Equal Employment Practices Commission

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Director of Learning and Development

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

253 Broadway
Suite 602
New York, NY 10007

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

BY MAIL AND EMAIL

February 8, 2019

Richard A. Brown
District Attorney
Office of the Queens County District Attorney
135-01 Queens Boulevard
Kew Gardens, NY 11415

Re: Office of the Queens County District Attorney
Follow-up Audit Regarding Previous Non-Compliance:
Employment Practices and Procedures
Audit Period: July 1, 2017 to June 30, 2018
Determination: PRELIMINARY

Dear District Attorney Brown:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you and your agency for the cooperation extended to our staff thus far. This letter contains the EEPC's evaluation and preliminary determinations pursuant to the Queens County District Attorney's Employment Practices and Procedures Audit for the period covering July 1, 2017 to June 30, 2018.

Purpose

Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter) authorize the EEPC to audit, review, evaluate, and monitor the employment practices, procedures, and programs of city agencies and other municipal entities, hereinafter "entities," and their efforts to ensure fair and effective equal employment opportunity (EEO) for women and minority employees and applicants. Charter Sections 831(d)(2) and 832(c) authorize the EEPC to make a determination that any 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 prescribed.

The Queens County District Attorney, hereinafter simply termed "agency" or "entity," falls within the EEPC's purview under Chapter 36, Sections 830(a) and 831(a) of the Charter, to review, evaluate, and monitor the coordination and implementation of affirmative employment programs of equal employment opportunity for 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…"

Scope

The EEPC has adopted uniform standards for auditing municipal entities[1] and minimum standards for community boards (collectively "Standards") to review, evaluate, and monitor entities' employment and EEO-related practices, procedures, approaches, measures, standards, and programs. These standards are founded upon, and consistent 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. Corrective actions prescribed are consistent with the aforementioned parameters including, but not limited to, the City of New York's *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies 2014,* as amended (Citywide EEO Policy); the New York City Human Rights Law (New York City Administrative Code Title 8); New York State Human Rights Law (New York Executive Law, Article 15); the New York State Civil Service Law §55-a; and the equal employment opportunity requirements of the New York City Charter.

Policy and Plan Requirements

The aforementioned Standards require, at minimum, that mayoral entities distribute the Citywide EEO Policy; non-mayoral entities establish or adopt a comprehensive EEO policy; and Community Boards, which are comprised of members appointed by the respective Borough Presidents, adopt and distribute the corresponding Borough President's EEO Policy.

Because the EEPC is authorized to review and recommend actions that each entity should consider including in its annual plan of measures and programs to provide equal employment opportunity, or Annual EEO Plan, entities are also required to incorporate the EEPC's corrective actions in prospective Annual EEO Plans and programs.

Methodology

The EEPC communicates with 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, and 55-a Program Coordinators) and other employees identified as having involvement in EEO program administration such as the Principal Human Resources Professional and relevant Counsel.

The EEPC's audit methodology includes review of the agency's Annual EEO Plans and Quarterly EEO Reports; analysis of workforce and utilization data from the Citywide Equal Employment Database System (CEEDS) (see Appendix 1 for CEEDS EEO Job Groups); and the collection and analysis of documents, records, and data an entity and its representatives provide in response to the Employment Practices and Procedures Preliminary Interview Questionnaires (collectively PIQs). All PIQs contain requests to attach supporting documentation for answer options selected.

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

EEO Professionals designated for electronic interviews are assigned a three-week deadline to complete and return the PIQs. The EEPC's PIQs were sent to the Queens County District Attorney on October 2, 2018; the completed PIQs with supporting documentation were returned on October 23, 2018. Additional requests for information were made on November 5, 2018 with responses provided on November 8, 2018.

The following determination indicates where the Queens County District Attorney has or has not complied, in whole or in part, with the established Standards.

Description of the Agency

Pursuant to Article 13, section 13 of the State Constitution, District Attorneys are constitutional officers elected every four years. Section 927 of the County Law imposes upon District Attorneys the duty to protect the public by investigating and prosecuting criminal conduct in the counties in which they hold office. At the end of the period in review, the CEEDS Report: *Work Force Composition Summary* for the Office of the Queens County District Attorney, attached as Appendix 2, indicated the agency's headcount was 684; 317 of whom were in the title Assistant District Attorney.

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 memorandum annually 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.

✓ During the period in review, the District Attorney's (DA) August 2016 "*Equal Employment Opportunity (EEO) Policy Statement"* (EEO Policy Statement) was distributed in hard copy to new employees during orientation and emailed to all employees by the principal EEO Professional. The EEO Policy statement reiterated that the agency was "*committed to providing its employees with a work environment in which all individuals are treated with respect and dignity.*" It further stated that "*This office is an equal opportunity employer and strives to provide equal employment opportunity to all employees and applicants for employment without regard to 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, pregnancy, caregiver status,*

predisposing genetic characteristic, sexual orientation, status as a victim of domestic violence, a sex offense or stalking, unemployment status and consumer credit history." The EEO Policy statement informed employees of the contact information for and responsibilities of the principal EEO Professional and the EEO Coordinators to implement the agency's EEO program and was issued with "*Equal Employment Opportunity and Sexual Harassment Policy and Program.*"

- ➢ The agency did not demonstrate that an EEO Policy statement or memorandum was issued annually during the period in review. Corrective Action Required.

NOTE: Subsequent to the period in review, on November 18, 2018 and February 1, 2019 employees were advised, via agency-wide emails from the principal EEO Officer, that the EEO Policy, which contained the EEO Policy statement, was available on their computer desktop via a folder icon entitled "*QDA EEO Policy*."

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 EEO 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.

✓ In August 2016, the principal EEO Professional emailed all employees electronic copies of the agency's "*Equal Employment Opportunity and Sexual Harassment Policy and Program*" (EEO Policy) and "*Reasonable Accommodation Policy and Procedure*" (Reasonable Accommodation Policy). The agency also reported that during the period in review, paper copies of its EEO Policy were distributed to new employees during orientation. The EEO Policy contained the following sections: *Statement on Sexual Harassment in the Work Place*; *Responsibilities for Implementing the Equal Employment Opportunity and Sexual Harassment Program*; *Internal Equal Employment Opportunity and Sexual Harassment Complaint Procedures*; *Communication of the Goals and Procedures of the Equal Employment Opportunity and Sexual Harassment Program;* and contact information for *federal, state and local agencies that enforce laws against discrimination and sexual harassment*. A list of most of the protected classes under NYC and NYS Human Rights Law, and contact information for the agency's EEO professionals was included in the EEO Policy statement, which was distributed as an attachment to the EEO Policy.

- ➢ The agency's EEO Policy did not include "*familial status*" as a protected class under NYS Human Rights Laws. Corrective Action Required.

NOTE: Subsequent to the period in review, on November 18, 2018 and February 1, 2019, employees were advised, via agency-wide emails, from the principal EEO Officer, that the EEO

Policy was available on their computer desktops via a folder icon entitled "*QDA EEO Policy*." The EEO Policy was updated to reflect all the current protected classes under NYS Human Rights Laws.

II. EEO TRAINING FOR AGENCY

Determination: The agency is in non-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.

✓ During the period in review, the agency's new hire orientation program for Professional Staff (Assistant District Attorneys (ADAs)) included EEO training conducted by the Deputy EEO Officer/EEO Trainer within the first week of employment. Emails in April, September, and November 2018, sent by the Director of Human Resources, advised Support Staff (staff other than ADAs) that they were required to complete the Department of Citywide Administrative Services' (DCAS) EEO computer-based training (EEO CBT) within their first six (6) months of employment. A "*New Hire Details - EEO CBT Tracking*" spreadsheet details the start date of new hires for the period in review, the date they were emailed about completion of the *EEO CBT Training*, the completion status, and the date of follow-up. Topics covered by the agency's new hire orientation for Professional Staff and the DCAS EEO CBT included 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 did not demonstrate the implementation of an EEO training plan for existing employees. 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 positions become available or where the agency may otherwise use discretion in hiring.

- The agency did not assess its recruitment efforts to determine whether such efforts adversely impacted women, minorities, or any other protected group. Further, CEEDS Reports – *Work Force Compared with Internal and External Pools* from the period in review indicated underutilization of *Blacks* in the *Managers, Clerical,* and *Police and Detectives* job groups for all four (4) quarters of fiscal year (FY) 2018, and underutilization of *Blacks* in the *Clerical Supervisors* and *Paraprofessionals* job groups for the first three (3) quarters of FY 2018 (see Appendices 3 and 4).

  NOTE: The same CEEDS Report for the second quarter of FY 2019 (the most recent quarter available), indicated underutilization of *Blacks* in the *Managers, Clerical, Police and Detectives,* and *Clerical Supervisors* job groups (see Appendix 5). Corrective Action Required.

  Corrective Action #2: 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 positions become available or where the agency may otherwise use discretion in hiring.

5. 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).

- ✓ During the period in review the principal EEO Professional prepared and distributed for review a "*Semi-annual review of Professional and Support Staff"* memorandum to the District Attorney, Chief Assistant District Attorney, General Counsel, and the Executive Assistant District Attorney for Administration. The aforementioned memorandum detailed the agency's headcount and demographic composition by gender and ethnicity.

  - The agency did not review the annual number of EEO complaints or the agency's employment practices, policies and programs on an annual basis to identify whether there were barriers to equal opportunity within the agency and determine what, if any, actions were required to correct deficiencies. Corrective Action Required.

  Corrective Action #3: 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).

6. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a 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 agency did not assess the manner in which candidates were selected for employment to determine whether such efforts adversely impacted women, minorities, or any other protected group. Further, CEEDS Reports – *Work Force Compared with Internal and External Pools* from the period in review indicated underutilization of *Blacks* in the *Managers, Clerical,* and *Police and Detectives* job groups for all four (4) quarters of FY 2018, and underutilization of *Blacks* in the *Clerical Supervisors* and *Paraprofessionals* job groups for the first three (3) quarters of FY 2018 (see Appendices 3 and 4).

