

**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**  
**DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY PLAN**  
**FISCAL YEAR 2020**

**I. Introductory, Commitment and Accountability Statement by the Agency Head**

Recognizing that the people of our agency are one of our greatest assets, we are committed to recruitment, development, and retention of a diverse and inclusive workforce reflective of our City's population. When we value our differences, we build stronger teams driving the best performance. We expect all managers and supervisors to actively promote a safe, equitable, and inclusive work environment for all New York City employees and value equity, inclusion, and respect for all. I will hold the EEO Officer, all EEO professionals, human resources professionals, legal professionals, managers and supervisors accountable for ensuring that the agency does not discriminate against employees or applicants for employment and support the diversity and inclusion initiatives at the agency by observing EEO regulations and actively working toward attaining agency goals in this area. All agency staff is accountable for complying with the City's EEO Policy and implementing the FY 2020 Diversity and EEO Plan.

During the 3rd quarter of FY 2020, I will issue a Commitment Statement to all agency employees affirming the principles of diversity, inclusion, and equal employment opportunity. The statement is intended to guide managers and supervisors and to communicate our dedication to equity, diversity, and inclusion to all employees.

I will drive accountability by involving the EEO Officer as the agency makes critical human resources decisions, recruitment strategies, vacancy projections, succession planning, selections for training/career development opportunities, and strategic planning.

My leadership team will implement the objectives and actions of this plan, as well as work to create a diversity and inclusion strategy based upon guidance provided by the DCAS Office of Citywide Equity and Inclusion (OCEI). We will conduct discussions throughout the year coinciding with the issuance of our quarterly workforce reports, and we will review our achievements at the end of the fiscal year.

The agency will report to DCAS on the steps undertaken to comply with all legal mandates and the provisions of the various Executive Orders and laws prohibiting employment discrimination in New York City. The agency will also disseminate and post legal notices and policies as required.

The Board of Standards and Appeals EEO Officer, **Darrell Ruffin** will serve as a resource for managers and supervisors by providing best practices and direction in addressing EEO issues. The EEO Officer's contact information will be prominently available to all employees. Employees will be encouraged to contact the EEO Officer with any questions, inquiries, concerns, or complaints regarding the EEO Policy.

This statement is the same as last year.

**II. Recognition and Accomplishments**

In the past year our agency accomplished the following as part of our commitment to Equal Employment Opportunity, Diversity, and Inclusion:

1. Maintaining diversity at all levels of the agency workforce
2. Maintaining an environment of collegiality and frequent collaboration
3. Cultivating a work environment that celebrates cultural and language diversity
4. Encouraging an environment of mutual respect

The agency recognizes employees, supervisors, managers, and agency units demonstrating superior accomplishment in diversity and equal employment opportunity through the following:

- Diversity & EEO Awards\*
- Diversity and EEO Appreciation Events\*
- Public Notices
- Positive Comments in Performance Appraisals
- Other: \_\_\_\_\_

*\*Please specify under "Additional Comments"*

- The agency will continue to recognize employees, supervisors, managers, and agency units demonstrating superior accomplishment in diversity and equal employment opportunity in FY 2020.

*Additional Comments:*

**III. Workforce Review and Analysis**

1. Describe steps taken to encourage all employees at your agency to update self-ID information regarding race/ethnicity, gender, and veteran status through either NYCAPS Employee Self Service (ESS) or other means.

In FY 2020, the agency will remind and encourage its employees to update self-ID information regarding race/ethnicity, gender, and veteran status through any of the following means:

- NYCAPS ESS (by email annually)
- Agency's intranet site
- Newsletters
- On-boarding
- Manager/supervisor observation, if employee refuses to self-ID

*Additional Comments:*

2. Describe the review process of the CEEDS workforce composition, utilization, new hires and promotions data presented in your quarterly agency workforce dashboard and/or internal workforce reporting. Describe how your agency's EEO Officer, Personnel Officer and General Counsel work together to review demographic trends. These reports must be reviewed regularly with the Agency Head.

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

Reviewed with	Frequency
Human Resources	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually <input type="checkbox"/> Other _____
General Counsel	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually <input type="checkbox"/> Other _____
Agency Head	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually <input type="checkbox"/> Other _____
Other (___specify)	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input type="checkbox"/> Annually <input type="checkbox"/> Other _____

- The agency review entails a discussion concerning perceived workplace barriers

for job groups that may surface in underutilization reports and for factors that may be creating these barriers (e.g., hiring patterns in specific job titles).

