

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

Fiscal Year 2025

New York City Business Integrity Commission



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I. Annual Commitment, Accountability, and EEO Statement (EEO Policy Statement).

On behalf of the New York City Business Integrity Commission, I hereby declare my commitment as the Agency Head to support and enforce the rights and protections afforded by the New York City EEO Policy, the City and State Human Rights Law, and all other relevant laws, for all employees, applicants for employment, external contractors, consultants, and agency partners, and members of the public served by our Agency.

I will strive to achieve the greatest possible diversity among our workforce, to create an inclusive culture of openness, tolerance, and cooperation in our workplaces, to promote equity in all its aspects, and to examine and eliminate the structural obstacles to equal treatment in the recruitment, selection, development, advancement, and retention of our diverse workforce reflective of our City's population.

I will involve my entire leadership team in our efforts to enhance and promote the values of equity, inclusion, and respect for all. All executives, managers and supervisors in our agency will be responsible for ensuring a safe, equitable and inclusive work environment for all our employees, and for delivering equitable, fair, and effective services to the public we serve.

I will hold the top leadership of our agency, as well as the EEO Officer, all EEO professionals, human resources professionals, legal professionals, managers, and supervisors accountable for ensuring that the agency does not discriminate against employees or applicants for employment. We shall support the diversity, equity, and inclusion initiatives at the agency by observing EEO mandates and working with dedication to attain agency goals in this area. All agency staff must be compliant with the City's EEO Policy and the implementation of this Diversity and EEO Plan.

I will involve the EEO Officer in critical human resources decisions, including recruitment and selection strategies, workforce projections, succession planning, promotion of training/career development opportunities, and strategic planning.

We will report to DCAS on the steps undertaken to comply with all legal mandates and the provisions of the various Executive Orders and laws prohibiting employment discrimination in New York City, and on the progress in implementing this Plan.

The Agency EEO Officer Matthew Finkel will serve as the primary resource for managers and supervisors by providing best practices and direction in addressing EEO issues. His contact information will be prominently available to all employees.

During this Fiscal Year 2025, I will announce this Commitment Statement to our employees, to affirm the principles of diversity, inclusion, and equal employment opportunity, and to communicate our dedication to equity and all values that drive us toward this goal.

☒ This statement is the same as last year.

NOTE: If this statement has been in use for more than two years the Agency Head should issue a revised statement.

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

II. Recognition and Accomplishments

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

1. The past year was one of transitions, which saw the appointment of Matthew Finkel as the EEO Officer and Karen Marcos as the Chief Diversity Officer. Both Matthew and Karen report directly to the Agency Head on matters of equal employment and diversity, equity, and inclusion.
2. Both the newly appointed EEO Officer and Chief Diversity Officer participated in the 2024 Symposium, "Leveraging the Employee Value Proposition (EVP) and Employer Brand to Improve Diversity."
3. BIC's EEO Officer, in his first months in the role completed three (3) reasonable accommodation requests in a timely and efficient manner. All requests were processed in fewer than ten (10) days.
4. BIC established a racial equity team, which began the process of drafting a racial equity plan for the agency.

III. Workforce Review and Analysis

Please provide the total agency headcount as of 6/30/2024

Total Headcount: 68

During the first quarter of the 2025 fiscal year, EEO Officer Matthew Finkel, along with the Human Resources team will conduct a review of BIC's compensation data, including employee civil service titles, job titles, and salaries.

In FY 2025, the agency will remind and encourage its employees to update self-ID information regarding race/ethnicity, gender, and veteran status through any of the following means:

- ☒ NYCAPS Employee Self Service (by email; strongly recommended every year)
- ☒ Agency's intranet site
- ☒ On-boarding of new employees
- ☐ Employees unable to complete the self-identification form using ESS will be provided an opportunity to submit paper form to the EEO Office.
- ☒ In FY 2025, the agency will inform and remind employees of the option to add preferred name in ESS.

Below please provide the number of employees in your agency whose demographic information is unknown (these numbers are available on the total line of CEEDS report EBEPR210).

