



Aldrin Rafael Bonilla
Chair/Commissioner

Elaine S. Reiss, Esq.
Vice-Chair/Commissioner

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

Jeanne M. Victor
Executive Director

Jennifer Shaw, Esq.
Executive Agency Counsel/
Director of Compliance

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BY EMAIL

January 26, 2023

Neil Matthew
Executive Director
Office of Payroll Administration
5 Manhattan West, 4th Floor
New York, NY 10001

Re: Resolution #2022AP/263-131-(2023)C1
DETERMINATION: Compliance

Dear Executive Director Matthew:

On behalf of the members of the Equal Employment Practices Commission (EEPC), I write to inform you that pursuant to New York City Charter Chapter 36, Section 832(c), the EEPC's Board of Commissioners has approved the attached *Determination of Compliance*.

As you are aware, the EEPC is required to audit, evaluate, and monitor your agency at least once every four (4) years to ensure the Office of Payroll Administration's compliance with federal, state, and local laws and regulations, best practices, and policies and procedures that increase equal employment opportunity for minority and women employees and applicants. Office of Payroll Administration's successful completion of the EEPC's *Employment Practices Audit (Focus on Underutilization)* demonstrates its commitment to implementing employment policies and practices that encourage and maintain a workplace free from unlawful discrimination and promote equality of opportunity.

Thank you and Principal EEO Professional Lois Valero for the cooperation extended to the EEPC during the course of our audit of your agency's employment and EEO-related practices. We look forward to working with you and the Office of Payroll Administration to ensure equal employment opportunity in the City of New York.

Sincerely,

A handwritten signature in black ink, appearing to read "Aldrin Rafael Bonilla". The signature is fluid and cursive, with a long horizontal line extending to the right.

Aldrin Rafael Bonilla
Chair/Commissioner

Enc.



c: Lois Valero, Principal EEO Professional, OPA
Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance, EEPC
Menelik Allsop, Manager, EEO Analysis and Audit Unit, EEPC
Sam Zaccack, EEO Program Analyst, EEPC



Monitoring of Employment Practices with a Focus on Underutilization

RESOLUTION NO.

2022AP/263-131-(2023)C1

Office of Payroll Administration

Executive Director Neil Matthew

DETERMINATION: COMPLIANCE

SYNOPSIS

| | | | |
|-----------------------------------|-----------------------------------|------------------------------------|-------------------|
| Corrective Action(s): | Total: 2 | | |
| Period Audit Covered: | July 1, 2019 to December 31, 2021 | | |
| Preliminary Determination Issued: | November 9, 2022 | Response Received | November 23, 2022 |
| Final Determination Issued: | November 29, 2022 | Response Received | December 28, 2022 |
| Compliance-Monitoring: | Required | December 1, 2022 to March 31, 2023 | |

Whereas, pursuant to Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter), the Equal Employment Practices Commission (EEPC) is authorized to audit, review, evaluate, and monitor the employment procedures, practices and programs of city agencies and other municipal entities (hereinafter "entities") and their efforts to ensure fair and effective equal employment opportunity (EEO) for minority group members and women who are employed or seek employment, and to recommend practices, procedures, approaches, measures, standards, and programs to be utilized by such entities in these efforts; and

Whereas, pursuant to Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5), the EEPC has adopted uniform standards for auditing agencies and municipal entities, and minimum standards for auditing community boards, to review, evaluate, and monitor entities' practices, procedures, approaches, measures, standards, and programs for compliance with federal, state, and local laws and regulations, and policies and procedures to increase equal opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the EEPC may make a determination pursuant to Charter Section 831(d) whether any plan, program, procedure, approach, measure, or standard adopted or utilized by any municipal entity does not provide equal employment opportunity, and the EEPC's determinations of compliance or non-compliance and prescribed corrective action are required by, or consistent with federal, state, and local laws and regulations, and policies and procedures to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, the EEPC conducted an audit, review, and evaluation of the Office of Payroll Administration's Employment Practices with a Focus on Underutilization; and

Whereas, pursuant to the audit, review, and evaluation of the Office of Payroll Administration's Employment Practices with a Focus on Underutilization, the EEPC issued a Preliminary Determination, dated November 9, 2022, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

1. Implement an EEO training plan for new and existing employees, which includes all legally required training, to ensure that all individuals who work within the entity, including managers and supervisors, receive all mandatory training, as set forth in the plan; specifically biennial LGBTQ training and biennial age discrimination training.
2. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained on the use of uniform, job-related techniques (such as training on structured interviewing) and trained to consider EEO laws/policies (such as training on unconscious bias, diversity and inclusion, etc.) to identify, interview, and select the most capable candidates.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity submitted a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on November 29, 2022, which indicated that the following areas required corrective action: no(s) 1 and 2; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from December 1, 2022 to March 31, 2023, to determine whether the entity eliminated areas of non-compliance, if any; and

Whereas, in accordance with Charter Chapter 36, Section 832(c) the entity was required to respond in 30 days, and make monthly reports thereafter for a period not to exceed six months, on the progress of its efforts to correct outstanding areas of non-compliance; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), on December 28, 2022, the entity issued a response to the EEPC's Final Determination; and

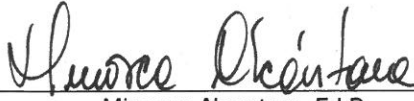
Whereas, in accordance with Charter Chapter 36, Section 832(c), the Office of Payroll Administration was monitored until January 9, 2023; and

Whereas, pursuant to Charter Chapter 35, Sections 815(a)(15) and (19), which requires agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women, the Executive Director recognized the EEPC's audit and reiterated commitment to the Office of Payroll Administration's equal employment practices. **Now Therefore**,

Be It Resolved, that the Office of Payroll Administration has satisfied the equal employment standards set by the EEPC pursuant to its authority under New York City Charter Chapters 35 and 36; and

Be It Resolved, that the EEPC's Board of Commissioners approves the issuance of this Determination of Compliance to Executive Director Matthew of the Office of Payroll Administration.

Approved unanimously on January 26, 2023.



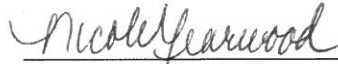
Minosca Alcantara, Ed.D.
Commissioner/Mayoral Appointee

Elaine S. Reiss, Esq.

Vice-Chair/Commissioner/Mayoral Appointee



Ngozi Okaro, Esq.
Commissioner/City Council Appointee



Nicole Yearwood, MPA
Commissioner/City Council Appointee



Aldrin Rafael Bonilla
Chair/Commissioner/Joint Appointee



This

Determination of Compliance

is hereby issued to

Office of Payroll Administration

for successful implementation of 2 of 2 required corrective actions,
thereby achieving compliance with the Equal Employment Practices Commission's
Employment Practices with a Focus on Underutilization
from July 1, 2019 to this date.

In care of Executive Director Neil Matthew
and Principal EEO Professional Lois Valero

On this Thursday the twenty-sixth of January in the
year 2023,

A handwritten signature in black ink, appearing to read 'Aldrin R. Bonilla', is written over a horizontal line.

Aldrin Rafael Bonilla, Chair/Commissioner

A handwritten signature in black ink, appearing to read 'Jeanne M. Victor', is written over a horizontal line.

Jeanne M. Victor, Executive Director