- The agency reaches out to DCAS to serve as a resource in identifying strategies and best practices to address barriers to entry as well as to receive guidance concerning the interpretation of underutilization reports.

*Additional Comments:*

#### IV. EEO, Diversity, Inclusion, and Equity Initiatives for FY 2020

##### 1. Proactive Strategies to Enhance Diversity, EEO and Inclusion

**State below the central goals of your strategy for FY 2020 focused on enhancing diversity, equal employment opportunity, and the overall value of inclusion at your agency. Include initiatives that your agency will implement in FY 2020.**

- 1. Workforce:** The Board of Standards and Appeals consists of five full-time commissioners, appointed by the mayor, eighteen full-time employees, and two part-time employees. The Board will conduct yearly performance evaluations, providing staff with important feedback on their performance. And continue to recruit and conduct unbiased interviews to make sure to hire a diverse and dynamic workforce.
- 2. Workplace:** The Board will continue to solicit input from employees on their job enjoyment and professional personal growth. The Chair will also continue to reinforce at periodic staff meetings the importance of EEO and inclusion in the Board workplace. The Board Executive Director and Deputy Director meet regularly with staff to discuss their professional growth and general happiness with their work. The agency also has periodic lunches, application review “charrettes” and annual agency parties as morale boosters.
- 3. Community:** The Board does not use a customer satisfaction survey. The Board requires applicants to notify affected property owners within a designated radius of a subject application of the Board’s public hearings. The Board will also continue to maintain a website that provides up-to-date information and instructions on filing

applications, methods to review filed applications, Board decisions, and public hearings.

2. Describe the new and continuing initiatives devoted to innovative enhancement and expansion of the three strategic pillars of Diversity and EEO strategy: **WORKFORCE**, **WORKPLACE**, and **COMMUNITY**.

**A. WORKFORCE:**

**NOTE:** Please address the specific recruitment, selection and promotion strategies, sources and procedures in Sections V and VI.

The agency will address underutilization in FY 2020 by:

- Enhancing internal and external applicant pools to address the underutilization.
- Using the quarterly workforce dashboard and identifying specific job groups where underutilization exists to guide recruitment efforts.

The agency will implement the following strategies to address the impending retirement of employees and possible loss or gap in talent:

- Job analysis and skills audit.
- Conduct workforce planning and forecasting.
  - Use the DCAS Retirement Predictor Tools to address the impending retirement of employees and possible loss or gap in talent.
  - Integrate succession planning in the agency activities to develop a pipeline, facilitate a seamless transition and continuity of service.
  - Ensure that there will be a diverse applicant pool for the anticipated vacancies.
  - Evaluate best sources for diverse candidates
  - Encourage agency employees to take promotional civil service examinations by:
    - Sending e-mails with schedule of exams
    - Providing link to specific DCAS exams
    - Posting schedules and exam announcements at the agency intranet
  - Other (specify): \_\_\_\_\_

The agency will implement the following initiatives to develop and retain employees:

- Institute coaching, mentoring and cross training programs.
- Identify best practices to retain mature employees.
- Implement initiatives to improve the development and training of employees.
- Promote employee involvement by supporting Employee Resource Groups
- Conduct Diversity and Inclusion Training

*Additional Initiatives, Programs, or Comments:*

**B. WORKPLACE:**

The agency will take initiatives to create an inclusive work environment that values differences, and to maintain focus on retaining talent across all levels.

In FY 2019, the agency conducted the following survey(s) to improve the recruitment, hiring, inclusion, retention and advancement of people in underrepresented groups:

- Engagement /Job Satisfaction/ Employee Morale Survey(s)
- Citywide Onboarding survey
- Citywide Exit Survey for Non-Represented Employees
- Exit interview or surveys developed by the agency

The agency will adopt in FY 2020 the following initiatives based on the analysis of the results of the survey(s):

- 1.
- 2.

*Additional Initiatives, Programs, or Comments:*

**C. COMMUNITY:**

In FY 2020, the agency will:

- Continue or plan to promote diversity and EEO community outreach in providing government services
- Promote participation with minority and women owned business enterprises (MWBES).
- Conduct a customer satisfaction survey.
- Identify best practices for establishing a brand of inclusive customer service.
- Undertake initiatives to improve community relations, community awareness, and to engage communities being served in recruitment efforts, service development and delivery.