Unknown Race/Ethnicity 1 Unknown Gender 0 Unknown Both 1

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

Agency Head

☐ Quarterly ☒ Semi-Annually ☐ Annually ☐ Other _____

Human Resources

☐ Quarterly ☒ Semi-Annually ☐ Annually ☐ Other _____

General Counsel

☐ Quarterly ☒ Semi-Annually ☐ Annually ☐ Other _____

Other (____specify)

☐ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

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

IV. EEO, Diversity, Inclusion, and Equity Initiatives for FY 2025

A. WORKFORCE

State your Agency's general goals and strategies to enhance DEI and EEO aimed to enhance your agency workforce.

In fiscal year 2025, our goal is to review applicable workforce data and employee feedback to inform agency policies and procedures for recruitment, retention, promotion, and the professional development of our employees. This may include reviewing quantitative and qualitative data on employee demographics by race, gender, age, civil service titles utilized, representation in leadership, underutilization, training completion rates, and number and type of EEO complaints, among other categories.

Planned Programs, Initiatives, Actions aimed at Workforce:

BIC will seek to take the following actions and implement the following initiatives regarding its workforce:

- On an annual basis, the EEO Officer will share equity dashboards with leadership, and meetings will be scheduled to discuss workforce diversity metrics.
- The EEO Officer will track job vacancies through NYCAPS to determine if vacant discretionary positions exist for titles in underutilized job groups. The EEO Officer will work with HR to ensure that open positions are posted in multiple locations with the goal of recruiting a diverse group of applicants.
- The EEO Officer will share the CEEDS workforce data with the Commissioner and HR on a quarterly basis and identify any updates or trends regarding the diversity of the agency's workforce
- On a semi-annual basis, the EEO Officer will meet with the Commissioner, HR Director, and General Counsel to review existing EEO-related agency trends and associated policies, programs, and practices.

B. WORKPLACE

State your Agency's general goals and strategies to enhance DEI and EEO aimed to enhance your agency workplace and cultural environment.

In FY 2025 and beyond, it is BIC's goal to ensure a work environment that is safe, supportive, and inclusive. The EEO Officer will create a streamlined and consistent protocol for the handling of EEO related requests and complaints. Agency initiatives will focus on the promotion of a collaborative workplace environment for all employees and an appreciation of employee contributions to BIC's fundamental mission and smooth operation.

Planned Programs, Initiatives, Actions aimed at Workplace:

BIC will seek to take the following actions and implement the following initiatives regarding its workplace:

- The EEO Officer will implement specific and unified protocols for the handling of EEO related matters. This shall include the intake of reasonable accommodation requests and specific complaints.
- The EEO Officer will implement a regular reminder schedule to seek continued high compliance with training requirements.
- The EEO Officer and Chief Diversity Officer will work collaboratively to promote and celebrate heritage months and the diversity of our workforce.

- ☐ Promote employee involvement by supporting Employee Resource Groups (ERGs).
List below the names of existing ERGs:

- ☒ Agency does not presently have any ERGs.
- ☒ Agency will create a Diversity Council to leverage equity and inclusion programs
- ☐ Agency Diversity Council is in existence and active
- ☒ Agency will sponsor focus groups, Town Halls and learning events on race, equity, and inclusion
- ☒ Agency will inform employees of their rights and protections under the New York City EEO Policy
- ☒ Agency will ensure that its workplaces post anti-hate or anti-discrimination posters

C. COMMUNITY and EQUITY, INCLUSION and RACE RELATIONS

State your Agency's general goals and strategies to enhance DEI and EEO in areas of Community and Race Relations.

BIC serves as a regulator of various industries in the City of New York. In this role we strive to promote a fair and equitable marketplace for those regulated industries. BIC will continue to collaborate with other agencies and government officials and conduct outreach to the public regarding our work. Moreover, BIC will continue to identify procurement opportunities where we can do business with MWBE vendors and partners.

Planned Programs, Initiatives, Actions aimed at Community, Equity and Race Relations:

BIC will seek to take the following actions and implement the following initiatives regarding the community in which it operates and regulates:

- BIC will continue to offer translation services for multiple languages and support a webpage which confirms to City regulations regarding translation availability.
- BIC will continue to seek out procurement opportunities with MWBE owned businesses and vendors. To that effect the EEO Officer will meet with various stakeholders annually to review data regarding diverse procurement efforts.

