date, Result (Selected Y/N), Reason Selected/Not Selected, and Recruitment Source*.

NOTE: Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual not on the interview panel.

IV. CAREER COUNSELING:

Determination: The agency is in partial compliance with the standards for this subject area.

14. Designate a professional (may be referred to as the Career Counselor) with appropriate training, knowledge and familiarity with career opportunities in City government to provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
- ✓ The agency designated the principal EEO Professional as the Career Counselor. Employees were informed via the EEO Policy Statement of the name and type of guidance available from the Career Counselor *"who is familiar with employment opportunities, [...], and will provide career counseling to employees who request it."* The Career Counselor completed the *APO EEO Master Class Training* (October 19, 2004); *HR & EEO: A Team Approach to Hiring and Separation* (August 07, 2009); and *Layoffs/Termination and Adverse Impact Analyses* (January 20, 2011). (For additional training see § VI. 17.)
15. The Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; ensures that all new employees are advised of the EEO policies, their rights and responsibilities under such policies and the discrimination complaint procedures; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.

- ✓ The Human Resources Professional was responsible for providing new employees with copies of the EEO policy, during new hire orientation. The principal EEO Professional was responsible for providing employees with training opportunities. The agency reported that the Human Resources Professional and the principal EEO Professional sit in close proximity, therefore meetings are impromptu and frequent. There were no violation of the EEO Policy and no 55-a participation to report.
- The agency did not ensure that all employees had access to information regarding job responsibilities, performance evaluation standards, examinations, and job postings.
Corrective action required

Corrective Action #6: Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, and job postings.

**V. EEO AND REASONABLE ACCOMMODATIONS FOR EMPLOYEES/
APPLICANTS FOR EMPLOYMENT WITH DISABILITIES:**

Determination: The agency is in compliance with the standards for this subject area.

16. Ensure that information regarding employee rights and obligations, and the complaint, investigation and reasonable accommodation procedures is made available in appropriate alternative formats (i.e., large print, audio and/or Braille) upon request to employees and applicants for employment with disabilities.
- ✓ The agency's *Reasonable Accommodation Policy and Procedure* required that materials in alternate formats, including Braille, audio or enlarged print, be made available to employees and applications for employment with disabilities upon request. The agency reported no requests for agency policies and procedures in alternative format, during the period in review.
17. Document reasonable accommodation requests and their outcomes.
- ✓ The principal EEO Professional was designated to process reasonable accommodation requests and their outcomes, using the *Reasonable Accommodation* form. During the period in review, the agency reported no requests for reasonable accommodation.

VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:

Determination: The agency is in partial compliance with the standards for this subject area.

18. Appoint a principal EEO Professional to implement EEO policies and standards within the agency. The principal EEO Professional is trained and knowledgeable regarding city, state, and federal EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.
- ✓ The agency designated the *Director of Operations* as the agency's principal EEO Professional. The principal EEO Professional completed the following training: *Department of Citywide Administration Services (DCAS) Basic Training for EEO Professionals* (May 31, 2001); *EEO Policy Implementation Briefing* (October 06, 2005); *EEO Computer Based Training* (June 27,

2006); and *Cyber Harassment in the Workplace* (May 09, 2012). On October 27, 2015, the agency advised employees of the name and contact information of the principal EEO Professional via the agency's EEO Policy statement.

NOTE: The principal EEO Professional should attend training on current EEO laws and procedures.

19. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

✓ In addition to the principal EEO professional, the agency reported that it also appointed two EEO Counselors to conduct complaint intake and investigations. One EEO Counselor completed *Effective Complaint Investigation and How to Handle Challenging Situations* in May 2012; *Conflict Resolution* in November 2012; *Diversity and Equal Employment Opportunity Basic Training* in May 2012; *Everybody Matters* in February 2016; and *Workplace Realities: Responding to People with Disabilities* in May 2016, conducted by Department of Citywide Administration Services (DCAS). The other EEO Counselor completed *Understanding Unconscious Bias* training on October 2015, and *Everybody Matters* training on April 2016.

➤ One appointed EEO Counselor did not have training in EEO procedures, investigation and resolution of discrimination complaints. Corrective Action Required.

Corrective Action #7: Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy by promptly attending training for EEO professionals by DCAS or another appropriate agency/school. Obtain a certificate of completion.

20. The principal EEO Professional reports directly to the agency head (or an approved direct report other than the General Counsel) in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities.

✓ During the audit period, in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities, the agency's principal EEO professional reported directly to the agency head. This reporting relationship was reflected in the agency's organizational chart.

21. To ensure the integrity and continuity of the EEO Program, maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

➤ The agency did not maintain documentation of communication between the principal EEO professional and the agency head regarding decisions that impact the administration and operation of the EEO program. Corrective action required.

Corrective Action #8: Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION – SUPERVISORS/MANAGERS:

Determination: The agency is in partial compliance with the standards for this subject area.

22. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.

- The agency did not establish or administer an annual managerial or non-managerial performance evaluation program. Corrective action is required.

Corrective Action #9: Establish and implement an annual managerial/non-managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

23. The managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

- The agency did not conduct managerial performance evaluations and did not rate managers on EEO responsibilities. Corrective Action Required.