*Additional Initiatives, Programs or Comments:*

**V. Recruitment**

**A. Recruitment Efforts**

1. Summary of Recruitment Efforts – Include steps that will be taken to give notice to all employees of discretionary job postings within the agency as well as proactive efforts/strategies planned to market positions externally.

The agency will implement the following recruitment strategies and initiatives in FY 2020:

- Review policies, procedures, and practices related to targeted outreach and recruitment.
- Review underutilization in job groups to inform recruitment efforts.
- Direct resources to bolster efforts aimed at increasing the effectiveness of diversity recruitment.
- Put in place an operating, up-to-date, accessible website, mobile application and social media presence related to careers.  Currently in operation.
- Assess agency job postings to ensure appropriate diversity, inclusion, and equal opportunity employer messaging.

<input checked="" type="checkbox"/> Share job vacancy notices with the Mayor’s Office for People with Disabilities at <a href="mailto:nycatwork@mopd.nyc.gov">nycatwork@mopd.nyc.gov</a> , (212) 788-2830 and ACCES VR by sending the job vacancy notices to Maureen Anderson at <a href="mailto:Maureen.Anderson@nysed.gov">Maureen.Anderson@nysed.gov</a> , (212) 630-2329 so they can share it with their clients. <input checked="" type="checkbox"/> Reach out to the DCAS Office of Citywide Recruitment (OCR) as a resource at <a href="mailto:citywiderecruitment@dcas.nyc.gov">citywiderecruitment@dcas.nyc.gov</a> . <input type="checkbox"/> If your agency is an eHire agency, post ALL vacancies on NYC Careers. <input type="checkbox"/> Ensure that agency personnel involved in both the discretionary and the civil service hiring process have received: <input type="checkbox"/> structured interviewing training <input type="checkbox"/> unconscious bias training <input type="checkbox"/> Use the NYCAPS eHire Applicant Interview Log to determine whether recruitment efforts and recruitment sources yield a diverse pool of qualified candidates. <input type="checkbox"/> Assess recruitment efforts to determine whether such efforts adversely impact any particular group.
<p><i>Additional Strategies, Initiatives and Comments:</i></p>

Diverse Recruitment Source(s)	What sort of return do you expect to see from the effort? Indicate if this source yielded increased and diverse applicant pool. Were there successful hires from this source?
1. Indeed	1.
2. LinkedIn	<input type="checkbox"/> Previous hires from this source 2. <input type="checkbox"/> Previous hires from this source

**B. Internships/Fellowships**

Indicate the type of internship/fellowship opportunities available at your agency. Please provide the number of student interns/fellows employed in FY 2019 and their demographic profiles. Indicate your plans to provide internship/fellowship opportunities in FY 2020.

<p>The agency provided the following internship opportunities in FY 2019:</p>
---



<b>Type of Internship\Fellowship</b>	<b>Total</b>	<b>Race/Ethnicity *[#s] * Use self-ID data</b>	<b>Gender * [#s] * Use self-ID data</b>
1. Urban Fellows			M __ F__ Non-Binary __ Other __ Unknown __
2. Public Service Corps			M __ F__ Non-Binary __ Other __ Unknown __
3. Summer College Interns			M __ F__ Non-Binary __ Other __ Unknown __
4. Summer Graduate Interns			M __ F__ Non-Binary __ Other __ Unknown __
5. Other (specify): High School Interns	12	African American: 7 Asian: 2 Hispanic: 3	M <u>8</u> F <u>4</u> Non-Binary __ Other __ Unknown __

**\* Self-ID data is obtained by EEO Office from NYCAPS.**

The agency will utilize the internship/fellowship programs to improve a pipeline of candidates from underutilized groups for entry-level positions, including in mission-critical occupations.

The agency has hired former interns/fellows.

The agency plans to provide internship/fellowship opportunities in FY 2020.

---

*Additional Comments:*

**C. 55-a Program**

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

1. Please discuss plans to utilize the 55-a Program to hire and retain qualified individuals with disabilities.

\_\_When sending our job listings to DCAS for posting we assumed it would also be listing in the 55-a program database. We will reach out to the Coordinator the program to see if we could directly give the job postings ourselves to be listed with the 55-a program.