     NOTE: The same CEEDS Report for the second quarter of FY 2019 (the most recent quarter available), indicated underutilization of *Blacks* in the *Managers, Clerical, Police and Detectives,* and *Clerical Supervisors* job groups (see Appendix 5). Corrective Action Required.

   Corrective Action #4: Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a 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.

7. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and hire qualified candidates.

   - The agency did not determine whether the aforementioned job groups, in which underutilization was indicated, included discretionary titles (see Appendices 2, 3 and 4). Corrective Action Required.

   Corrective Action #5: If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and hire qualified candidates.

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 agency did not determine whether the aforementioned job groups, where underutilization was indicated, included *civil service* (list) titles (see Appendices 2, 3 and 4). Corrective Action Required.

   Corrective Action #6: 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.

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 demonstrated that two (2) employees who conducted interviews for support staff completed the DCAS training on *Structured Interviewing and Unconscious Bias.* Certificates of completion issued in March and May 2017, which was prior to the period in review, were provided for these two employees.

   ➢ The agency did not demonstrate that all employees 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. Although the agency reported that seven (7) employees conducted interviews for support staff, five (5) of whom completed the DCAS training on *Structured Interviewing and Unconscious Bias*, the agency did not provide verification that this training was completed for five (5) employees. The agency further reported that the principal EEO Professional (Counsel to Chief Assistant District Attorney), who had completed EEO training (see §VI.19) but not structured interview training, was the main person responsible for final interviews for Professional Staff. Corrective action required.

Corrective Action #7: 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.

✓ During the period in review, the principal EEO Professional and the Director of HR & Payroll Services emailed Professional Staff in December 2017 and Support Staff in June 2018, to promote employees' awareness regarding opportunities for advancement and transfer within the agency.

11. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.

✓ During the period in review, the agency utilized a monthly review system called the "*Appellate Division Reviews,"* which required the attendance of all Professional Staff and was aimed at improving employees' job performance and skills.

- During the period in review, the agency did not demonstrate that it had programs for Support Staff for career enhancement, development opportunities, and transfer. Corrective Action Required.

Corrective Action #8: Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.

✓ Representative internal and external recruitment literature from the period in review indicated that the agency was an equal opportunity employer. Four (4) external job vacancy notices advertised online and in newspapers, for *Crime Victim Case Manager, Crime Victim Associate, Senior Racquets Investigator,* and *Supervising Racquets Investigator* vacancies, each indicated that the agency was an "*Equal Opportunity Employer*". Three internal job vacancy notices, for *Clerk, Criminal Court Bureau,* and *Queens Treatment Intervention Program Case Manager* positions, each indicated that "*The Office of the Queens County District Attorney is*

an equal opportunity employer with a strong commitment to the diversity of our organization and workforce."

13. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position*, *applicants'/candidates' names* or *identification number*, *race/ethnicity*, *gender*, *disability*, *veteran status*, *interview date*, *interviewers' names*, *result* (or *disposition*), *reason selected/not selected* for each applicant, and *recruitment source*. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)

✓ During the period in review, the agency maintained its *ADA Recruitment Database*, an electronic applicant tracking system for Professional Staff positions. Screenshots of the *ADA Recruitment Database* demonstrated its ability to capture the following information for each applicant: *applicant's name, date of application, address, telephone number, school, gender, interviewers' name, result, reason selected/not selected,* and *recruitment source.*

- During the period in review, the agency did not use or maintain an applicant/candidate log or tracking system for Support Staff. Although the *ADA Recruitment Database* captured the names and gender of applicants for its Professional Staff, it did not capture: *race, ethnicity, veteran status,* and *disability status*. Corrective action required.

Corrective Action #9: Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position*, *applicants'/candidates' names* or *identification number*, *race/ethnicity*, *gender*, *disability*, *veteran status*, *interview date*, *interviewers' names*, *result* (or *disposition*), *reason selected/not selected* for each applicant, and *recruitment source*. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)

IV. CAREER COUNSELING

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

14. Designate a professional (may be referred to as the Career Counselor) with 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.

✓ On February 2, 2017, the DA informed all employees via emailed memorandum, of the identities, contact information and the services available from the agency's two Career Counselors; one for the Professional Staff and another for the Support Staff.

15. Assign the Human Resources Professional (or designee) the responsibilities to ensure that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities, job postings, and Career Counseling

(including the identity of the Career Counselor); and to inform and involve the principal EEO Professional in the 55-a program and/or efforts to employ, promote or accommodate qualified individuals with disabilities.

✓ On February 2, 2017, the DA informed all employees, via emailed memorandum, of the identities of the agency's two Career Counselors. The memorandum also informed employees that information regarding job responsibilities, performance evaluation standards, examinations, training opportunities, and job postings could be obtained from those Career Counselors. Further, the agency's *Reasonable Accommodation Policy* provided contact information for the agency's Disability Rights Coordinator (DRC) and established that the DRC "*shall be responsible for ensuring effective communication between applicants or employees and agency staff at every stage of the application and reasonable accommodation process.*" The agency's *Reasonable Accommodation Policy* also addressed the involvement of the principal EEO Professional in the agency's efforts to employ, promote, or accommodate qualified individuals with disabilities; specifically the responsibility of processing reasonable accommodation requests for applicants and consulting with the agency head about applicant or employee appeals.

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

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

16. Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.

➢ The agency reported that it did not distribute information to employees about the 55-a program. Corrective Action Required.

Corrective Action #10: Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.

17. Ensure that information regarding employee EEO-related rights and obligations, and the complaint, investigation and reasonable accommodation procedures is made available in appropriate alternative formats (i.e., large print, audio recording and/or Braille) upon request to employees and applicants for employment with disabilities.

✓ The agency reported that during the period in review, its EEO Policy, including the complaint and investigation procedures, was available in large print and that the reasonable accommodation procedures could be made available in large print, if necessary. However to date, it has received no requests for the policy in alternative formats.

18. Document reasonable accommodation requests and their outcomes.

✓ During the period in review, the agency documented reasonable accommodation requests and their outcomes via its *Reasonable Accommodation Tracking Sheet*, which captured the date the request was received, the type of accommodation requested, the outcome of the request and relevant notes pertaining to each request. Sought

VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS

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

19. Appoint a principal EEO Professional to implement EEO policies and standards within the agency. Ensure the principal EEO Professional is trained 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.

✓ A certificate of completion indicated that the agency's principal EEO Professional during the audit period, and to date (Counsel to Chief Assistant District Attorney), completed DCAS's five-day *Diversity and EEO Basic Training* in April and May 2017. Topics covered in the aforementioned training included 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.

20. Ensure that the responsibilities of the principal EEO Professional are competently discharged by providing adequate resources such as opportunities for continuing education and professional development, and/or support staff to meet EEO obligations.

✓ During the period in review, the principal EEO Professional was provided resources to competently discharge the responsibilities of the office in the form of training (see §VI.19) and the allocation of EEO support staff. EEO support staff during the period in review included a Deputy EEO Officer/EEO Trainer, an EEO Investigator, and seven (7) EEO Coordinators. The EEO Policy statement established that the EEO Coordinators "*…will assist the EEO Officer in all aspects of the EEO Program and serve as the primary recipients of any EEO complaints from members of this Office.*" Sign-in sheets indicated that the Deputy EEO Officer/EEO Trainer and the EEO Investigator attended all five (5) days of DCAS's *Diversity and EEO Basic Training* in April and May 2017.

21. Assign the principal EEO Professional (or EEO-related designee) the responsibility to supervise the activities of EEO professionals, and ensure that: the policies against sexual harassment and complaint procedures are distributed/posted at all agency locations; employees/managers receive sexual harassment prevention training; EEO-related policies are made available in alternative formats (i.e., large print, audio recording and/or Braille) upon request; managers, supervisors and human resource professionals receive guidance on issues pertaining to sexual harassment; and allegations of sexual harassment are promptly investigated.

✓ The District Attorney assigned the principal EEO Professional the responsibility to establish, develop and monitor the agency's EEO program as per the agency's EEO Policy. The EEO Policy

outlined specific aspects of the agency's EEO Program, including that the District Attorney's EEO Policy statement will be posted on all employee bulletin boards (Section V.A.), that the EEO Policy and EEO Policy statements will be distributed to all employees and new employees during orientation (Section V.A), and that sexual harassment training will be incorporated into "*managerial, supervisory, EEO,* [and] *employee orientation*" (Section II.J). The EEO Policy also established the responsibilities of the principal EEO Professional and EEO Counselors to provide guidance on issues pertaining to sexual harassment to managers, supervisors, and human resource professionals; and to investigate allegations of sexual harassment in accordance with the time frames established in agency's complaint investigation procedures (Section III.A, Section III.C, and Section IV.C). The EEO Policy also states that "*the EEO Coordinators shall report directly to the EEO Officer*" Further, the agency's *Reasonable Accommodation Policy* designated that the DRC "*shall be responsible for ensuring effective communication between applicants or employees and agency staff at every stage of the application and reasonable accommodation process. Effective communication may require arranging for sign language interpreters, assistive listening equipment, alternative formats for people with visual impairments, or other approaches."*

22. Ensure that the principal EEO Professional reports directly to the agency head (or a direct report other than the General Counsel) in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities.

✓ The agency's current organizational chart, dated February 2011, indicated that the principal EEO Professional reported directly to the Chief Assistant District Attorney, who reported directly to the District Attorney.

23. Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.

✓ The agency reported that the principal EEO Professional and Deputy EEO Officer/EEO Trainer met monthly with the District Attorney and the Chief Assistant District Attorney to discuss the administration and operation of the agency's EEO program, including status of training, status of complaints, and new members of Support Staff and Detective Bureau.