Corrective Action #10: Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

VIII. REPORTING STANDARD FOR AGENCY HEAD:

Determination: The agency is in compliance with the standards for this subject area.

24. Submit to the EEOC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports² (up to 30 days following each quarter) on efforts to implement the plan.

- ✓ The agency submitted Diversity and EEO Plans for fiscal years 2014, 2015, and 2016, as well as quarterly reports on efforts to implement those plans.

²Submission of *Quarterly Reports on EEO Activity* is optional for non-Mayoral agencies.



After implementation of the EEPC's corrective actions, if any:

1. The agency head distributes a memorandum informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

Final Action: Distribute a memorandum signed by the agency head informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

Conclusion

The agency has 10 required corrective action(s) at this time.

Pursuant to Chapter 36 of the New York City Charter, your agency has the *option* to respond to this *preliminary determination*, but must respond to our Final Determination if corrective action is required.

Optional Response to preliminary determination: If submitted, your optional response should indicate, with attached documentation, what steps your agency has taken or will take to implement the prescribed corrective actions, and must be received in our office within 14 days from the date of this letter. No extensions will be granted for the *option* to respond to the *preliminary determination*.

(Optional Conference) During the Optional Conference, we will discuss the immediate steps your agency should take and address questions regarding your agency's implementation of the prescribed corrective action(s).

(No Response Option) If your agency does not respond to this preliminary determination within 14 days, it will become the EEPC's Final Determination.

Mandatory Response to Final Determination: Following this preliminary determination, the EEPC will issue a Final Determination where we may modify or eliminate the corrective actions based on verified information; identify remaining action which requires further monitoring in order to ensure implementation; and assign a mandatory compliance-monitoring period of up to 6 months for this purpose. Pursuant to Chapter 36 of the New York City Charter your agency must respond to our Final Determination within 30 days. Your response to the Final Determination will initiate the compliance monitoring period.



In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,

A blue ink signature of Elona Shehu, written in a cursive style, positioned above a horizontal line.
Elona Shehu, EEO Program Analyst

Approved by,

A blue ink signature of Judith Garcia Quiñonez, written in a cursive style, positioned above a horizontal line.
Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/ Deputy Director

c: Myrna Hall, Principal EEO Professional

Appendix - 1

NYC Office of the Administrative Tax Appeals
EEO Job Group Descriptions

**DESCRIPTION OF
CITYWIDE EQUAL EMPLOYMENT OPPORTUNITY DATABASE SYSTEM (CEEDS)
JOB GROUP CATEGORIES**

001 Administrators: Occupations in which employees set broad policies and exercise overall responsibility for the execution of these policies. This category includes: elected officials, commissioners, executive directors, deputy commissioners, chairpersons, general counsels, controllers, chiefs of department, inspector generals and kindred workers.

002 Managers: Occupations in which employees direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. This category includes: assistant commissioners, deputy directors, assistant directors, project managers, special assistants, superintendents, deputy counsels and kindred workers.

003 Management Specialists: Occupations which require specialized and theoretical knowledge of management, finance or personnel, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: accountants, underwriters, financial analysts, personnel analysts, staff analysts, program analysts, buyers, purchasing specialists, inspectors, research analysts, program officers, project coordinators and kindred workers.

004 Science Professionals: Occupations which require specialized and theoretical knowledge of various scientific or mathematical fields, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: architects, engineers (chemical, nuclear, civil, electrical, industrial, mechanical, marine), computer specialists, telecommunications specialists, actuaries, statisticians, physicists, chemists, geologists, biologists, foresters and kindred workers.

005 Health Professionals: Occupations which require specialized and theoretical knowledge of the medical or health fields, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: physicians, dentists, veterinarians, optometrists, podiatrists, registered nurses, pharmacists, dieticians, occupational therapists, physical therapists, speech therapists, physician's assistants and kindred workers.

006 Social Scientists: Occupations which require specialized and theoretical knowledge of the social sciences, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: librarians, archivists, economists, psychologists, sociologists, urban planners and kindred workers.

007 Social Workers: Occupations which require specialized and theoretical knowledge of social work, youth and family counseling, addiction treatment and casework, which is usually acquired through college or training or through work experience and other training which provides comparable knowledge. This category includes: caseworkers, probation officers, correctional counselors, juvenile counselors, addiction treatment counselors, eligibility specialists, human rights specialists, community liaison workers, clergy and kindred workers.

008 Lawyers: Occupations which require specialized and theoretical knowledge of the law and the judicial process, which is usually acquired through college training. This category includes: attorneys, assistant district attorneys, counsels, assistant counsels, deputy counsels, law judges, and kindred workers.

009 Public Relations: Occupations which require special knowledge or skills in public relations, journalism, modern language or the fine arts, which are usually acquired through college training, specialized post-secondary school education, or work experience or training which provides comparable knowledge. This category includes: technical writers, graphic designers, musicians, actors, directors, announcers, painters, illustrators, photographers, artists, editors, press officers, public relations specialists, public relations advisors, interpreters, customer service specialists and kindred workers.