- 
- 
2. Indicate the goals of your 55-a Program Coordinator for FY 2020. Also include your agency plans to do the following: participate in career and job fairs; use internship, work-study, co-op, and other programs to attract a pool of diverse 55-a program applicants; and promote and encourage 55-a program participants to take civil service examinations.

The agency uses the 55-a Program to hire and retain qualified individuals with disabilities and plans to utilize the 55-a Program to hire and retain qualified individuals with disabilities in FY 2020.

Currently, there are   0   [number] 55-a participants.

There are        [number] participants who have been in the program less than 2 years.

Last year, a total of        [number] new applications for the program were received and    participants left the program due to [state reasons] \_\_\_\_\_.

If there have been no new participants in the program for less than two years, please indicate initiatives taken to hire new 55-a employees.

---

---

The agency will review and process new applications for the 55-a program in light of DCAS' policy guidance which states that decisions on 55-a program admissions should take into account the following three criteria:

a) the severity of the candidate's physical and/or mental disability;

b) the candidate's previous and/or current encounter with significant barriers to finding employment due to the disability;

c) the candidate's encounter of obstacles that can prevent him/her from taking civil service examinations due to the disability.

Based on the June 7, 2016, 55-a memorandum, issued by DCAS, the agency will carefully evaluate each request by longtime provisional employees for designation under § 55-a to serve non-competitively in a competitive title position to ensure that the request is not made solely to avoid the consequences of CSL § 65(3). In addition, the agency will reiterate to provisional staff that 55-a certification should not be used as a substitute for passing a civil service exam. The agency will encourage 55-a participants to take civil service examinations.

The agency plans to participate in career and job fairs and use internship, work-study, co-op, and other programs to attract a pool of diverse 55-a program applicants.

The goals of the 55-a Coordinator for FY 2020 are:

- 1.
- 2.
- 3.
- 4.

These goals are the same as last year.

*Additional Goals, Initiatives, and Comments:*

**VI. Selection (Hiring and Promotion)**

1. For FY 2020, if your agency is fiscally able to hire new employees and/or backfill open positions, please discuss the planned duties for your career counselor specific to advising employees of opportunities for promotion as well as overall career development.

In FY 2020, the agency's Career Counselor will perform the following tasks:

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

and other career development information.

- Continue to facilitate the use of training to improve skills and access to career opportunities of all employees in its Leadership Program and via referrals to DCAS.
- Assist employees and Job Training Program participants (if applicable) assess and develop career paths.
- Provide resources and support for:
  - Targeted job searches
  - Development job search strategies
  - Resume preparation
  - Review of effective interview techniques
  - Review of techniques to promote career growth and deal with change
  - Internship exploration

*Additional Initiatives and Comments:*

2. What are your current new hire and promotional procedures for selection, especially for mid- and high-level discretionary positions?

In FY 2020, the agency will do the following:

- Review and develop a protocol for in-title promotions and salary increases.
- Promote employee awareness of opportunities for promotion and transfer within the agency.
- Assess the criteria for selecting persons for mid-level to high level positions.
- Publicly post announcements for all positions, including senior level positions.
- Actively reach out to networks of underrepresented groups as part of its outreach.
- Reach out to the Mayor’s Office of Appointments for help to identify diverse pools of talent and additional networks for finding qualified candidates.
- Ensure that hiring managers are trained in structured interviewing techniques to avoid unintentional biases in the hiring process.

- 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.
- If adverse impact is discovered, the agency head will determine whether the criteria being utilized are job-related. If the criteria are not job-related, the agency will discontinue using that method.
- Compare the demographics of current employees to the placements.
- Revise the promotion request form to include the various reasons why a promotion may be necessary.
- Review the demographics race\ethnicity and gender for those who received the promotion\salary raises.
- Submit the resumes for the second- and third-choices for the position.
- Review the demographics of the senior leadership regularly (by Agency Head).
- Review on a quarterly basis the demographics of those who received promotion and share the information with the Commissioner and Human Resources (by EEO Officer).

*Additional Comments:*

3. For FY 2020, indicate how your agency will review the methods by which candidates are selected for new hiring and promotion. Identify the steps that are taken to ensure that selection process is objective and job related. For instance, have you explored/implemented structured interviewing and/or training, panel interviews, etc.?