- The agency did not maintain documentation regarding directives or decisions that occurred during, or as a result of, the abovementioned monthly meetings that impacted the administration and operation of EEO programs, policies or procedures. Corrective Action Required.

Corrective Action #11: Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.

VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION – SUPERVISORS/MANAGERS

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

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

✓ During the period in review, the agency maintained performance evaluation programs for its Professional Staff and Support Staff. The Chief Assistant to the District Attorney emailed all Bureau Chiefs with *Professional Staff Evaluation Forms* and reminders along with the evaluation due dates. The Chief Assistant's Secretary tracked evaluation completions via a list and followed up with each Bureau Chief to ensure that evaluations for all members of each Bureau were completed. The hard copies of the completed evaluations for each Assistant District Attorney were maintained by the Chief Assistant and the electronic copies were uploaded into the *Paradox Program* database for storing electronic documents. The agency's Support Staff evaluation program was maintained by the HR Director. Support Staff evaluations were conducted at the six month intervals for the first year (and annually thereafter) and tracked via the agency's *Support Staff Evaluation Database*. A screenshot of the *Support Staff Evaluation Database* depicted its ability to capture the status of the evaluation (completed or pending) and the date of evaluation completion.

25. Ensure 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 reported that its managerial performance evaluation did not contain a rating for EEO or that fulfillment of managerial EEO-related responsibilities were otherwise assessed. Corrective Action Required.

Corrective Action #12: Ensure 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 non-compliance with the standards for this subject area.

26. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports[2] on efforts to implement the Plan within 30 days following each quarter. Include a breakout of EEO and sexual harassment complaint activity in each quarterly report.

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

- During the period in review, the agency did not submit an Annual Plan of measures and programs to provide equal employment opportunity. Corrective Action Required.

Corrective Action #13: Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

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 twelve (13) required corrective action(s) at this time.

Pursuant to Charter Chapter 36, the Office of the Queens County District Attorney has the *option* to respond to this Preliminary Determination, but must respond to our Final Determination if corrective action is required. **Any response must be signed by the agency head and submitted to the EEPC's Executive Director.**

Optional Response to Preliminary Determination: If submitted, the Office of the Queens County District Attorney's optional response to the EEPC's Executive Director should indicate, with attached documentation, what steps have been or will be taken to correct outstanding areas of non-compliance, 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*) If requested, at the Optional Conference, the EEPC will discuss the immediate steps that should be taken to correct outstanding areas of non-compliance and address questions regarding the Office of the Queens County District Attorney's implementation of the prescribed corrective action(s).

(*No Response Option*) If the Office of the Queens County District Attorney 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 action(s) based on verified information submitted as part of the response to the Preliminary Determination; identify remaining corrective action(s) that require further monitoring to ensure implementation;

and assign a mandatory compliance-monitoring period of up to 6 months for this purpose. Pursuant to Charter Chapter 36, upon receipt, the Office of the Queens County District Attorney must submit a response, signed by the agency head, 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,

Pratima Doodnauth, EEO Research Specialist

Approved by,

Charise L. Terry, PHR
Executive Director

c: Vincent Carroll, Principal EEO Professional

Equal Employment Practices Commission

Citywide Equal Employment Database System (CEEDS)
Utilization of Reports in Audits

The Equal Employment Practices Commission reviews the workforce statistics and utilization analysis information available from 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 EEPC requests that the agency submit similar statistics and analysis.) CEEDS serve various purposes in an audit; but most importantly, it allows the EEPC's EEO Program Analysts to 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 actions are reviewed to ascertain the agency's employment practices. Where underutilization is revealed within an agency's workforce, the EEPC's EEO Program Analysts assess whether the agency has undertaken reasonable measures to address it.

Appendix - 1

Queens County District Attorney's Office
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

Queens County District Attorney's Office
Workforce Composition Summary
4th Quarter of Fiscal Year 2018
(End of Audit Period)

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 002 MANAGERS

TITLE CODE	TITLE DESCRIPTION	MALE WHITE	MALE BLACK	MALE HISPN	MALE ASIAN PACIS	MALE AM IND ALASK	MALE UN-KNOWN	FEMALE WHITE	FEMALE BLACK	FEMALE HISPN	FEMALE ASIAN PACIS	FEMALE AM IND ALASK	FEMALE UN-KNOWN	OTHER	TOTAL EMP
05329	SPECIAL ASSISTANT TO THE D	3	0	0	0	0	0	2	0	0	0	0	0	0	5
10025	ADMINISTRATIVE MANAGER	0	0	0	0	0	0	1	0	0	0	0	0	0	1
10026	ADMINISTRATIVE STAFF ANALY	0	0	0	0	0	0	2	0	0	1	0	0	0	3
10033	ADMINISTRATIVE PUBLIC INFO	0	0	0	0	0	0	0	1	0	0	0	0	0	1
30114	ASSISTANT DISTRICT ATTORNE	98	5	10	7	1	24	100	19	17	18	0	18	0	317
3083A	SUPERVISING RACKETS INVEST	2	0	0	0	0	0	0	0	1	0	0	0	0	3
82950	AGENCY CHIEF CONTRACTING O	0	0	0	0	0	0	1	0	0	0	0	0	0	1
	EEO JOB GROUP TOTAL.....:	103	5	10	7	1	24	106	20	18	19	0	18	0	331
		31.13	1.51	3.02	2.11	0.30	7.25	32.02	6.04	5.44	5.74	0.00	5.44	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 003 MANAGEMENT SPECIALISTS

TITLE CODE	TITLE DESCRIPTION	MALE WHITE	MALE BLACK	MALE HISPN	MALE ASIAN PACIS	MALE AM IND ALASK	MALE UN-KNOWN	FEMALE WHITE	FEMALE BLACK	FEMALE HISPN	FEMALE ASIAN PACIS	FEMALE AM IND ALASK	FEMALE UN-KNOWN	OTHER	TOTAL EMP
06719	SUPERVISING ACCOUNTANT INV	1	0	0	0	0	0	1	0	0	0	0	0	0	2
1002A	ADMINISTRATIVE STAFF ANALY	0	0	0	0	0	0	0	1	1	0	0	0	0	2
1002C	ADMINISTRATIVE MANAGER NON	1	0	1	0	0	0	5	1	1	0	0	0	0	9
12626	STAFF ANALYST	0	0	0	0	0	0	0	0	0	1	0	0	0	1
	EEO JOB GROUP TOTAL.....:	2	0	1	0	0	0	6	2	2	1	0	0	0	14
		14.28	0.00	7.14	0.00	0.00	0.00	42.86	14.29	14.29	7.14	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 004 SCIENCE PROFESSIONALS

TITLE CODE	TITLE DESCRIPTION	MALE WHITE	MALE BLACK	MALE HISPN	MALE ASIAN PACIS	MALE AM IND ALASK	MALE UN-KNOWN	FEMALE WHITE	FEMALE BLACK	FEMALE HISPN	FEMALE ASIAN PACIS	FEMALE AM IND ALASK	FEMALE UN-KNOWN	OTHER	TOTAL EMP
13611	COMPUTER ASSOCIATE (TECHNI	1	1	0	0	0	0	0	0	0	1	0	0	0	3
13622	COMPUTER SPECIALIST (OPERA	0	0	0	1	0	0	0	0	0	0	0	0	0	1
13632	COMPUTER SPECIALIST (SOFTW	1	0	0	0	0	0	0	0	0	0	0	0	0	1
13643	CERTIFIED IT DEVELOPER (AP	1	0	0	0	0	0	0	0	0	0	0	0	0	1
13652	CERTIFIED IT ADMINISTRATOR	0	1	0	0	0	0	0	0	0	0	0	0	0	1
13693	*CERTIFIED APPLICATIONS DE	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	EEO JOB GROUP TOTAL.....:	4	2	0	1	0	0	0	0	0	1	0	0	0	8
		50.00	25.00	0.00	12.50	0.00	0.00	0.00	0.00	0.00	12.50	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 008 LAWYERS

TITLE CODE	TITLE DESCRIPTION	MALE WHITE	MALE BLACK	MALE HISPN	MALE ASIAN PACIS	MALE AM IND ALASK	MALE UN-KNOWN	FEMALE WHITE	FEMALE BLACK	FEMALE HISPN	FEMALE ASIAN PACIS	FEMALE AM IND ALASK	FEMALE UN-KNOWN	OTHER	TOTAL EMP

94353	DISTRICT ATTORNEY	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	EEO JOB GROUP TOTAL.....:	1	0	0	0	0	0	0	0	0	0	0	0	0	1
		100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 010 TECHNICIANS

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
30080	PARALEGAL AIDE	0	0	0	0	0	1	3	4	3	0	0	0	0	11
	EEO JOB GROUP TOTAL.....:	0	0	0	0	0	1	3	4	3	0	0	0	0	11
		0.01	0.00	0.00	0.00	0.00	9.09	27.27	36.36	27.27	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 012 CLERICAL SUPERVISORS

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
10124	PRINCIPAL ADMINISTRATIVE A	0	0	0	0	0	0	4	1	0	0	0	3	0	8
	EEO JOB GROUP TOTAL.....:	0	0	0	0	0	0	4	1	0	0	0	3	0	8
		0.00	0.00	0.00	0.00	0.00	0.00	50.00	12.50	0.00	0.00	0.00	37.50	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 013 CLERICAL

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
10202	PRIVATE SECRETARY	0	0	0	0	0	0	2	0	0	0	0	0	0	2
10212	REPORTER/STENOGRAPHER (DA)	0	0	0	0	0	0	10	3	1	1	0	1	0	16
10251	CLERICAL ASSOCIATE	2	1	0	0	0	0	7	8	1	0	0	1	0	20
10252	SECRETARY	0	0	0	0	0	0	2	2	1	0	0	2	0	7
	EEO JOB GROUP TOTAL.....:	2	1	0	0	0	0	21	13	3	1	0	4	0	45
		4.44	2.22	0.00	0.00	0.00	0.00	46.67	28.89	6.67	2.22	0.00	8.89	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 015 POLICE SUPERVISORS