010 Technicians: Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. This category includes: health technicians (clinical laboratory, dental hygienists, health records, radiologic

and licensed practical nurses), electrical and electronic technicians, engineering technicians (electrical, electronic, industrial, and mechanical), drafting occupations, surveying and mapping technicians, science technicians, airline pilots and navigators, air traffic controllers, broadcast equipment operators, computer programmers, legal assistants, investigators, and kindred workers.

011 Sales: Not applicable.

012 Clerical Supervisors: Occupations in which employees are responsible for overseeing and supervising the duties of clerical staff. This category includes: chief clerks, supervising clerks, principal administrative associates, supervising cashiers, telegraph superintendents, supervising stenographers and kindred workers.

013 Clerical: Occupations in which employees are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. This category includes: cashiers, computer operators, word processors, secretaries, stenographers, typists, ticket agents, receptionists, clerks (information, personnel, file, library, records), bookkeepers, office machine operators, telephone operators, messengers, dispatchers, stock clerks, meter readers, office aides, general office clerks, bank tellers and kindred workers.

014 Household Services: Not applicable.

015 Police Supervisors: Occupations in which uniformed employees with peace officers status set broad policies in the area of public safety and security, exercise overall responsibility for execution of policies, direct individual units or special phases of the agency's operations, or supervise on a regional, district or area basis. This category includes: sergeants, captains, lieutenants, inspectors, captains (correction), wardens and kindred workers.

016 Fire Supervisors: Occupations in which uniformed employees set broad policies in the area of public safety and protection; exercise overall responsibility for execution of policies; direct individual units or special phases of the agency's operations; or supervise on a regional, district or area basis. This category includes: lieutenants, captains, battalion chiefs, deputy chiefs, supervising fire marshals, supervising fire prevention inspectors and kindred workers.

017 Firefighters: Occupations in which uniformed employees are entrusted with public safety, security and protection from destructive forces. This category includes: firefighters, marine engineers (uniformed), fire prevention inspectors, fire protection inspectors and kindred workers.

018 Police and Detectives: Occupations in which uniformed employees with peace officer status are entrusted with public safety, security and protection. This category includes: police officer, detectives, correction officers, bridge and tunnel officers, sheriffs, special officers, enforcement agents (traffic, sanitation) and kindred workers.

019 Guards: Occupations in which employees are entrusted with public safety and security. This category includes: school crossing guards, housing guards, watch persons, lifeguards, park rangers, school guards and kindred workers.

020 Food Preparation: Occupations in which employees are responsible for the preparation and distribution of food, or management of food services, in City facilities (e.g. schools, correctional institutions, and concessions). This category includes: cooks, school lunch helpers, school lunch managers, food service managers, commissary managers and kindred workers.

021 Health Services: Occupations in which employees are responsible for assisting health professionals in maintaining and promoting the health, hygiene and safety of the general public. This category includes: dental assistants, dietary aides, public health assistants, nurse's aides, institutional aides, health aides, orderlies, and kindred workers.

022 Building Services: Occupations in which employees perform duties which result in or contribute to the upkeep and care of buildings and facilities. This category includes: custodians, cleaners, caretakers, maintainers, elevator operators and starters, exterminators, pest control aides and kindred workers.

023 Personal Services: Occupations in which employees perform duties which result in or contribute to the comfort or convenience of the general public. This category includes: housekeepers, barbers, attendants, railroad porters, homemakers, matrons and kindred workers.

024 Farming: Occupations in which employees perform duties which result in or contribute to the upkeep and care of agricultural/botanical/zoological facilities or grounds of public property. This category includes: herbarium aides, aquarium technicians, botanical gardening aides, gardeners, groundskeepers, pruners, hostlers, menagerie keepers, horseshoers and kindred workers.

025 Craft: Occupations in which employees perform duties which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work in which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. This category includes: mechanics, equipment repairers, telephone line installers, small instrument repairers, brick masons, carpenters, electricians, plumbers, mining occupations, tool and die makers, sheet metal workers, tailors, butchers, bakers, machine operators, locksmiths, precision handworking occupations and kindred workers.

026 Operators: Occupations in which employees perform duties which require specialized machine skills which are required through on-the-job training and experience or through apprenticeship or other formal training programs. This category includes: printing press operators, high pressure boiler operators, laundry workers and kindred workers.

027 Transportation: Occupations in which employees perform duties which require motor vehicle, bus, train, or other transportation operation skills which are acquired through on-the-job training and experience or through other formal training programs. This category includes: bus drivers, chauffeurs, motor vehicle operators, trainmasters, ferry terminal supervisors and kindred workers.

028 Laborers: Occupations in which employees perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public, or which contribute to the upkeep and care of buildings and facilities. There are no job qualification requirements for titles in this category. This category includes: skilled craft helpers and apprentices, construction laborers, stock handlers, garage and service station related occupations, car cleaners, seasonal park helpers, track workers, assistant highway repairers and kindred workers.

029 Sanitation Workers: Occupations in which employees perform duties which result in or contribute to the cleanliness, hygiene and safety of the public domain. Qualification requirements, which include civil service examinations, exist for titles in this category. This category includes: sanitation workers, debris removers and kindred workers.

030 Teachers: Occupations which require specialized and theoretical knowledge of education and instructional methods, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: teachers, instructors, professors, lecturers, fitness instructors, graduate assistants, fellows, adjunct professors, substitute teachers, trade instructors, education/vocational counselors, education analysts, education officers, institutional instructors and kindred workers.