In FY 2025, the agency will:

- ☒ Continue or plan to promote diversity and EEO community outreach in providing government services
- ☒ Promote participation with minority and women owned business enterprises (MWBEs)
- ☒ Expand language services for the public

V. Recruitment

A. Recruitment Efforts

During FY 2024, BIC has continued to utilize the City of New York hiring platform, ZipRecruiter, and LinkedIn to recruit for discretionary positions from a large, diverse talent pool.

NOTE: This section must be prepared jointly by Agency DEI-EEO and HR.

B. Recruitment for Civil Service Exams

BIC regularly advertises open competitive roles internally to its colleagues and encourages employees to sit for open civil service examinations.

List any planned recruitment events for FY 2025 that will be held by the agency to promote open-competitive civil service examinations.

Event Date	Event Name	Borough
	None	

List planned expenditures for FY 2025 related to recruiting candidates for open-competitive and promotion civil service exams.

Borough	Approximate Dollar Amount (\$)
Bronx	0
Brooklyn	0
Manhattan	0
Queens	0
Staten Island	0
Other (include online)	0

C. Recruitment Sources

1. City of New York hiring platform

2. ZipRecruiter
3. LinkedIn
- 4.
- 5.
- 6.

D. Internships/Fellowships

The agency provided the following internship opportunities in FY 2024:

Type of Internship\Fellowship	Total	Race/Ethnicity *[#s] * Use self-ID data	Gender * [#s] * Use self-ID data
1. Urban Fellows	0	N/A	M __ F__ Non-Binary __ Other __ Unknown __
2. Public Service Corps	0	N/A	M __ F__ Non-Binary __ Other __ Unknown __
3. Summer College Interns	4	Unknown	M __ F__ Non-Binary __ Other __ Unknown <u>4</u>
4. Summer Graduate Interns	5	Unknown	M __ F__ Non-Binary __ Other __ Unknown <u>5</u>
5. Civil Service Pathways Fellows	0	N/A	M __ F__ Non-Binary __ Other __ Unknown
6. Other (specify):	0	N/A	M __ F__ Non-Binary __ Other __ Unknown __

E. 55-a Program

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

- Presently, the agency employs 0 [number] 55-a participants.
- There are 0 [number] participants who have been in the program less than 2 years.
- In the last fiscal year, a total of 0 [number] new applications for the program were received and 0 participants left the program due to [state reasons] _____.

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

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

VI. Selection (Hiring and Promotion)

NOTE: This section must be prepared jointly by Agency HR and DEI-EEO. HR must describe the activities and plans of Agency Career Counselors in A) below. EEO must respond to questions in C) below.

A. Career Counselors

Robert Turbiak, Director of Personnel Services, will serve as BIC's Career Counselor. The Career Counselor will provide staff with guidance in civil service, benefits, and professional development in accordance with the guidelines of Local Law 75.

B. New Hires and Promotions

The EEO and HR offices will actively review data found within the NYCAPS Applicant Interview Log Report to identify areas for improvement and work with hiring managers to ensure the data is being collected for all vacancies.

C. EEO Role in Hiring and Selection Process

In FY 2025, the agency EEO Officer will do the following:

- ☒ Ensure that all vacancy announcements include the revised NYC EEO Anti-Discrimination Statement.
- ☒ Review vacancy postings to ensure elimination of language that has the potential for gender and age stereotyping and other unlawful discrimination. (It is recommended to use gender-neutral terms and pronouns and language that is age-inclusive).

- ☒ Actively monitor agency job postings and ensure recruitment strategy aligns with the diversity goals of the agency.
- ☒ Provide consultation regarding creation/review of objective criteria for evaluating candidates for hire or promotion and applying those criteria consistently to all candidates.
- ☐ In collaboration with the Director of Human Resources, review interview questions to ensure that they are EEO-compliant, job-related, and required by business necessity.
- ☒ Assist the hiring manager if a reasonable accommodation is requested for an interview.
- ☒ Advise Human Resources to use candidate evaluation form for uniform assessment and equity.
- ☒ Periodically review candidate evaluation forms and conduct a job applicant analysis via the NYCAPS eHire Applicant Interview Log and/or SmartRecruiter reports to advise Human Resources of any demographic trends and/or EEO concerns based on available self-ID data.
- ☒ Review hiring package to evaluate that the selection process was conducted in accordance with EEO best practices.
- ☐ Other: _____