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
30832	SUPERVISING RACKETS INVEST	11	2	2	0	0	0	0	0	0	0	0	0	0	15
30837	CHIEF RACKETS INVESTIGATOR	1	0	0	0	0	0	0	0	0	0	0	0	0	1

EEO JOB GROUP TOTAL.....:	12	2	2	0	0	0	0	0	0	0	0	0	0	16
	75.00	12.50	12.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 018 POLICE

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
30830	RACKETS INVESTIGATOR	0	0	0	0	0	0	0	0	2	0	0	0	0	2
30831	SENIOR RACKETS INVESTIGATO	30	3	8	2	0	1	2	2	1	0	0	0	0	49
EEO JOB GROUP TOTAL.....:		30	3	8	2	0	1	2	2	3	0	0	0	0	51
		58.83	5.88	15.69	3.92	0.00	1.96	3.92	3.92	5.88	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 028 LABORERS

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
91406	CITY SEASONAL AIDE	0	0	0	0	0	0	0	0	0	1	0	0	0	1
EEO JOB GROUP TOTAL.....:		0	0	0	0	0	0	0	0	0	1	0	0	0	1
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	100.00

AGENCY CODE : 904 DISTRICT ATTORNEY-QUEENS COUNTY
EEO JOB GROUP : 031 PARA PROFESSIONAL OCCUPATIONS

		MALE						FEMALE							
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	TOTAL EMP
52406	COMMUNITY SERVICE AIDE	0	3	1	0	0	0	0	0	2	0	0	1	0	7
56056	COMMUNITY ASSISTANT	5	6	7	1	0	2	5	6	14	1	0	0	0	47
56057	COMMUNITY ASSOCIATE	15	7	14	2	0	1	32	14	24	13	0	2	0	124
56058	COMMUNITY COORDINATOR	4	2	2	1	0	0	5	3	0	2	0	1	0	20
EEO JOB GROUP TOTAL.....:		24	18	24	4	0	3	42	23	40	16	0	4	0	198
		12.12	9.09	12.12	2.02	0.00	1.52	21.21	11.62	20.20	8.08	0.00	2.02	0.00	100.00

AGENCY TOTAL.....:	178	31	45	14	1	29	184	65	69	39	0	29	0	684
	26.02	4.53	6.58	2.05	0.15	4.24	26.90	9.50	10.09	5.70	0.00	4.24	0.00	100.00

Appendix – 3

Queens County District Attorney's Office
Workforce Compared with Internal and External Pools
1st Quarter of Fiscal Year 2018
(Beginning of Audit Period)

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 002 MANAGERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	214	119	333	.5133	170.93	43.07	4.72	<.01	O
ETH	BLACK	26	307	333	.1889	62.90	-36.9	-5.17	<.01	U
ETH	HISPANIC	27	306	333	.1297	43.19	-16.2	-2.64	<.01	N-05%RUL
ETH	ASIAN / PAC ISL	23	310	333	.1017	33.87	-10.9	-1.97	0.024	N-05%RUL
ETH	NATIVE AMERICAN	1	332	333	.0018	0.60	0.40	0.52	0.302	
ETH	ETH UNKNOWN	42	291	333	.0402	13.39	28.61	7.98	<.01	O
GEN	MALE	149	184	333	.5345	177.99	-29.0	-3.18	<.01	U
GEN	FEMALE	184	149	333	.4206	140.06	43.94	4.88	<.01	O
GEN	GENDER UNKNOWN	0	333	333	.0197	6.56	-6.56	-2.59	<.01	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 003 MNGMNT SPECS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	9	6	15	.4094	6.14	2.86	1.50	0.067	
ETH	BLACK	2	13	15	.2958	4.44	-2.44	-1.38	0.084	U-80%RUL
ETH	HISPANIC	3	12	15	.1295	1.94	1.06	0.81	0.208	
ETH	ASIAN / PAC ISL	1	14	15	.1301	1.95	-0.95	-0.73	0.233	U-80%RUL
ETH	NATIVE AMERICAN	0	15	15	.0022	0.03	-0.03	-0.18	0.428	N-05%RUL
ETH	ETH UNKNOWN	0	15	15	.0207	0.31	-0.31	-0.56	0.287	N-05%RUL
GEN	MALE	4	11	15	.5718	8.58	-4.58	-2.39	<.01	U
GEN	FEMALE	11	4	15	.4032	6.05	4.95	2.61	<.01	O
GEN	GENDER UNKNOWN	0	15	15	.0126	0.19	-0.19	-0.44	0.331	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 004 SCIENCE PROFNS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	2	2	4	.4568	1.83	0.17	0.17	0.431	N - N<=8
ETH	BLACK	1	3	4	.1762	0.70	0.30	0.39	0.349	N - N<=8
ETH	HISPANIC	0	4	4	.1023	0.41	-0.41	-0.68	0.250	N - N<=8
ETH	ASIAN / PAC ISL	1	3	4	.2258	0.90	0.10	0.12	0.454	N - N<=8
ETH	NATIVE AMERICAN	0	4	4	.0024	0.01	-0.01	-0.10	0.461	N - N<=8
ETH	ETH UNKNOWN	0	4	4	.0315	0.13	-0.13	-0.36	0.359	N - N<=8
GEN	MALE	4	0	4	.6586	2.63	1.37	1.44	0.075	N - N<=8
GEN	FEMALE	0	4	4	.3131	1.25	-1.25	-1.35	0.088	N - N<=8
GEN	GENDER UNKNOWN	0	4	4	.0201	0.08	-0.08	-0.29	0.387	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 008 LAWYERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	1	0	1	.5889	0.59	0.41	0.84	0.202	N - N<=8
ETH	BLACK	0	1	1	.1310	0.13	-0.13	-0.39	0.349	N - N<=8
ETH	HISPANIC	0	1	1	.1020	0.10	-0.10	-0.34	0.368	N - N<=8
ETH	ASIAN / PAC ISL	0	1	1	.0721	0.07	-0.07	-0.28	0.390	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0011	0.00	-0.00	-0.03	0.487	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0200	0.02	-0.02	-0.14	0.443	N - N<=8
GEN	MALE	1	0	1	.4396	0.44	0.56	1.13	0.129	N - N<=8
GEN	FEMALE	0	1	1	.4738	0.47	-0.47	-0.95	0.171	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0010	0.00	-0.00	-0.03	0.487	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 010 TECHNICIANS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	3	8	11	.3514	3.87	-0.87	-0.55	0.292	U-80%RUL
ETH	BLACK	4	7	11	.3293	3.62	0.38	0.24	0.404	
ETH	HISPANIC	3	8	11	.1923	2.12	0.88	0.68	0.249	
ETH	ASIAN / PAC ISL	0	11	11	.1005	1.11	-1.11	-1.11	0.134	U-80%RUL
ETH	NATIVE AMERICAN	0	11	11	.0027	0.03	-0.03	-0.17	0.431	N-05%RUL
ETH	ETH UNKNOWN	1	10	11	.0182	0.20	0.80	1.80	0.036	
GEN	MALE	1	10	11	.6181	6.80	-5.80	-3.60	<.01	U
GEN	FEMALE	10	1	11	.3662	4.03	5.97	3.74	<.01	O
GEN	GENDER UNKNOWN	0	11	11	.0098	0.11	-0.11	-0.33	0.371	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 012 CLERICAL SUPS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	5	5	10	.2238	2.24	2.76	2.10	0.018	O
ETH	BLACK	1	9	10	.5619	5.62	-4.62	-2.94	<.01	U
ETH	HISPANIC	0	10	10	.1348	1.35	-1.35	-1.25	0.106	U-80%RUL
ETH	ASIAN / PAC ISL	0	10	10	.0511	0.51	-0.51	-0.73	0.232	U-80%RUL
ETH	NATIVE AMERICAN	0	10	10	.0038	0.04	-0.04	-0.20	0.423	N-05%RUL
ETH	ETH UNKNOWN	4	6	10	.0245	0.25	3.76	7.68	<.01	O
GEN	MALE	0	10	10	.2093	2.09	-2.09	-1.63	0.052	U-80%RUL
GEN	FEMALE	10	0	10	.7769	7.77	2.23	1.69	0.045	
GEN	GENDER UNKNOWN	0	10	10	.0138	0.14	-0.14	-0.37	0.354	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 013 CLERICAL PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	22	24	46	.1867	8.59	13.41	5.07	<.01	O
ETH	BLACK	15	31	46	.5347	24.60	-9.60	-2.84	<.01	U
ETH	HISPANIC	4	42	46	.1509	6.94	-2.94	-1.21	0.113	U-80%RUL
ETH	ASIAN / PAC ISL	1	45	46	.0716	3.29	-2.29	-1.31	0.095	N-05%RUL
ETH	NATIVE AMERICAN	0	46	46	.0039	0.18	-0.18	-0.42	0.336	N-05%RUL
ETH	ETH UNKNOWN	4	42	46	.0478	2.20	1.80	1.24	0.107	
GEN	MALE	3	43	46	.2820	12.97	-9.97	-3.27	<.01	U
GEN	FEMALE	43	3	46	.6776	31.17	11.83	3.73	<.01	O
GEN	GENDER UNKNOWN	0	46	46	.0359	1.65	-1.65	-1.31	0.095	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 015 POLICE SUPS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	12	4	16	.6842	10.95	1.05	0.57	0.286	
ETH	BLACK	2	14	16	.1547	2.48	-0.48	-0.33	0.371	
ETH	HISPANIC	2	14	16	.1284	2.05	-0.05	-0.04	0.484	
ETH	ASIAN / PAC ISL	0	16	16	.0265	0.42	-0.42	-0.66	0.255	N-05%RUL
ETH	NATIVE AMERICAN	0	16	16	.0023	0.04	-0.04	-0.19	0.424	N-05%RUL
ETH	ETH UNKNOWN	0	16	16	.0039	0.06	-0.06	-0.25	0.401	N-05%RUL
GEN	MALE	16	0	16	.8621	13.79	2.21	1.60	0.055	
GEN	FEMALE	0	16	16	.1359	2.17	-2.17	-1.59	0.056	U-80%RUL
GEN	GENDER UNKNOWN	0	16	16	.0020	0.03	-0.03	-0.18	0.429	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 018 POLICE PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	31	20	51	.4164	21.24	9.76	2.77	<.01	O
ETH	BLACK	6	45	51	.3039	15.50	-9.50	-2.89	<.01	U
ETH	HISPANIC	11	40	51	.2189	11.16	-0.16	-0.06	0.478	
ETH	ASIAN / PAC ISL	2	49	51	.0487	2.48	-0.48	-0.31	0.377	
ETH	NATIVE AMERICAN	0	51	51	.0040	0.20	-0.20	-0.45	0.325	N-05%RUL
ETH	ETH UNKNOWN	1	50	51	.0077	0.39	0.61	0.97	0.165	
GEN	MALE	44	7	51	.7409	37.79	6.21	1.99	0.024	O
GEN	FEMALE	7	44	51	.2529	12.90	-5.90	-1.90	0.029	U-80%RUL
GEN	GENDER UNKNOWN	0	51	51	.0056	0.29	-0.29	-0.54	0.296	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 028 LABORERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	0	1	1	.2630	0.26	-0.26	-0.60	0.275	N - N<=8
ETH	BLACK	0	1	1	.3027	0.30	-0.30	-0.66	0.255	N - N<=8
ETH	HISPANIC	0	1	1	.2268	0.23	-0.23	-0.54	0.294	N - N<=8
ETH	ASIAN / PAC ISL	1	0	1	.0821	0.08	0.92	3.34	<.01	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0029	0.00	-0.00	-0.05	0.478	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0534	0.05	-0.05	-0.24	0.406	N - N<=8
GEN	MALE	0	1	1	.6625	0.66	-0.66	-1.40	0.081	N - N<=8
GEN	FEMALE	1	0	1	.2356	0.24	0.76	1.80	0.036	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0332	0.03	-0.03	-0.19	0.426	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 031 PARA PROFESSION PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	68	124	192	.3243	62.27	5.73	0.88	0.188	
ETH	BLACK	36	156	192	.2673	51.32	-15.3	-2.50	<.01	U
ETH	HISPANIC	63	129	192	.2449	47.02	15.98	2.68	<.01	O
ETH	ASIAN / PAC ISL	19	173	192	.0964	18.51	0.49	0.12	0.452	
ETH	NATIVE AMERICAN	0	192	192	.0025	0.48	-0.48	-0.69	0.244	N-05%RUL
ETH	ETH UNKNOWN	6	186	192	.0269	5.16	0.84	0.37	0.355	
GEN	MALE	75	117	192	.3798	72.92	2.08	0.31	0.379	
GEN	FEMALE	117	75	192	.5812	111.59	5.41	0.79	0.214	
GEN	GENDER UNKNOWN	0	192	192	.0011	0.21	-0.21	-0.46	0.323	N-05%RUL