031 Paraprofessionals: Occupations in which employees perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion. This category includes: administrative assistants, project associates, coordinators, community associates and assistants, community service aides, research associates, welfare service workers, child care workers and kindred workers.

Appendix - 2

NYC Office of the Administrative Tax Appeals
Workforce Composition Summary
2nd Quarter of Fiscal Year 2017
(End of Audit Period)

RUN DATE: 01/04/17
 RUN TIME: 13:22:22.0

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
 CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
 WORK FORCE COMPOSITION SUMMARY
 AGENCY 021 TAX COMMISSION

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QUARTER 2 YEAR 2017

AGENCY CODE : 021 TAX COMMISSION
 EEO JOB GROUP : 001 ADMINISTRATORS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
*1299A	COMMISSIONER (NOT FULL-TIM	2	0	0	0	0	0	1	0	1	0	0	0	0	4
*12993	PRESIDENT	0	0	0	0	0	0	1	0	0	0	0	0	1	
*94492	COMMISSIONER (TAX APPEALS	1	0	0	0	0	0	1	0	0	0	0	0	2	
EEO JOB GROUP TOTAL.....:		3	0	0	0	0	0	3	0	1	0	0	0	7	
		42.85	0.00	0.00	0.00	0.00	0.00	42.86	0.00	14.29	0.00	0.00	0.00	100.00	

AGENCY CODE : 021 TAX COMMISSION
 EEO JOB GROUP : 002 MANAGERS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
10005	ADMINISTRATIVE ASSESSOR	1	0	0	0	0	0	0	0	0	0	0	0	1	
10006	*ADMINISTRATIVE ATTORNEY	0	0	0	0	0	0	1	0	0	0	0	0	1	
10050	COMPUTER SYSTEMS MANAGER	0	0	0	1	0	0	0	0	0	0	0	0	1	
12860	SECRETARY OF THE TAX COMMI	0	0	0	0	0	0	0	0	1	0	0	0	1	
13222	EXECUTIVE ASSISTANT TO THE	0	0	0	0	0	0	1	0	0	0	0	0	1	
95005	EXECUTIVE AGENCY COUNSEL	0	0	0	0	0	0	1	0	0	0	0	0	1	
95333	ASSISTANT COUNSEL (TAX COM	1	0	0	0	0	0	0	0	0	0	0	0	1	
EEO JOB GROUP TOTAL.....:		2	0	0	1	0	0	3	0	1	0	0	0	7	
		28.56	0.00	0.00	14.29	0.00	0.00	42.86	0.00	14.29	0.00	0.00	0.00	100.00	

AGENCY CODE : 021 TAX COMMISSION
 EEO JOB GROUP : 003 MANAGEMENT SPECIALISTS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
1002C	ADMINISTRATIVE MANAGER NON	0	0	0	0	0	0	0	2	0	0	0	0	2	
12627	ASSOCIATE STAFF ANALYST	0	0	1	0	0	0	0	0	0	0	0	0	1	
40202	CITY ASSESSOR	6	1	0	1	0	0	2	1	0	1	0	0	12	
EEO JOB GROUP TOTAL.....:		6	1	1	1	0	0	2	3	0	1	0	0	15	
		39.99	6.67	6.67	6.67	0.00	0.00	13.33	20.00	0.00	6.67	0.00	0.00	100.00	

AGENCY CODE : 021 TAX COMMISSION
 EEO JOB GROUP : 004 SCIENCE PROFESSIONALS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
13631	COMPUTER ASSOCIATE (SOFTWA	0	0	0	2	0	0	0	0	0	1	0	0	3	


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RUN DATE: 01/04/17          NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
RUN TIME: 13:22:22.0        CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
                              WORK FORCE COMPOSITION SUMMARY
                              QUARTER 2 YEAR 2017 AGENCY 021 TAX COMMISSION

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AGENCY 021 TAX COMMISSION

13632 COMPUTER SPECIALIST (SOFTW	0	0	0	0	0	0	0	0	0	1	0	0	0	1
13694 *CERTIFIED DATABASE ADMINI	0	0	0	1	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:	0	0	0	3	0	0	0	0	0	2	0	0	0	5
	0.00	0.00	0.00	60.00	0.00	0.00	0.00	0.00	0.00	40.00	0.00	0.00	0.00	100.00

AGENCY CODE : 021 TAX COMMISSION
EEO JOB GROUP : 008 LAWYERS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP	
		WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN			
30087	AGENCY ATTORNEY	1	0	0	1	0	0	2	0	1	0	0	0	0	0	5
EEO JOB GROUP TOTAL.....:		1	0	0	1	0	0	2	0	1	0	0	0	0	0	5
		20.00	0.00	0.00	20.00	0.00	0.00	40.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 021 TAX COMMISSION
EEO JOB GROUP : 012 CLERICAL SUPERVISORS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPANIC	ASIAN PACIFIC	AM IND ALASKA	UN- KNOWN	WHITE	BLACK	HISPANIC	ASIAN PACIFIC	AM IND ALASKA	UN- KNOWN		
10124	PRINCIPAL ADMINISTRATIVE A	1	1	0	0	0	0	0	1	0	0	0	0	0	3
BEO JOB GROUP TOTAL.....:		1	1	0	0	0	0	0	1	0	0	0	0	0	3
		33.34	33.33	0.00	0.00	0.00	0.00	0.00	33.33	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 021 TAX COMMISSION
EEO JOB GROUP : 013 CLERICAL