D. Layoffs

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

- ☒ The agency will use the DCAS Layoff Procedure as guidance, should there be any layoffs, terminations, and demotions due to legitimate business/operational reasons in FY 2025.
- ☒ The agency will analyze the impact of layoffs or terminations on racial, ethnic, gender, age groups, and people with disabilities.
- ☒ Where layoffs or terminations would have a disproportionate impact on any of these groups, the agency will document that the targeted titles or programs were selected based on objective criteria and justified by business necessity.
- ☒ The Agency Personnel Officer, EEO Officer and General Counsel will be involved in making layoff or termination decisions. It should be noted that layoffs must be conducted by seniority in compliance with civil service law (for competitive titles) and union contract (for non-competitive and labor class titles).

VII. Training

Training Topic	Type of Audience (e.g., All Staff, Front-line Employees, Managers, Supervisors, etc.)	Goal Number of Participants	Projected Dates
1. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (e-learning)	All employees – Biennially (Cycle 2 must be completed by March 31, 2025.)	68	March 31, 2025
2. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (classroom/live webinar)	All employees – Biennially (Cycle 2 must be completed by March 31, 2025.)		March 31, 2025
3. Sexual Harassment Prevention (e-learning)	All employees – Annually (Cycle 7 runs between September 1, 2024 – August 31, 2025)	68	August 31, 2025
4. Sexual Harassment Prevention (classroom/live webinar)	All employees – Annually (Cycle 7 runs between September 1, 2024 – August 31, 2025)		August 31, 2025
5. lgbTq – Power of Inclusion (e-learning)	Managers, Supervisors, and Front-line employees (must be completed by March 31, 2026) All other employees	68	March 31, 2026
6. lgbTq – Power of Inclusion (classroom/live webinar)	Managers, Supervisors, and Front-line employees (must be completed by March 31, 2026) All other employees		March 31, 2026
7. Disability Awareness and Etiquette			
8. Structured Interviewing and Unconscious Bias (classroom/live webinar)			
9. Other (specify)			
10. Other (specify)			

VIII. Reasonable Accommodation

- ☒ Managers, supervisors, human resources personnel and discipline personnel are required to report to the EEO Office any reasonable accommodation requests and needs that are received, observed, learned about, or suspected, so that the EEO Office may facilitate discussions, research appropriate accommodations, and assist with the resolution of the matter.
- ☒ Absent of any undue hardship, the agency provides reasonable accommodation for disability, religion, victims of domestic violence, sex offense and stalking, pregnancy, childbirth, or a related medical condition.
- ☒ The agency follows the City's Reasonable Accommodation Procedure.
- ☒ The agency implemented the modifications of Reasonable Accommodation Procedure announced in May 2024.
- ☒ The agency initiates the cooperative dialogue within 10 days from the request for Reasonable Accommodation.
- ☒ The agency grants or denies request within 15 days after from the conclusion of cooperative dialogue.
- ☒ When necessary, in certain time-sensitive circumstances the agency conducts and expedited review and grants or denies request in less than 15 days.
- ☒ The Agency Head or designee must review and grant or deny an appeal fifteen (15) days after submission of appeal.
- ☐ If the review and decision on appeal is not done by the Agency Head.
Provide the name and title of the designee¹ : _____
 - ☐ The designee reports directly to the Agency Head.
- ☒ The agency will input the Reasonable Accommodation activity on the DCAS Citywide Complaint and Reasonable Accommodation (CAD) Database and update the information as needed.

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

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

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

- ☒ The agency plans to train all new employees on Sexual Harassment Prevention within 30 days of start date.
- ☒ The agency will train all current employees on Sexual Harassment Prevention (Cycle 7 – September 1, 2024 – August 31, 2025) as indicated in the Section VII Training above.

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

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

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

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

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

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

[Local Law 27 requires listing a summary of schedule and workplace accommodations that are provided by your agency]. Select the types of accommodations that your agency has provided to your workforce in FY 2024.