Appendix – 4

Queens County District Attorney's Office
Workforce Compared with Internal and External Pools
4th Quarter of Fiscal Year 2018
(End of Audit Period)

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 002 MANAGERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	209	122	331	.5133	169.90	39.10	4.30	<.01	O
ETH	BLACK	25	306	331	.1889	62.53	-37.5	-5.27	<.01	U
ETH	HISPANIC	28	303	331	.1297	42.93	-14.9	-2.44	<.01	N-05%RUL
ETH	ASIAN / PAC ISL	26	305	331	.1017	33.66	-7.66	-1.39	0.082	N-05%RUL
ETH	NATIVE AMERICAN	1	330	331	.0018	0.60	0.40	0.52	0.300	
ETH	ETH UNKNOWN	42	289	331	.0402	13.31	28.69	8.03	<.01	O
GEN	MALE	150	181	331	.5345	176.92	-26.9	-2.97	<.01	U
GEN	FEMALE	181	150	331	.4206	139.22	41.78	4.65	<.01	O
GEN	GENDER UNKNOWN	0	331	331	.0197	6.52	-6.52	-2.58	<.01	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 003 MNGMNT SPECS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	8	6	14	.4094	5.73	2.27	1.23	0.109	
ETH	BLACK	2	12	14	.2958	4.14	-2.14	-1.25	0.105	U-80%RUL
ETH	HISPANIC	3	11	14	.1295	1.81	1.19	0.94	0.172	
ETH	ASIAN / PAC ISL	1	13	14	.1301	1.82	-0.82	-0.65	0.257	U-80%RUL
ETH	NATIVE AMERICAN	0	14	14	.0022	0.03	-0.03	-0.18	0.430	N-05%RUL
ETH	ETH UNKNOWN	0	14	14	.0207	0.29	-0.29	-0.54	0.293	N-05%RUL
GEN	MALE	3	11	14	.5718	8.01	-5.01	-2.70	<.01	U
GEN	FEMALE	11	3	14	.4032	5.64	5.36	2.92	<.01	O
GEN	GENDER UNKNOWN	0	14	14	.0126	0.18	-0.18	-0.42	0.336	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 004 SCIENCE PROFNS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	4	4	8	.4568	3.65	0.35	0.25	0.403	N - N<=8
ETH	BLACK	2	6	8	.1762	1.41	0.59	0.55	0.292	N - N<=8
ETH	HISPANIC	0	8	8	.1023	0.82	-0.82	-0.95	0.170	N - N<=8
ETH	ASIAN / PAC ISL	2	6	8	.2258	1.81	0.19	0.16	0.435	N - N<=8
ETH	NATIVE AMERICAN	0	8	8	.0024	0.02	-0.02	-0.14	0.445	N - N<=8
ETH	ETH UNKNOWN	0	8	8	.0315	0.25	-0.25	-0.51	0.305	N - N<=8
GEN	MALE	7	1	8	.6586	5.27	1.73	1.29	0.098	N - N<=8
GEN	FEMALE	1	7	8	.3131	2.50	-1.50	-1.15	0.126	N - N<=8
GEN	GENDER UNKNOWN	0	8	8	.0201	0.16	-0.16	-0.41	0.343	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 008 LAWYERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	1	0	1	.5889	0.59	0.41	0.84	0.202	N - N<=8
ETH	BLACK	0	1	1	.1310	0.13	-0.13	-0.39	0.349	N - N<=8
ETH	HISPANIC	0	1	1	.1020	0.10	-0.10	-0.34	0.368	N - N<=8
ETH	ASIAN / PAC ISL	0	1	1	.0721	0.07	-0.07	-0.28	0.390	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0011	0.00	-0.00	-0.03	0.487	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0200	0.02	-0.02	-0.14	0.443	N - N<=8
GEN	MALE	1	0	1	.4396	0.44	0.56	1.13	0.129	N - N<=8
GEN	FEMALE	0	1	1	.4738	0.47	-0.47	-0.95	0.171	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0010	0.00	-0.00	-0.03	0.487	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 010 TECHNICIANS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	3	8	11	.3514	3.87	-0.87	-0.55	0.292	U-80%RUL
ETH	BLACK	4	7	11	.3293	3.62	0.38	0.24	0.404	
ETH	HISPANIC	3	8	11	.1923	2.12	0.88	0.68	0.249	
ETH	ASIAN / PAC ISL	0	11	11	.1005	1.11	-1.11	-1.11	0.134	U-80%RUL
ETH	NATIVE AMERICAN	0	11	11	.0027	0.03	-0.03	-0.17	0.431	N-05%RUL
ETH	ETH UNKNOWN	1	10	11	.0182	0.20	0.80	1.80	0.036	
GEN	MALE	1	10	11	.6181	6.80	-5.80	-3.60	<.01	U
GEN	FEMALE	10	1	11	.3662	4.03	5.97	3.74	<.01	O
GEN	GENDER UNKNOWN	0	11	11	.0098	0.11	-0.11	-0.33	0.371	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 012 CLERICAL SUPS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	4	4	8	.2238	1.79	2.21	1.87	0.030	N - N<=8
ETH	BLACK	1	7	8	.5619	4.50	-3.50	-2.49	<.01	N - N<=8
ETH	HISPANIC	0	8	8	.1348	1.08	-1.08	-1.12	0.132	N - N<=8
ETH	ASIAN / PAC ISL	0	8	8	.0511	0.41	-0.41	-0.66	0.256	N - N<=8
ETH	NATIVE AMERICAN	0	8	8	.0038	0.03	-0.03	-0.17	0.431	N - N<=8
ETH	ETH UNKNOWN	3	5	8	.0245	0.20	2.80	6.41	<.01	N - N<=8
GEN	MALE	0	8	8	.2093	1.67	-1.67	-1.46	0.073	N - N<=8
GEN	FEMALE	8	0	8	.7769	6.22	1.78	1.52	0.065	N - N<=8
GEN	GENDER UNKNOWN	0	8	8	.0138	0.11	-0.11	-0.33	0.369	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 013 CLERICAL PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	23	22	45	.1867	8.40	14.60	5.58	<.01	O
ETH	BLACK	14	31	45	.5347	24.06	-10.1	-3.01	<.01	U
ETH	HISPANIC	3	42	45	.1509	6.79	-3.79	-1.58	0.057	U-80%RUL
ETH	ASIAN / PAC ISL	1	44	45	.0716	3.22	-2.22	-1.28	0.099	N-05%RUL
ETH	NATIVE AMERICAN	0	45	45	.0039	0.18	-0.18	-0.42	0.337	N-05%RUL
ETH	ETH UNKNOWN	4	41	45	.0478	2.15	1.85	1.29	0.098	
GEN	MALE	3	42	45	.2820	12.69	-9.69	-3.21	<.01	U
GEN	FEMALE	42	3	45	.6776	30.49	11.51	3.67	<.01	O
GEN	GENDER UNKNOWN	0	45	45	.0359	1.62	-1.62	-1.29	0.098	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 015 POLICE SUPS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	12	4	16	.6842	10.95	1.05	0.57	0.286	
ETH	BLACK	2	14	16	.1547	2.48	-0.48	-0.33	0.371	
ETH	HISPANIC	2	14	16	.1284	2.05	-0.05	-0.04	0.484	
ETH	ASIAN / PAC ISL	0	16	16	.0265	0.42	-0.42	-0.66	0.255	N-05%RUL
ETH	NATIVE AMERICAN	0	16	16	.0023	0.04	-0.04	-0.19	0.424	N-05%RUL
ETH	ETH UNKNOWN	0	16	16	.0039	0.06	-0.06	-0.25	0.401	N-05%RUL
GEN	MALE	16	0	16	.8621	13.79	2.21	1.60	0.055	
GEN	FEMALE	0	16	16	.1359	2.17	-2.17	-1.59	0.056	U-80%RUL
GEN	GENDER UNKNOWN	0	16	16	.0020	0.03	-0.03	-0.18	0.429	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 018 POLICE PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	32	19	51	.4164	21.24	10.76	3.06	<.01	O
ETH	BLACK	5	46	51	.3039	15.50	-10.5	-3.20	<.01	U
ETH	HISPANIC	11	40	51	.2189	11.16	-0.16	-0.06	0.478	
ETH	ASIAN / PAC ISL	2	49	51	.0487	2.48	-0.48	-0.31	0.377	
ETH	NATIVE AMERICAN	0	51	51	.0040	0.20	-0.20	-0.45	0.325	N-05%RUL
ETH	ETH UNKNOWN	1	50	51	.0077	0.39	0.61	0.97	0.165	
GEN	MALE	44	7	51	.7409	37.79	6.21	1.99	0.024	O
GEN	FEMALE	7	44	51	.2529	12.90	-5.90	-1.90	0.029	U-80%RUL
GEN	GENDER UNKNOWN	0	51	51	.0056	0.29	-0.29	-0.54	0.296	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 028 LABORERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	0	1	1	.2630	0.26	-0.26	-0.60	0.275	N - N<=8
ETH	BLACK	0	1	1	.3027	0.30	-0.30	-0.66	0.255	N - N<=8
ETH	HISPANIC	0	1	1	.2268	0.23	-0.23	-0.54	0.294	N - N<=8
ETH	ASIAN / PAC ISL	1	0	1	.0821	0.08	0.92	3.34	<.01	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0029	0.00	-0.00	-0.05	0.478	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0534	0.05	-0.05	-0.24	0.406	N - N<=8
GEN	MALE	0	1	1	.6625	0.66	-0.66	-1.40	0.081	N - N<=8
GEN	FEMALE	1	0	1	.2356	0.24	0.76	1.80	0.036	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0332	0.03	-0.03	-0.19	0.426	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 031 PARA PROFESSION PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	66	132	198	.3243	64.21	1.79	0.27	0.393	
ETH	BLACK	41	157	198	.2673	52.93	-11.9	-1.92	0.028	U-80%RUL
ETH	HISPANIC	64	134	198	.2449	48.49	15.51	2.56	<.01	O
ETH	ASIAN / PAC ISL	20	178	198	.0964	19.09	0.91	0.22	0.413	
ETH	NATIVE AMERICAN	0	198	198	.0025	0.50	-0.50	-0.70	0.241	N-05%RUL
ETH	ETH UNKNOWN	7	191	198	.0269	5.33	1.67	0.74	0.231	
GEN	MALE	73	125	198	.3798	75.20	-2.20	-0.32	0.374	
GEN	FEMALE	125	73	198	.5812	115.08	9.92	1.43	0.076	
GEN	GENDER UNKNOWN	0	198	198	.0011	0.22	-0.22	-0.47	0.320	N-05%RUL