During FY 2020, the agency will do the following:

- Review policies, procedures, and practices related to hiring (including vacancy announcements, use of certification lists, and the selection process for mission critical occupations) for possible barriers that have a negative impact on minority employees and applicants.

- Use a collaborative effort between EEO, HR and managers where necessary, develop action plans to eliminate identified barriers.
- Develop specific, job-related qualification standards for each position that reflect the duties, functions, and competencies of the position and minimize the potential for gender stereotyping and other unlawful discrimination. Make sure these standards are consistently applied when choosing among candidates.
- Establish written objective criteria for evaluating candidates for hire or promotion and applying those criteria consistently to all candidates.
- In conducting job interviews, ensure nondiscriminatory treatment by conducting a structured interview, where the same questions are asked of all applicants for a particular job or category of job and inquiring about matters directly related to the position in question.
- Use a diverse panel of interviewers to conduct the interview.
- Have the EEO Officer review the interview questions.
- Have the EEO Officer observe interviews, where possible.
- Use the NYCAPS eHire applicant tracking system for external and internal applicants.
- Make adjustments to agency outreach and recruitment efforts where necessary.
- Monitor the results of action plans for any changes in the agency workforce including increases or decreases in applications of qualified applicants and selection rates.

*Additional Comments:*

4. For FY 2020, what steps will your agency take to review the positions filled through a civil service list?

- A. Detail planned actions specific to review of title specification, job description, interview procedures, and selection procedures.
- Reach out to DCAS' Classification at 212-386-0344 to ensure that the job description and specification is current.
  - Review and develop specific, job-related qualification standards for each position that reflect the duties, functions, and competencies of the position and minimize the potential for gender stereotyping and other unlawful discrimination.

<p><input checked="" type="checkbox"/> Use structured interview, where the same questions are asked of all applicants for a particular job or category of job and inquiring about matters directly related to the position in question.</p> <p>B. Discuss your current protocol for use of the NYCAPS Applicant Interview Log reports to identify applicants by gender and race/ethnicity.</p> <p><input checked="" type="checkbox"/> The agency does not use the NYCAPS Applicant Interview Log Report.</p> <p><input type="checkbox"/> The agency will schedule orientation with NYCAPS Central.</p> <p><input type="checkbox"/> The agency will use the Applicant Interview Log Report to track applicant sources and identify the best sources of applicants.</p> <p>C. Discuss all planned steps taken to identify barriers to entry for positions and actions under consideration to address such barriers.</p> <p><input checked="" type="checkbox"/> Identify at least two or three people from diverse gender and racial\ethnic backgrounds to review received applications and conduct the interviews.</p> <p>D. When identifying groups of subject matter experts to assist the DCAS test development team, please describe efforts that will be taken to select a diverse and inclusive group of individuals.</p> <p><input checked="" type="checkbox"/> The agency will identify a diverse group of subject matter experts (e.g. race, gender, age, assignments location, etc.) when requested by DCAS.</p> <p><input type="checkbox"/> The agency will use objective job-related criteria to identify the subject matter experts who will participate in test development.</p> <p><input type="checkbox"/> The agency will make an effort to ensure different staff members are given the opportunity to participate in test development.</p> <p><i>Additional Comments:</i></p>
--

5. Briefly detail which stages of selection involve your EEO Officer (pre- and post-selection).

<p>In FY 2020, the agency EEO Officer will do the following:</p> <p><b>PRE-SELECTION:</b></p>
---

- Collaborate with the Director of Human Resources to ensure that an updated listing of sources for diverse applicants, including schools and professional organizations, is maintained.
- Actively monitor agency job postings.
- In collaboration with the Director of Human Resources, review interview questions to ensure that they are EEO-compliant, job-related, and required by business necessity.
- Provide feedback to the hiring manager after the EEO Officer's assessment.
- Assist the hiring manager if a reasonable accommodation is requested during the interview.
- May observe interviews when necessary, especially for underutilized job titles and/or mid- and high-level discretionary positions.
- Other: \_\_\_\_\_

**POST-SELECTION:**

- Periodically review candidate evaluation forms and conduct a job applicant analysis via the NYCAPS eHire Applicant Interview Log reports to advise Human Resources of any demographic trends and/or EEO concerns.
- Review hiring package for review and approval.
- Other: Defer to DCAS

*Additional Comments:*

6. During periods of layoffs, terminations and demotions due to legitimate business/operational reasons, what is your protocol for analyzing the impact of such actions based upon gender, race and age? It is most useful to conduct this analysis prior to finalizing the list of titles that will be impacted. Ensure that the agency Counsel and the Law Department are involved in the review.