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
10251	CLERICAL ASSOCIATE	0	0	0	0	0	0	0	1	0	0	0	0	0	1
10252	SECRETARY	0	0	0	0	0	0	1	0	1	0	0	0	0	2
12882	SECRETARY TO THE PRESIDENT	0	0	0	0	0	0	0	1	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		0	0	0	0	0	0	1	2	1	0	0	0	0	4
		0.00	0.00	0.00	0.00	0.00	0.00	25.00	50.00	25.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 021 TAX COMMISSION
EEO JOB GROUP : 031 PARA PROFESSIONAL OCCUPATIONS

[illegible]

RUN DATE: 01/04/17
RUN TIME: 13:22:22.0

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2017 AGENCY 021 TAX COMMISSION

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EEO JOB GROUP TOTAL.....:	0.01	22.22	0.00	0.00	11.11	11.11	0.00	44.44	11.11	0.00	0.00	0.00	0.00	100.00

AGENCY TOTAL.....:	23.64	7.27	1.82	10.91	1.82	1.82	20.00	18.18	9.09	5.45	0.00	0.00	0.00	100.00



THE CITY OF NEW YORK
OFFICE OF ADMINISTRATIVE TAX APPEALS

2400 Municipal Building, 1 Centre Street, New York, NY 10007

ELLEN HOFFMAN
Director
EHoffman@oata.nyc.gov

May 17, 2017

Elena Shehu
NYC Equal Employment Practices Commission
253 Broadway
Suite 602
New York, NY 10007

MAY 17 2017 PM 4

Re: Response to Preliminary Determination of Audit: Review, Evaluation and Monitoring of the Office of Administrative Tax Appeals' Employment Practices and Procedures from July 1, 2014 to December 31, 2016

Dear Ms. Shehu:

The Office of Administrative Tax Appeals has reviewed the EEPD's draft audit evaluation of our agency's employment practices and procedures and respectfully submits its response to the numbered recommendations:

1. Partially Agree – All full time staff was trained. Only part-time commissioners, part-time staff attorneys and current college aides did not receive training. They did receive our EEO Policy and related EEO documents. Online training will be arranged for part-time staff.
2. Agree – EEO professionals and Special Counsel will meet on a quarterly basis to review CEEDS reports and work force information and will document the meetings.
3. Partially Agree – The EEO Officer has had Structured Interview training, but remaining staff involved in recruiting and hiring that have not attended the training will attend when it is offered again.
4. and 5. Disagree – The Office of Administrative Tax Appeals is a very small agency. Most of the staff consists of professionals who must meet specific qualifications as attorneys, certified assessors or IT experts, thus limiting the opportunity for cross-training or cross-divisional assignments. The majority of staff are at the highest level for their titles. The remaining staff are informed concerning available promotional civil service exams.

Employees are considered internally for enhancement; staff has been promoted to higher tiers within their titles; staff has been elevated from non-managerial to managerial titles.

6. Partially Agree – Agency will develop tasks and standards for staff. Staff does have access to examinations and job postings through bulletin board postings, DCAS website, etc.

7. Agree – The EEO Counselor who has not been through training for EEO professionals will attend the next time the course is given. We have notified Citywide EEO of his mandatory training.

8. Disagree – Please find copies of emails between the agency Commissioner and EEO professional.

9. Agree – Agency is developing performance evaluation programs for managers and non-managers.

10. Agree – Managerial tasks and standards will reflect EEO responsibilities and their performance evaluations will include a rating for EEO responsibilities.

Thank you for your patience and cooperation during this audit.

Sincerely,



Ellen E. Hoffman

c: Judith Garcia Quinonez, Esq. – Executive Agency Counsel/Deputy Director
Myrna Hall – Director of Operations, EEO Officer

MAY 17 2017 PM 6



Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
Arva R. Rice
Commissioners

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Deputy Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676. 2724 fax

BY MAIL AND EMAIL

May 25, 2017

Ellen Hoffman
President
Office of Administrative Tax Appeals
1 Centre Street Suite 2400
New York, NY 10007

RE: Audit Resolution #2017/210-021: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Office of Administrative Tax Appeals' Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Dear President Hoffman:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for your May 17, 2017 response to our May 3, 2017 Preliminary Determination and for the cooperation extended to our staff during the course of this audit.

As indicated in our Preliminary Determination, this Commission has adopted uniform standards¹ to assess agencies' employment practices and programs for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. The attached Determination contains the Commission's findings and required corrective actions pertaining to the referenced review, evaluation and monitoring of your agency's employment practices and procedures.

Chapter 36, Section 832.c of the New York City Charter requires that:
1) the EEPC assign a 6-month compliance period to monitor your agency's efforts to eliminate remaining required corrective actions;
and 2) the agency provide a written response within 30 days from the date of this letter indicating corrective action taken.