Appendix – 5

Queens County District Attorney's Office
Workforce Compared with Internal and External Pools
2nd Quarter of Fiscal Year 2019
(Most Recent Quarter Available)

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 002 MANAGERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	218	127	345	.5133	177.09	40.91	4.41	<.01	O
ETH	BLACK	26	319	345	.1889	65.17	-39.2	-5.39	<.01	U
ETH	HISPANIC	31	314	345	.1297	44.75	-13.7	-2.20	0.014	N-05%RUL
ETH	ASIAN / PAC ISL	29	316	345	.1017	35.09	-6.09	-1.08	0.139	
ETH	NATIVE AMERICAN	1	344	345	.0018	0.62	0.38	0.48	0.315	
ETH	ETH UNKNOWN	40	305	345	.0402	13.87	26.13	7.16	<.01	O
GEN	MALE	150	195	345	.5345	184.40	-34.4	-3.71	<.01	U
GEN	FEMALE	195	150	345	.4206	145.11	49.89	5.44	<.01	O
GEN	GENDER UNKNOWN	0	345	345	.0197	6.80	-6.80	-2.63	<.01	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 003 MNGMNT SPECS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	8	6	14	.4094	5.73	2.27	1.23	0.109	
ETH	BLACK	2	12	14	.2958	4.14	-2.14	-1.25	0.105	U-80%RUL
ETH	HISPANIC	3	11	14	.1295	1.81	1.19	0.94	0.172	
ETH	ASIAN / PAC ISL	1	13	14	.1301	1.82	-0.82	-0.65	0.257	U-80%RUL
ETH	NATIVE AMERICAN	0	14	14	.0022	0.03	-0.03	-0.18	0.430	N-05%RUL
ETH	ETH UNKNOWN	0	14	14	.0207	0.29	-0.29	-0.54	0.293	N-05%RUL
GEN	MALE	3	11	14	.5718	8.01	-5.01	-2.70	<.01	U
GEN	FEMALE	11	3	14	.4032	5.64	5.36	2.92	<.01	O
GEN	GENDER UNKNOWN	0	14	14	.0126	0.18	-0.18	-0.42	0.336	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 004 SCIENCE PROFNS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	4	4	8	.4568	3.65	0.35	0.25	0.403	N - N<=8
ETH	BLACK	2	6	8	.1762	1.41	0.59	0.55	0.292	N - N<=8
ETH	HISPANIC	0	8	8	.1023	0.82	-0.82	-0.95	0.170	N - N<=8
ETH	ASIAN / PAC ISL	2	6	8	.2258	1.81	0.19	0.16	0.435	N - N<=8
ETH	NATIVE AMERICAN	0	8	8	.0024	0.02	-0.02	-0.14	0.445	N - N<=8
ETH	ETH UNKNOWN	0	8	8	.0315	0.25	-0.25	-0.51	0.305	N - N<=8
GEN	MALE	7	1	8	.6586	5.27	1.73	1.29	0.098	N - N<=8
GEN	FEMALE	1	7	8	.3131	2.50	-1.50	-1.15	0.126	N - N<=8
GEN	GENDER UNKNOWN	0	8	8	.0201	0.16	-0.16	-0.41	0.343	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 008 LAWYERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	1	0	1	.5889	0.59	0.41	0.84	0.202	N - N<=8
ETH	BLACK	0	1	1	.1310	0.13	-0.13	-0.39	0.349	N - N<=8
ETH	HISPANIC	0	1	1	.1020	0.10	-0.10	-0.34	0.368	N - N<=8
ETH	ASIAN / PAC ISL	0	1	1	.0721	0.07	-0.07	-0.28	0.390	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0011	0.00	-0.00	-0.03	0.487	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0200	0.02	-0.02	-0.14	0.443	N - N<=8
GEN	MALE	1	0	1	.4396	0.44	0.56	1.13	0.129	N - N<=8
GEN	FEMALE	0	1	1	.4738	0.47	-0.47	-0.95	0.171	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0010	0.00	-0.00	-0.03	0.487	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 010 TECHNICIANS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	11	13	24	.3514	8.43	2.57	1.10	0.136	
ETH	BLACK	6	18	24	.3293	7.90	-1.90	-0.83	0.204	U-80%RUL
ETH	HISPANIC	4	20	24	.1923	4.62	-0.62	-0.32	0.375	
ETH	ASIAN / PAC ISL	2	22	24	.1005	2.41	-0.41	-0.28	0.390	
ETH	NATIVE AMERICAN	0	24	24	.0027	0.06	-0.06	-0.25	0.399	N-05%RUL
ETH	ETH UNKNOWN	1	23	24	.0182	0.44	0.56	0.86	0.195	
GEN	MALE	4	20	24	.6181	14.83	-10.8	-4.55	<.01	U
GEN	FEMALE	20	4	24	.3662	8.79	11.21	4.75	<.01	O
GEN	GENDER UNKNOWN	0	24	24	.0098	0.24	-0.24	-0.49	0.313	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 012 CLERICAL SUPS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	5	5	10	.2238	2.24	2.76	2.10	0.018	O
ETH	BLACK	2	8	10	.5619	5.62	-3.62	-2.31	0.011	U
ETH	HISPANIC	0	10	10	.1348	1.35	-1.35	-1.25	0.106	U-80%RUL
ETH	ASIAN / PAC ISL	0	10	10	.0511	0.51	-0.51	-0.73	0.232	U-80%RUL
ETH	NATIVE AMERICAN	0	10	10	.0038	0.04	-0.04	-0.20	0.423	N-05%RUL
ETH	ETH UNKNOWN	3	7	10	.0245	0.25	2.76	5.64	<.01	O
GEN	MALE	1	9	10	.2093	2.09	-1.09	-0.85	0.198	U-80%RUL
GEN	FEMALE	9	1	10	.7769	7.77	1.23	0.94	0.175	
GEN	GENDER UNKNOWN	0	10	10	.0138	0.14	-0.14	-0.37	0.354	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 013 CLERICAL PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	23	22	45	.1867	8.40	14.60	5.58	<.01	O
ETH	BLACK	14	31	45	.5347	24.06	-10.1	-3.01	<.01	U
ETH	HISPANIC	3	42	45	.1509	6.79	-3.79	-1.58	0.057	U-80%RUL
ETH	ASIAN / PAC ISL	1	44	45	.0716	3.22	-2.22	-1.28	0.099	N-05%RUL
ETH	NATIVE AMERICAN	0	45	45	.0039	0.18	-0.18	-0.42	0.337	N-05%RUL
ETH	ETH UNKNOWN	4	41	45	.0478	2.15	1.85	1.29	0.098	
GEN	MALE	3	42	45	.2820	12.69	-9.69	-3.21	<.01	U
GEN	FEMALE	42	3	45	.6776	30.49	11.51	3.67	<.01	O
GEN	GENDER UNKNOWN	0	45	45	.0359	1.62	-1.62	-1.29	0.098	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 015 POLICE SUPS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	12	4	16	.6842	10.95	1.05	0.57	0.286	
ETH	BLACK	2	14	16	.1547	2.48	-0.48	-0.33	0.371	
ETH	HISPANIC	2	14	16	.1284	2.05	-0.05	-0.04	0.484	
ETH	ASIAN / PAC ISL	0	16	16	.0265	0.42	-0.42	-0.66	0.255	N-05%RUL
ETH	NATIVE AMERICAN	0	16	16	.0023	0.04	-0.04	-0.19	0.424	N-05%RUL
ETH	ETH UNKNOWN	0	16	16	.0039	0.06	-0.06	-0.25	0.401	N-05%RUL
GEN	MALE	16	0	16	.8621	13.79	2.21	1.60	0.055	
GEN	FEMALE	0	16	16	.1359	2.17	-2.17	-1.59	0.056	U-80%RUL
GEN	GENDER UNKNOWN	0	16	16	.0020	0.03	-0.03	-0.18	0.429	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 018 POLICE PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	32	22	54	.4164	22.49	9.51	2.63	<.01	O
ETH	BLACK	6	48	54	.3039	16.41	-10.4	-3.08	<.01	U
ETH	HISPANIC	13	41	54	.2189	11.82	1.18	0.39	0.349	
ETH	ASIAN / PAC ISL	2	52	54	.0487	2.63	-0.63	-0.40	0.345	N-05%RUL
ETH	NATIVE AMERICAN	0	54	54	.0040	0.22	-0.22	-0.47	0.321	N-05%RUL
ETH	ETH UNKNOWN	1	53	54	.0077	0.42	0.58	0.91	0.182	
GEN	MALE	47	7	54	.7409	40.01	6.99	2.17	0.015	O
GEN	FEMALE	7	47	54	.2529	13.66	-6.66	-2.08	0.019	U
GEN	GENDER UNKNOWN	0	54	54	.0056	0.30	-0.30	-0.55	0.291	N-05%RUL