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

E. Local Law 27 (2023): Diversity and Inclusion Training for FY 2025

- ☒ List of diversity and inclusion training for FY 2025 is included in section VII of this annual plan.

F. Local Law 27 (2023): Workforce Information Report for FY 2024

- ☒ The agency will submit the mandated annual report with workforce information to the Mayor, the Speaker of the Council, the Department of Citywide Administrative Services, and the Equal Employment Practices Commission by September 30, 2024.

G. Local Law 28 of (2023): Diverse Recruitment and Retention in City Government

Under LL 28 (2023), agencies must provide information about agency-specific training programs that are required for, or relevant to, an applicant's appointment to a position based on an open-competitive or promotional civil service examination. Additionally, agencies must provide information on expenditures related to recruiting candidates for open competitive and promotional civil service examinations, a list of recruiting events to promote open-competitive civil service examination and a list of any preparatory materials developed for applicants or potential applicants for open-competitive and promotional civil service examinations.

- ☒ The agency submitted all information required by LL 28 for FY 2024 using the form and templates provided.

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

Under Executive Order No. 16 of 2016, the agency must provide supervisory and front-line staff training approved by DCAS on transgender diversity and inclusion. Pursuant to Executive Order No. 16, this training must be provided to all newly hired supervisory and managerial employees and line staff whose work tasks involve contact with the public. The current Cycle 5 runs from April 1, 2024, to March 31, 2026.

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

X. Audits and Corrective Measures

- ☒ The agency is NOT involved in an audit conducted by NYC EEPC or another governmental agency specific to our EEO practices.
- ☐ The agency is currently being audited or preparing responses to an audit conducted by the EEPC or _____ [another governmental agency – please specify] specific to our EEO practices. Upon forwarding our responses to the recommendations issued by the EEPC, the agency will submit to OCEI an amendment letter, which shall amend the agency plan for FY 2024 to include and implement EEPC recommendations that will be implemented during the fiscal year.
- ☐ The agency is subject to any other oversight or review by a federal, state or city civil rights agency [please specify] _____. [Please attach a copy of the document setting out the oversight parameters and the agency's most recent report to the oversight agency.]
- ☐ Within the last two years the agency was involved in an audit conducted by the EEPC or _____ [another governmental agency – please specify] specific to our EEO practices.
- ☐ The agency will continue/be required to implement corrective actions during the year that this plan is in effect [please attach a copy of the audit findings.]
- ☐ The agency received a Certificate of Compliance from the auditing agency. [Please attach a copy of the Certificate of Compliance from the auditing agency.]

XI. Agency Head Signature

Elizabeth Gray
Print Name of Agency Head

[Signature]
Signature of Agency Head

8/6/25
Date

Appendix A: Contact Information for Agency EEO Personnel and Career Counselors *

Agency EEO Office mailing address:

100 Church Street, 20th Floor
New York, NY 10007

[Please provide contact information (name, title, e-mail, telephone number and **full office address** if different from the main address above, for the following EEO and HR roles at your agency. If several roles are performed by the same individual enter only the name in further entries. Insert additional rows as needed. **NOTE:** Include staff performing any of EEO or HR-related roles in this listing even if they work in another part of the agency and not in the Office of DEI-EEO.]

*To prevent potential conflicts, the Career Counselor should not be within the EEO Office]

	Title/Function	Name	Email	Telephone
1.	Agency EEO Officer [indicate if 'Acting' or 'Interim']	Matthew Finkel	mfinkel@bic.nyc.gov	(212) 437-0563
2.	Agency Deputy EEO Officer [if appointed]			
3.	Agency (Chief) Diversity & Inclusion Officer [if appointed]	Karen Marcos	kmarcos@bic.nyc.gov	(212) 437-0520
4.	Chief Diversity Officer/Chief MWBE Officer per E.O. 59			
5.	ADA Coordinator			
6.	Disability Rights Coordinator			
7.	Disability Services Facilitator			
8.	55-a Coordinator			
9.	EEO Investigator(s)			

10.	EEO Counselor(s)			
11.	EEO Training Liaison(s)			
12.	Career Counselor(s)	Robert Turbiak	rturbiak@bic.nyc.gov	(212) 437-0575
13.	Other (specify)			