¹ Founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; New York City Human Rights Law (NYC Administrative Code, §§8-107.1(a) and 8-107.13(d)); New York State Civil Service Law §55-a; Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7) and the equal employment opportunity requirements of the New York City Charter.



The assigned compliance-monitoring period is: June 2017 to November 2017.

If corrective actions remain: Your agency's response should indicate what steps your agency has taken, or will take, to implement the corrective actions during the designated period. Documentation which supports the implementation of each corrective action shall be uploaded to TeamCentral, the EEPC's Automated Compliance-Monitoring System. Your agency will be monitored monthly until all corrective actions have been implemented. Instruction on how to access and navigate TeamCentral is attached. Upon your agency's completion of the final corrective action, this Commission requires that your agency upload a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. Upon receipt of the final memorandum, the EEPC will issue a *Determination of Compliance*.

If no corrective actions remain: Your agency is exempt from the aforementioned monitoring period. However, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. This will be considered your agency's final action. Upon receipt of the memo, a *Determination of Compliance* will be issued.

If there are further questions regarding this Final Determination or the compliance-monitoring process, please have the Principal EEO Professional contact Judith Garcia Quiñonez, Esq., Executive Agency Counsel/Deputy Director at jquinonez@eeepc.nyc.gov.

Thank you and your staff for your continued cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Charise L. Terry".

Charise L. Terry, PHR
Executive Director

C: Myrna Hall, Principal EEO Professional

FINAL DETERMINATION

Agency response indicating corrective action taken with documentation is due within 30 days.

The Equal Employment Practices Commission's findings and required corrective actions are based on the audit methodology which includes collection and analysis of the documents, records and data the agency provided in response to the *EEPC Document and Information Request Form*; the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the agency's *Annual EEO Plans* and *Quarterly EEO Reports*; and workforce and utilization data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

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

Monitoring Required

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

Corrective Action #1

Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/ or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.

Agency Response: "All full time staff was trained. Only part-time commissioners, part-time staff attorneys and current college aides did not receive training. They did receive our EEO Policy and related EEO documents. Online training will be arranged for part-time staff." (Response, Pg. 1.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #1. Documentation which verifies that employees receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/ or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures, will be required during the compliance-monitoring period.

Corrective Action #2

Ensure that the principal EEO Professional, HR Professional and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race ethnicity and gender), and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g.



underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

Agency Response: *"EEO professionals and Special Counsel will meet on a quarterly basis to review CEEDS reports and work force information and will document the meetings."* (Response, Pg. 1.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #2. Documentation that demonstrates the agency conducts reviews of the agency's statistical information, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #3

Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

Agency Response: *"The EEO Officer has had Structured Interview training, but remaining staff involved in recruiting and hiring that have not attended the training will attend when it is offered again."* (Response, Pg. 1.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #3. Documentation which verifies implementation of the corrective action will be reviewed during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #4

Promote employees' awareness of opportunities for advancement and transfer within the agency by: administering incentive programs; publicizing promotions, including promotions into, or changes in, the managerial ranks; and/ or using other methods to communicate internal opportunities.

Agency Response: *"The Office of Administrative Tax Appeals is a very small agency. Most of the staff consists of professionals who must meet specific qualifications as attorneys, certified assessors or IT experts, thus limiting the opportunity for cross-training or cross-divisional assignments. The majority of staff are at the highest level for their titles. The remaining staff are informed concerning available promotional civil service exams. Employees are considered internally for enhancement; staff has been promoted to higher tiers within their titles; staff has been elevated from non-managerial to managerial titles."* (Response, Pg. 1 and 2)



EEPC Response: Documentation of the agency's response to corrective action #4 will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #5

Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: providing and encouraging training, development or mentorship programs to improve their performance and skills; establishing internal talent pools via cross-training, cross divisional assignments, job transfers, and/or job rotation; and identifying internal successors with applicable knowledge/skills/ abilities.

Agency Response: *"The Office of Administrative Tax Appeals is a very small agency. Most of the staff consists of professionals who must meet specific qualifications as attorneys, certified assessors or IT experts, thus limiting the opportunity for cross-training or cross-divisional assignments. The majority of staff are at the highest level for their titles. The remaining staff are informed concerning available promotional civil service exams. Employees are considered internally for enhancement; staff has been promoted to higher tiers within their titles; staff has been elevated from non-managerial to managerial titles."* (Response, Pg. 1 and 2.)

EEPC Response: Documentation of the agency's response to corrective action #5 will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #6

Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, and job postings.

Agency Response: *"Agency will develop tasks and standards for staff. Staff does have access to examinations and job postings through bulletin board postings, DCAS website, etc."* (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #6. Documentation which verifies implementation will be reviewed during the compliance-monitoring period.

Corrective Action #7

Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy by promptly attending training for EEO professionals by DCAS or another appropriate agency/ school. Obtain a certificate of completion.

Agency Response: *"The EEO Counselor who has not been through training for EEO professionals will attend the next time the course is given. We have notified Citywide EEO of his mandatory training."* (Response, Pg. 2.)



EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #7. Documentation which verifies training for the EEO Counselor will be reviewed during the compliance-monitoring period.

Corrective Action #8

Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

Agency Response: *"Please find copies of emails between the agency Commissioner and EEO professional."* (Response, Pg. 2.)