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 028 LABORERS PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	0	1	1	.2630	0.26	-0.26	-0.60	0.275	N - N<=8
ETH	BLACK	0	1	1	.3027	0.30	-0.30	-0.66	0.255	N - N<=8
ETH	HISPANIC	0	1	1	.2268	0.23	-0.23	-0.54	0.294	N - N<=8
ETH	ASIAN / PAC ISL	1	0	1	.0821	0.08	0.92	3.34	<.01	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0029	0.00	-0.00	-0.05	0.478	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0534	0.05	-0.05	-0.24	0.406	N - N<=8
GEN	MALE	0	1	1	.6625	0.66	-0.66	-1.40	0.081	N - N<=8
GEN	FEMALE	1	0	1	.2356	0.24	0.76	1.80	0.036	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0332	0.03	-0.03	-0.19	0.426	N - N<=8

AGENCY: 904 DISTRICT ATTORNEY-QUEENS COUNTY PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
JOB GROUP: 031 PARA PROFESSION PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	54	127	181	.3243	58.70	-4.70	-0.75	0.228	
ETH	BLACK	40	141	181	.2673	48.38	-8.38	-1.41	0.080	
ETH	HISPANIC	60	121	181	.2449	44.33	15.67	2.71	<.01	O
ETH	ASIAN / PAC ISL	19	162	181	.0964	17.45	1.55	0.39	0.348	
ETH	NATIVE AMERICAN	0	181	181	.0025	0.45	-0.45	-0.67	0.250	N-05%RUL
ETH	ETH UNKNOWN	8	173	181	.0269	4.87	3.13	1.44	0.075	
GEN	MALE	66	115	181	.3798	68.74	-2.74	-0.42	0.337	
GEN	FEMALE	115	66	181	.5812	105.20	9.80	1.48	0.070	
GEN	GENDER UNKNOWN	0	181	181	.0011	0.20	-0.20	-0.45	0.328	N-05%RUL

Equal Employment Practices Commission

Vacant
Chair

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

Charise L. Terry
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Director of Learning and Development

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

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676.2724 fax

BY MAIL AND EMAIL

March 1, 2019

Richard A. Brown
District Attorney
Office of the Queens County District Attorney
125-01 Queens Boulevard
Kew Gardens, NY 11415

Re: Resolution #2018AP/228-904-(2019)
Office of the Queens County District Attorney
Evaluation of Employment Practices and Procedures
Audit Period: July 1, 2017 to June 30, 2018
Determination: FINAL

Dear District Attorney Brown:

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

Preliminary Determination Issued on: February 8, 2019
No Response Received.

Purpose

Chapter 35, Sections 815(a)(15) and (19) of the New York City Charter (Charter) calls for 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 (EEO) for minority group members and women.

Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5) authorize the EEPC to audit, review, evaluate, and monitor the employment practices, procedures, and programs of city agencies and other municipal entities, hereinafter "entities," and their efforts to ensure fair and effective EEO for women and minority employees and applicants. Charter Sections 831(d)(2) and 832(c) authorize the EEPC to make a determination that any 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 prescribed. The attachment contains the EEPC's final determination regarding the audit, review, and evaluation of the Office of the Queens County District Attorney's Employment Practices and Procedures.

As the Office of the Queens County District Attorney falls within the EEPC's purview under Charter Chapter 36, Section 831(a), the EEPC is authorized to review, evaluate, and monitor the coordination and implementation of its affirmative employment programs of EEO and related practices. As indicated in our Preliminary Determination, the EEPC has adopted uniform standards[1] to this end. The purpose of this Final Determination, as authorized by Charter Chapter 36, Section 832(c), is to determine the sufficiency of the Office of the Queens County District Attorney's actions taken or planned thus far to correct areas of non-compliance identified in the EEPC's Preliminary Determination. Further, Chapter 36, Section 832(c) requires that: (1) the EEPC assign a compliance-monitoring period of up to six (6) months to monitor efforts taken to eliminate areas of non-compliance, if any; and (2) the agency respond in thirty (30) days and submit a report each month during this period on the progress of efforts taken to correct outstanding areas of non-compliance.

Next Steps

The assigned compliance-monitoring period is: April 1, 2019 to September 30, 2019. Correcting all outstanding areas of non-compliance without delay is highly encouraged and will serve to shorten this period.

If corrective actions remain: Corrective actions will be listed under the *Monitoring Required* section of the attached Final Determination. The EEPC requires that the agency head submit a signed response to this Final Determination. The signed response should indicate what steps the Office of the Queens County District Attorney has taken, or will take, to correct outstanding areas of non-compliance during the designated compliance-monitoring period. The Office of the Queens County District Attorney will be monitored monthly until all outstanding areas of non-compliance have been sufficiently corrected. The Office of the Queens County District Attorney is required to submit documentation that supports the implementation of each corrective action via TeamCentral, the EEPC's Automated Compliance-Monitoring System. Instruction on how to access and navigate TeamCentral is attached.

Final Memorandum: Upon the Office of the Queens County District Attorney's implementation of the final corrective action, if any, the EEPC requires that the Office of the Queens County District Attorney submit a final memorandum, signed by the agency head, that recognizes the EEPC's audit and reiterates commitment to equal employment practices. **Upon receipt of this final memorandum, the EEPC will issue a *Determination of Compliance*.**

If no corrective actions remain: In lieu of a response to this Final Determination, the Office of the Queens County District Attorney must submit a final memorandum (See Next Steps, Final Memorandum). Upon the EEPC's receipt of the final memorandum, the Office of the Queens County District Attorney will be exempt from the abovementioned compliance-monitoring period.

[1] The EEPC's uniform standards for auditing municipal entities and minimum standards for auditing community boards (collectively "Standards") are founded upon, and consistent with, federal, state, and local laws and regulations, and policies and procedures, including, but not limited to, the City of New York's *Equal Employment Opportunity Policy, Standards and Procedures to be Utilized by City Agencies 2014*; New York City Human Rights Law (NYC Administrative Code 8); New York State Human Rights Law (New York Executive Law, Article 15); New York State Civil Service Law §55-a; and the equal employment opportunity requirements of the New York City Charter.

Conclusion

This is the EEPC's Final Determination. Questions regarding next steps may be addressed to Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance at jshaw@eepc.nyc.gov or 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,

Charise L. Terry
Executive Director

c: Vincent Carroll, Principal EEO Professional

Enclosed: TeamCentral Agency Manual

Equal Employment Practices Commission

Agency: Office of the Queens County District Attorney
Compliance Period: April 1, 2019 to September 30, 2019

FINAL DETERMINATION

A response indicating progress of the Office of the Queens County District Attorney's efforts to correct outstanding areas of non-compliance, with supporting documentation, is due within 30 days.