- The agency will use the DCAS Layoff Procedure as guidance, should there be any layoffs, terminations and demotions due to legitimate business/operational reasons in FY 2020.



- The agency will analyze the impact of layoffs or terminations on racial, gender and age groups.
- Where layoffs or terminations would have a disproportionate impact on any of these groups, the agency will document that the targeted titles or programs were selected based on objective criteria and justified by business necessity.
- The Agency Personnel Officer, EEO Officer and General Counsel will be involved in making layoff or termination decisions. It should be noted that layoffs must be conducted by seniority in compliance with civil service law (for competitive titles) and union contract (for non-competitive and labor class titles).

**VII. Training**

Training Topic	Type of Audience (e.g. Front-Line Staff, Managers, Supervisors, etc.)	Target Number of Participants	Targeted Dates
1. EEO Awareness (e-learning)	All Staff	25	Fall 2020
2. EEO Awareness (classroom)			
3. Everybody Matters (D&I) (classroom)			
4. Everybody Matters (D&I) (e-learning)	All Staff	25	Fall 2020
5. Sexual Harassment Prevention (e-learning)			
6. Sexual Harassment Prevention (classroom)			
7. Disability Etiquette			
8. Structured Interviewing and Unconscious Bias (classroom)	Managers	4	Fall 2020
9. Other (specify)			

**VIII. Reasonable Accommodation**

Please indicate the actions your agency will take to ensure that the process of reviewing reasonable accommodation requests is compliant with the EEO Policy as well as the applicable

federal, state, and local laws. Additionally, please detail any best practices currently implemented in this area. Lastly, please describe your current appeal protocol.

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

The agency provides reasonable accommodation for disability, religion, victims of domestic violence, sex offense and stalking, pregnancy, childbirth or a related medical condition.

The agency grants or denies request 30 days after submission or as soon as possible.

The agency head or designee<sup>1</sup> must review and grant or deny the appeal fifteen (15) days after submission of appeal. If NOT the agency head, please provide the name and title of the designee: \_\_\_\_\_

The agency follows the City’s Reasonable Accommodation Procedure.

The agency will input the Reasonable Accommodation activity on the DCAS Citywide Complaint and Reasonable Accommodation Tracking System and update the information as they occur.

The agency analyzes the reasonable accommodation data made at the agency.

Describe procedures and speed of resolution, including the protocol for deciding appeals of Reasonable Accommodation decisions. Does the agency analyze statistics with regard to volume, trends, and speed of disposition of EEO complaints and reasonable accommodation requests and appeals?

The Board of Standards and Appeals will ensure the confidentiality of medical records submitted with the reasonable accommodations’ requests. Such information must be collected and maintained on separate forms, and in separate medical files, apart from other personal data. The agency may disclose medical information only in the following circumstances: to first-aid personnel if the disability might require emergency treatment; (2) to government officials investigating the agency’s compliance with applicable laws; (3) to worker’s compensation offices following Workers’ Compensation Law; and (4) for

<sup>1</sup> EEO Officer and General Counsel should **NOT** be appointed as agency head designee. Note conflict of interest, i.e., that in the case of an external challenge to the denial of a reasonable accommodation, the agency’s GC would be tasked with defending the agency against a decision in which that office was a decision maker on appeal. Refer to the revised Guidelines indicating that neither the EEO Officer nor GC may serve as the agency head’s designee found at: <http://extranet.dcas.nycnet/eoo/diversityeoo/media/19647/reasonable-accommodation-procedural-guidelines-lc-12116.pdf> (p17).

insurance purposes. Moreover, managers and supervisors may be informed of an employee’s necessary work restrictions and any accommodations required.

The Board of Standards and Appeals will maintain a record of all reasonable accommodation requests and provide information requested by Citywide Diversity and EEO. This agency has implemented voluntary alternative compliant resolution procedures, including EEO counseling, mediation and investigation.