EEPC Response: This corrective action is focused on the agency's maintaining documentation of decisions that impact the administration and operation of the EEO program as a result of meetings and other communications between the agency head and the principal EEO Professional. Implementation of corrective action #8 will be monitored.

Corrective Action #9

Establish and implement an annual managerial/non-managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

Agency Response: *"Agency is developing performance evaluation programs for managers and non-managers."* (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #9. Documentation which verifies implementation will be reviewed during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #10

Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

Agency Response: *"Managerial tasks and standards will reflect EEO responsibilities and their performance evaluations will include a rating for EEO responsibilities."* (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #10. Documentation which verifies implementation will be reviewed during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Thank you and your staff for your continued cooperation.

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #2017/210-021: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Office of Administrative Tax Appeals' Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPD Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit of the Office of Administrative Tax Appeals' (OATA) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 3, 2017, setting forth findings and the following required corrective actions:

1. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/ or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
2. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race ethnicity and gender), and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
3. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

4. Promote employees' awareness of opportunities for advancement and transfer within the agency by: administering incentive programs; publicizing promotions, including promotions into, or changes in, the managerial ranks; and/ or using other methods to communicate internal opportunities.
5. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: providing and encouraging training, development or mentorship programs to improve their performance and skills; establishing internal talent pools via cross-training, cross divisional assignments, job transfers, and/or job rotation; and identifying internal successors with applicable knowledge/skills/abilities.
6. Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, and job postings.
7. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy by promptly attending training for EEO professionals by DCAS or another appropriate agency/ school. Obtain a certificate of completion.
8. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
9. Establish and implement an annual managerial/non-managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.
10. Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

Whereas, the agency submitted its response to the EEPD's Preliminary Determination letter, on May 17, 2017; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD considered the agency's response and issued a Final Determination on May 25, 2017, and indicated that corrective action(s) nos. 1 - 10 require compliance monitoring; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPD is required to monitor the agency for a period not to exceed six months, from June 2017 through November 2017, to determine whether it implemented the required corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and

Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved, that the Commission approves issuance of this Final Determination to President Ellen Hoffman of the Office of Administrative Tax Appeals.


Approved unanimously on May 25, 2017.



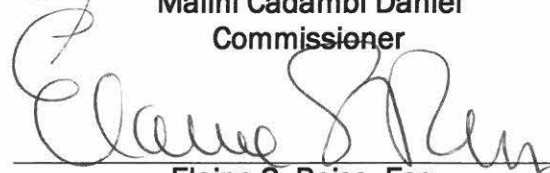
Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



THE CITY OF NEW YORK TAX COMMISSION

1 Centre Street, Room 2400, New York, NY 10007

ELLEN E. HOFFMAN
President

MYRNA HALL
Director of Operations
mhall@oata.nyc.gov

June 26, 2017

Charise L. Terry, Executive Director
NYC Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

Re: Response to Final Determination of Audit: Review, Evaluation and Monitoring of the Office of Administrative Tax Appeals' Employment Practices and Procedures from July 1, 2014 to December 31, 2016

Dear Ms. Terry:

The Office of Administrative Tax Appeals has reviewed the EEOC's Final Audit evaluation of our agency's employment practices and procedures and respectfully submits its response to the numbered recommendations:

1. Ongoing – All full time staff was trained. Only part-time commissioners, part-time staff attorneys and current college aides did not receive training. They did receive our EEO Policy and related EEO documents. Online training will be arranged for part-time staff.
2. Agree – EEO professionals and Special Counsel will meet on a quarterly basis to review CEEDS reports and work force information and will document the meetings.
3. Ongoing – The EEO Officer has had Structured Interview training, but remaining staff involved in recruiting and hiring that have not attended the training will attend when it is offered again.
4. and 5. Disagree – The Office of Administrative Tax Appeals is a very small agency. Most of the staff consists of professionals who must meet specific qualifications as attorneys, certified assessors or IT experts, thus limiting the opportunity for cross-training or cross-divisional assignments. The majority of staff are at the highest level for their titles. The remaining staff are informed concerning available promotional civil service exams. Employees are considered internally for enhancement; staff has been promoted to higher tiers within their titles; staff has been elevated from non-managerial to managerial titles.

6. Ongoing – Agency will develop tasks and standards for staff. Staff does have access to examinations and job postings through bulletin board postings, DCAS website, etc.

7. Agree – The EEO Counselor who has not been through training for EEO professionals will attend the next time the course is given. We have notified Citywide EEO of his mandatory training.

8. Disagree – Please find copies of emails between the agency Commissioner and EEO professional.

9. Agree – Agency is developing performance evaluation programs for managers and non-managers.

10. Agree – Managerial tasks and standards will reflect EEO responsibilities and their performance evaluations will include a rating for EEO responsibilities.