The Equal Employment Practices Commission's findings and corrective actions required to remedy areas of non-compliance are based on the audit methodology, which included collection and analysis of the documents, records, and data provided; the EEPC's *Preliminary Interview Questionnaires* (PIQs) for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the *Annual EEO Plans* and *Quarterly EEO Reports* of the audited entity; and workforce data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

After reviewing the optional response[2] (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.

Corrective Action #2: 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 positions become available or where the agency may otherwise use discretion in hiring.

Corrective Action #3: 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).

Corrective Action #4: Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being

[2] Excerpts are italicized.

utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

Corrective Action #5: If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and hire qualified candidates.

Corrective Action #6: 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.

Corrective Action #7: 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).

Corrective Action #8: Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.

Corrective Action #9: Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position*, *applicants'/candidates' names* or *identification number*, *race/ethnicity*, *gender*, *disability*, *veteran status*, *interview date*, *interviewers' names*, *result* (or *disposition*), *reason selected/not selected* for each applicant, and *recruitment source*. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)

Corrective Action #10: Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.

Corrective Action #11: Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.

Corrective Action #12: Ensure 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).

Corrective Action #13: Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

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

Equal Employment Practices Commission

RESOLUTION NO.
2018AP/228-904-(2019)
Office of the Queens County District Attorney
District Attorney, Richard A. Brown
Employment Practices and Procedures
DETERMINATION: FINAL

SYNOPSIS

Corrective Action(s):	**Total:** 13		
Period Audit Covered:	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued:	February 8, 2019	No Response Received	
Final Determination Issued:	March 1, 2019	Response Due	April 1, 2019
Compliance-Monitoring:	Required	April 1, 2019 to September 30, 2019	

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 the Queens County District Attorney's Employment Practices and Procedures; and

Whereas, pursuant to the audit, review, and evaluation of the Office of the Queens County District Attorney's Employment Practices and Procedures, the EEPC issued a Preliminary Determination, dated February 8, 2019, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

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. 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 positions become available or where the agency may otherwise use discretion in hiring.
3. 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).
4. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a 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.
5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and hire qualified candidates.
6. 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.
7. 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).
8. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.
9. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the position, applicants'/candidates' names or identification number, race/ethnicity, gender, disability, veteran status, interview date, interviewers' names, result (or disposition), reason selected/not selected for each applicant, and recruitment

source. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)

10. Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.
11. Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.
12. Ensure 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).
13. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity did not submit a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on March 1, 2019, which indicated that the following areas required corrective action: no(s).

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. 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 positions become available or where the agency may otherwise use discretion in hiring.
3. 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).
4. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a 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.
5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses;

or use internships to attract interested persons and hire qualified candidates.

6. 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.
7. 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).
8. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.
9. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the position, applicants'/candidates' names or identification number, race/ethnicity, gender, disability, veteran status, interview date, interviewers' names, result (or disposition), reason selected/not selected for each applicant, and recruitment source. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)
10. Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.
11. Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.
12. Ensure 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).
13. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from April 1, 2019 to September 30, 2019, 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 April 1, 2019, the entity was required to issue a response to the EEPC's Final Determination; Now Therefore,

Be It Resolved, that 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 EEPC approves the issuance of this Final Determination to District Attorney, Richard A. Brown to assign compliance-monitoring.

Approved unanimously on March 14, 2019.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

ABSENT
Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner

DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
(718) 286-6000

Richard A. Brown
District Attorney

April 1, 2019

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

Re: Resolution #2018AP/228-904-(2019)

Dear Ms. Terry:

On behalf of the District Attorney, I am pleased to accept the Final Determination as outlined in your letter of March 1. I am also pleased to report that we are confident that we will complete the compliance process before September 1. I have enclosed the latest report of our monthly meeting to indicate our commitment to compliance.

Our thanks to you and your colleagues as we move forward.

Sincerely,

Richard A. Brown
District Attorney

By:

Vincent J. Carroll Jr.
Equal Employment Opportunity Officer

cc: Hon. Richard A. Brown, District Attorney
Jacqueline R. Duckfield, Director, Administration
Myrna I. Mateo, Director, Human Resources and Payroll

Equal Employment Practices Commission

Memo

TO:	All Employees
FROM:	Equal Employment Practices Commission
DATE:	12/16/2019
RE:	Evaluation of Employment Practices and Procedures Office of the Queens County District Attorney

The New York City Charter requires the Equal Employment Practices Commission (EEPC) to conduct an audit once every four years to ensure each City agency or municipal entity (collectively "agency") complies with federal, state, and local laws and regulations, and policies and procedures that increase equal opportunity for employees and applicants.

The EEPC recently concluded an audit and evaluation of the Office of the Queens County District Attorney's practices and procedures for compliance with city, state, and federal equal employment opportunity laws and regulations, and identified enhancement by means of the following:

- 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.

- 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 positions become available or where the agency may otherwise use discretion in hiring.

- 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).

- Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a 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.

● If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and hire qualified candidates.

● 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.

● 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).

● Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.

● Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position*, *applicants'/candidates' names* or *identification number*, *race/ethnicity*, *gender*, *disability*, *veteran status*, *interview date*, *interviewers' names*, *result* (or *disposition*), *reason selected/not selected* for each applicant, and *recruitment source*. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)

● Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.

● Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.

● Ensure 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).

- Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

Through successful completion of the EEPC's audit, evaluation, and monitoring processes and the aforementioned enhancements Acting District Attorney Ryan reaffirms the commitment to ensuring that the Office of the Queens County District Attorney's employment practices encourage and maintain a workplace free from unlawful discrimination and sexual harassment, and that all employees are aware of their rights and obligations under the agency's equal employment opportunity policies.

Equal Employment
Practices Commission

RESOLUTION NO.
2018AP/236-904-(2019)C43
Office of the Queens County District Attorney
Acting District Attorney John M. Ryan, Esq.
Employment Practices and Procedures
DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s)	Total: 13		
Period Audit Covered	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued	February 8, 2019	No Response Received	
Final Determination Issued	March 1, 2019	Response Received	April 1, 2019
Compliance-Monitoring	Required	April 1, 2019 to December 13, 2019 with extensions	

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 the Queens County District Attorney's Employment Practices and Procedures; and

Whereas, pursuant to the audit, review, and evaluation of the Office of the Queens County District Attorney's Employment Practices and Procedures, the EEPC issued a Preliminary Determination, dated February 8, 2019, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

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. 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 positions become available or where the agency may otherwise use discretion in hiring.

3. 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) 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 employment opportunities and determine what, if any, actions are required to correct deficiencies. (e.g. underutilization or adverse impact).

4. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon a 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.

5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, determine the usefulness of the selection procedures (criteria, practices, and patterns) and their relevancy to measuring suitability for the job and advertise in minority- or female-oriented media outlets; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and hire qualified candidates.

6. 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.

7. 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).

8. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: encouraging and providing 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.

9. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the position, applicants'/candidates' names or identification number, race/ethnicity, gender, disability, veteran status, interview date, interviewers' names, result (or disposition), reason selected/not selected for each applicant, and recruitment source. (For employers that collect protected status criteria via visual observation: Minimize the risk that an applicant's protected status may play a role in his/her hire by having someone other than the final decision-maker conduct the visual observation.)

10. Utilize the Section 55-a Program, which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis.

11. Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of EEO programs, policies or procedures.

12. Ensure 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).

13. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity did not submit a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on March 1, 2019, which indicated that the following areas required corrective action: no(s). 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from April 1, 2019 to September 30, 2019, 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 April 1, 2019, the entity issued a response to the EEPC's Final Determination; and

Whereas, on October 31, 2019, the EEPC's Board of Commissioners voted to approve Resolution #2019/234R3, which extended the Office of the Queens County District Attorney's compliance monitoring period; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Office of the Queens County District Attorney was monitored until December 13, 2019; 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 Acting District Attorney submitted a copy of a memorandum to staff dated December 17, 2019, which recognized the EEPC's audit and reiterated commitment to the Office of the Queens County District Attorney's equal employment practices; Now Therefore,

Be It Resolved, that the Office of the Queens County District Attorney 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 Acting District Attorney John M. Ryan, Esq. of the Office of the Queens County District Attorney.

Approved unanimously on December 19, 2019.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Sasha Neha Ahuja
Chair

NYC
Equal Employment
Practices Commission

Sasha Neha Ahuja
Chair

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

Charise L. Terry
Executive Director

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

253 Broadway
Suite 602
New York, NY 10007

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

BY MAIL AND EMAIL

December 19, 2019

John M. Ryan, Esq.
Acting District Attorney
Office of the Queens County District Attorney
125-01 Queens Boulevard
Kew Gardens, NY 11415

Re: Resolution #2018AP/236-904-(2019)C43
DETERMINATION: Compliance

Dear District Attorney Ryan:

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 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 (EEO) for minority group members and women, the EEPC's Board of Commissioners has approved the attached Determination.

Thank you and Principal EEO Professional Vincent Carroll, for the cooperation extended to the EEPC during the course of our review, evaluation, and monitoring of your agency's employment and EEO-related practices.

Sincerely,

Malini Cadambi Daniel
Commissioner

C: Principal EEO Professional Vincent Carroll, Office of the Queens County District Attorney

EEPC EQUAL EMPLOYMENT PRACTICES COMMISSION

This

Determination of Compliance

is hereby issued to

Office of the Queens County District Attorney

for successful implementation of 13 of 13 required corrective action(s),
thereby achieving compliance with the Equal Employment Practices Commission's
Employment Practices and Procedures
from July 1, 2017 to this date.

On this 19 day of December in the year 2019,

Malini Cadambi Daniel, Commissioner

Charise L. Terry, Executive Director

In care of Acting District Attorney John M. Ryan, Esq.
and Principal EEO Professional Vincent Carroll