---



---



---

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

**A. Executive Order 16: Training on Transgender Diversity and Inclusion**

Under Executive Order No. 16 of 2016, the agency must provide supervisory and front-line staff training approved by DCAS on transgender diversity and inclusion. Pursuant to Executive Order No. 16, the training must be provided to all newly hired supervisory and managerial employees and line staff whose work tasks involve contact with the public.

- The agency plans to train all new employees within 30 days of start date.
- All the front-line supervisors, managers and employees were re-trained during FY 2019.
- All managers\supervisors will be re-trained by March 7, 2021.
- All front-line employees will be re-trained by March 7, 2020.

Training Topic	Type of Audience	Target Number of Participants	Targeted Dates
LGBTQ – Power of Inclusion (classroom)	Supervisors		
	Front Line Staff		
LGBTQ – Power of Inclusion (e-learning)	Supervisors	4	3/7/2021
	Front Line Staff	4	3/7/2020

- The agency will ensure that the Transgender Restroom Access notice/poster is posted where required, e.g., on bulletin boards, near restrooms and, in digital form, where other EEO notices and announcements can be found.

<i>Additional Comments:</i>
-----------------------------

**B. Executive Order 21 (2016): Prohibition on Inquiry regarding Job Applicant’s Pay History**

<input checked="" type="checkbox"/> The agency has reviewed its practices (including application and interview forms) with regards to prohibition on inquiry regarding pay history. <input checked="" type="checkbox"/> All personnel involved in job interviews will be required to go through Structured Interviewing and Unconscious Bias Training.
---

<i>Additional Comments:</i>
-----------------------------

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

<input type="checkbox"/> The agency plans to train <u>all</u> new employees on Sexual Harassment Prevention within 30 days of start date. Current employees will be trained annually.
---

Training Topic	Type of Audience	Target # of participants	Targeted Dates
1. Sexual Harassment Prevention (classroom)			
2. Sexual Harassment Prevention (e-learning)	All staff	25	10/31/2019

<i>Additional Comments:</i>
-----------------------------

**D. Local Law 93 (2018): Risk Assessment Survey & Initiatives to reduce/minimize risk of sexual harassment.**

Please provide a summary of agency initiatives to address the risk of sexual harassment and devise responsive strategies to minimize such risk. Please refer to the risk assessment survey conducted in 2018 and indicate if the initiatives were completed or are continuing.

	<b>Initiative(s)</b>	<b>Who is Responsible for implementing the initiative(s)?</b>	<b>Timeframe\Timeline</b>
<b>Risk 1 Homogenous Workplace</b>	The agency will maintain diversity at all levels of its workforce and an environment of collegiality and frequent collaboration, allowing for employees to work across their various organizational units with employees of different genders, gender identity, and ages so that no employee is isolated and there is no increased risk of sexual harassment due to a homogeneous work environment.	Managers	<u>Ongoing</u> <input checked="" type="checkbox"/>  <u>Completed</u> <input type="checkbox"/>
<b>Risk 2 Cultural and Language Differences in the workplace</b>	The agency will continue to cultivate a work environment that not only tolerates cultural and language differences, but celebrates them, and demands that employees treat each other with respect and dignity, regardless of one's cultural background.	All Staff	<u>Ongoing</u> <input checked="" type="checkbox"/>  <u>Completed</u> <input type="checkbox"/>
<b>Risk 3</b>	The agency will continue to	Managers	<u>Ongoing</u> <input checked="" type="checkbox"/>

<p><b>Workplaces with Significant Power Disparities</b></p>	<p>cultivate a work environment that does not tolerate sexual misconduct and more clearly communicate to its workforce that sexual harassment will not be tolerated, complaints of sexual harassment will be dealt with swiftly and seriously and victims need not fear that their rank in the organization will have any impact on their credibility. The agency can continue to apply workplace rules uniformly, regardless of employee rank or seniority.</p>		<p><u>Completed</u> <input type="checkbox"/></p>
<p><b>Risk 4 Isolated Workplaces</b></p>	<p>The agency will continue its current open plan/cubicle layout in which employees are constantly interacting with co-workers across organizational units, provide all new employees with dedicated workspaces, and insist that all employees have at least one direct supervisor.</p>	<p align="center">Managers</p>	<p><u>Ongoing</u> <input checked="" type="checkbox"/></p> <p><u>Completed</u> <input type="checkbox"/></p>