Sincerely,

Ellen E. Hoffman

c: Judith Garcia Quinonez, Esq.
Elona Shehu, EEO Program Analyst/ EEO Officer
Myrna Hall, Director of Operations



THE CITY OF NEW YORK
OFFICE OF ADMINISTRATIVE TAX APPEALS

2400 Municipal Building, 1 Centre Street, New York, NY 10007

ELLEN HOFFMAN
Director
EHoffman@oata.nyc.gov

M E M O R A N D U M

To: All Staff
From: Ellen Hoffman, Commissioner 
Date: December 5, 2017
Re: Equal Employment Opportunity Program

The Equal Employment Practices Commission (EEPC) recently concluded its Audit: Review, Evaluation and Monitoring of the Office of Administrative Tax Appeals' Employment Practices and Procedures from July 1, 2014 to December 31, 2016. I am pleased to announce that, the Office of Administrative Tax Appeals has been found in full compliance with the standards set forth by the Equal Employment Practices Commission. As a result of the audit, the following changes have been made to the agency EEO Program:

- All managerial and non-managerial employees will be provided a copy of tasks and standards by December 29, 2017 and will receive annual performance evaluations beginning in December, 2018.
- Periodically, consistent with EEO policies, new personnel and existing personnel will be scheduled for additional training in these areas.
- OATA will publicize, through posting and emails, opportunities for advancement and transfer within the agency, including promotion into or changes in, the managerial ranks.

As Director of the Office of Administrative Tax Appeals, I commit to the principles of EEO and ensuring that all employees and applicants for employment are treated in a manner consistent with those principles. All personnel are expected to work together with EEO staff to maintain an atmosphere of appreciation for the diversity reflected in our staff.

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #2017/216-021-C35: Determination of **Compliance** (Monitoring Period Required) by the Office of Administrative Tax Appeals with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPD Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the Office of Administrative Tax Appeals (OATA) EEO Program, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 3, 2017, setting forth findings and the following required corrective actions:

1. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
2. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race ethnicity and gender), and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
3. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/ policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).
4. Promote employees' awareness of opportunities for advancement and transfer within the agency by: administering incentive programs; publicizing promotions, including promotions into, or changes in, the managerial ranks; and/ or using other methods to communicate internal opportunities.

5. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: providing and encouraging training, development or mentorship programs to improve their performance and skills; establishing internal talent pools via cross training, cross-divisional assignments, job transfers, and/or job rotation; and identifying internal successors with applicable knowledge/skills/ abilities.
6. Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, and job postings.
7. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy by promptly attending training for EEO professionals by DCAS or another appropriate agency/ school. Obtain a certificate of completion.
8. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
9. Establish and implement an annual managerial/non-managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.
10. Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

Whereas, the OATA submitted its response to the EEPC's Preliminary Determination letter on May 17, 2017, and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on May 25, 2017 which indicated that corrective action nos. 1 - 10 required compliance monitoring; and

Whereas, the OATA submitted its response to the EEPC's final determination letter, on June 26, 2017, and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the corrective actions from June 2017 to November 2017 with a 1 month extension of the monitoring period; and

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the OATA submitted a copy of the agency head's memorandum to staff dated December 5, 2017, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated his commitment to the agency's EEO Program; and

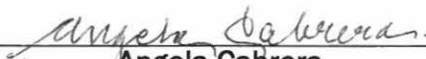
Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for

protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved, that the OATA has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

Be It Resolved, that the Commission will forward this Final Determination to President Ellen Hoffman of the Office of Administrative Tax Appeals.

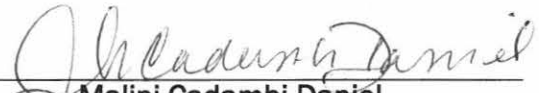
Approved unanimously on December 21, 2017.



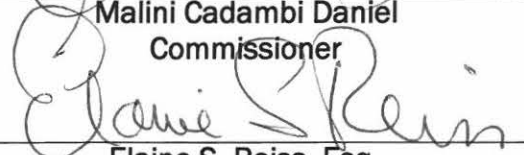
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Angela Cabrera
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Elaine S. Reiss, Esq.
Arva R. Rice
Commissioners

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 615. 8931 fax

BY MAIL AND EMAIL

December 21, 2017

Ellen Hoffman
President
Office of Administrative Tax Appeals
1 Centre Street Suite 2400
New York, NY 10007

Re: Resolution #2017/216- 021-C35: Determination of Agency Compliance

Dear President Hoffman:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to inform you that the Commission has issued the attached Determination of Compliance to the Office of Administrative Tax Appeals. This Commission has determined that the Office of Administrative Tax Appeals has implemented the required corrective actions deemed necessary by this Commission for ensuring a fair and effective affirmative employment program of equal opportunity as required by the equal employment opportunity standards of this Commission and Chapters 35 and 36 of the New York City Charter.

On behalf of this Commission, I want to thank you and Principal EEO Professional Myrna Hall for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,

A handwritten signature in black ink that reads "Elaine S. Reiss". The signature is written in a cursive, flowing style.

Elaine S. Reiss, Esq.
Commissioner

c: Principal EEO Professional, Myrna Hall, OATA

This
Determination of Compliance

is issued to the

Office of Administrative Tax Appeals

for successfully implementing 10 of 10 required corrective actions pursuant to the Equal Employment Practices Commission's
Employment Practice and Procedures Audit From July 1, 2014 to this date.

In care of President Ellen Hoffmann and
Principal EEO Professional Myrna Hall

On this 21st day of December in the year 2017

Elaine S. Reiss

Elaine S. Reiss, Commissioner

Charise L. Terry

Charise L. Terry, PHR, Executive Director