<b>Risk 5 Decentralized Workplaces</b>	Though our office location is not entirely within our control, the agency will seek to continue to house all employees in a single location with agency leaders located near all other employees.	Managers	<u>Ongoing</u> <input checked="" type="checkbox"/>  <u>Completed</u> <input type="checkbox"/>
<b>Other Findings</b>			<u>Ongoing</u> <input type="checkbox"/>  <u>Completed</u> <input type="checkbox"/>

**E. Local Law 97 (2018): Annual Sexual Harassment Reporting**

<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> The agency will input sexual harassment complaint data on the DCAS Citywide Complaint Tracking System, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.</li> <li><input checked="" type="checkbox"/> The agency will input <b>all types of complaints</b> in the complaint data on the DCAS Citywide Complaint Tracking System, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.</li> <li><input checked="" type="checkbox"/> The agency will ensure that complaints are closed within 90 days.</li> </ul>
<p><i>Additional Comments:</i></p>

**F. Local Law 101 (2018): Climate Survey**

Describe how additional insights gained from the analysis of the citywide Climate Survey will influence your agency workforce/workplace/community initiatives.

<p>The agency, in collaboration with DCAS, has conducted a climate survey and:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> analyzed results of the response data sent by DCAS.</li> <li><input checked="" type="checkbox"/> implemented the following initiatives to address concerns raised in the Climate Survey:</li> </ul>
---

\_\_\_\_\_ Since our agency is under the umbrella of DCAS we will follow all their Climate Survey plans.

\_\_\_\_\_

\_\_\_\_\_

The agency will provide a report to DCAS on the above initiatives by January 31, 2020.

[NOTE: DCAS is mandated to submit a report on Action Plan to the Mayor and the Speaker of the Council].

*Additional Comments:*

*DCAS has approved this D&EEO Plan although the agency has not provided a required Climate Survey action plan. The agency explained that it had not received any responses specific to BSA employees.*



**X. Audits and Corrective Measures:**

Please choose the statement that applies to your agency.

- The agency is NOT involved in an audit conducted by NYC EEPC or another governmental agency specific to our EEO practices.
  
- The agency is currently being audited or preparing responses to an audit conducted by the **EEPC** or specific to our EEO practices. Upon forwarding our responses to the recommendations issued by the EEPC, the agency will submit to OCEI an amendment letter, which shall amend the agency plan for FY 2020 to include and implement EEPC recommendations that will be implemented during the fiscal year.
  
- The agency is subject to any other oversight or review by a federal, state or city civil rights agency [please specify \_\_\_\_\_].  
Attach a copy of the document setting out the oversight parameters and the agency’s most recent report to the oversight agency.
  
- The agency was involved in an audit conducted by the EEPC or [ \_\_\_\_\_ **another governmental agency – please specify**] specific to our EEO practices. This agency will continue/be required to implement measures during the year that this plan is in effect (please attach a copy of the audit findings.)

**NOTE: Final Agency Head’s signature and date should be set only after you receive DCAS’ approval of the plan.**

Margery Perlmutter

\_\_\_\_\_  
Print Name of Agency Head



\_\_\_\_\_  
Signature of Agency Head

July 17<sup>th</sup>, 2020

\_\_\_\_\_  
Date

**APPENDIX**  
Contact Information

Please provide contact information (name, title, office address, telephone number and e-mail address) for the following individuals at your agency:

1. Agency EEO Officer  
Darrell Ruffin  
EEO Officer  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)
  
2. Agency Chief Diversity & Inclusion Officer  
Darrell Ruffin  
EEO Officer  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)
  
3. ADA Coordinator  
Darrell Ruffin  
EEO Officer  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)
  
4. Disability Rights Coordinator  
Darrell Ruffin  
EEO Officer  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)
  
5. Disability Services Facilitator  
Darrell Ruffin  
EEO Officer

250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)

6. 55-a Coordinator

Darrell Ruffin  
EEO Officer  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)

7. Career Counselor

Mireille Milfort  
Career Counselor  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0078  
Email: [mmilfort@bsa.nyc.gov](mailto:mmilfort@bsa.nyc.gov)

8. Training Liaison

Darrell Ruffin  
EEO Officer  
250 Broadway, 29<sup>th</sup> FL  
New York, NY 10007  
Tel: (212) 386-0054  
Email: [DRuffin@bsa.nyc.gov](mailto:DRuffin@bsa.nyc.gov)