

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

Fiscal Year 2024

**Office of Administrative Trials and Hearings
(OATH)**



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I. Commitment and Accountability Statement by the Agency Head

Two cornerstones of OATH's work are fairness and respect. OATH's mission is to ensure that everyone – from the staff who work at OATH to the parties who bring cases to OATH for adjudication – is treated fairly and respectfully. As Commissioner and Chief Administrative Law Judge, I reaffirm OATH's strong commitment to having a culture that values diversity, equity, and inclusion, a workplace that is free from discrimination, and a workforce that adheres to the Citywide EEO policy. The implementation of the agency's EEO Policy is one of OATH's highest priorities and has my full support.

Recognizing that its workforce is OATH's greatest asset, OATH's leadership is committed to the recruitment, development, and retention of a diverse and inclusive workforce reflective of our City's population. When we appreciate our differences, we build stronger teams driving the best performance. Promoting these values and ensuring compliance with both the letter and spirit of the EEO policy is a team effort. OATH supervisors and managers have a duty to uphold the EEO policy and to implement the agency's EEO plan as it relates to their areas of responsibility. In addition, all employees have a role to play in creating a safe, equitable, and inclusive work environment that demonstrates dignity and respect for all employees.

Consistent with the City's EEO Policy, all employment decisions must be made on the basis of equal opportunity. Persons are not to be discriminated against based on their actual or perceived Race; Color; National Origin or Ethnicity; Immigration or Citizenship Status; Religion or Creed; Disability; Age; Status as a Veteran or Active-Duty Military Service Member; Arrest, Conviction, or Pending Case; Cannabis Use; Pre-employment Marijuana Testing; Marital or Partnership Status; Caregiver Status; Predisposing Genetic Characteristics; Sexual Orientation; Victims of Domestic Violence, Sex Offenses, and Stalking; Gender/Sex, (Including Pregnancy, Childbirth, or Related Medical Conditions), Gender Identity or Expression; Unemployment Status; Consumer Credit History; Familial Status; Salary or Pay History; Sexual and Reproductive Health Decisions; and Height or Weight.

Lastly, the agency will take all steps necessary to ensure that all employees are aware of their rights and obligations under the Citywide EEO Policy. I encourage all OATH employees to access the resources available within OATH and to address any concerns they may have by contacting Sharina DeRoberts, EEO Officer at 212-436-0524 or via email at SDeRoberts@oath.nyc.gov.

- This statement is the same as last year.
- 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. OATH published a policy reminding executive staff that tasks and standards/performance evaluations will be an annual requirement for non-probationary employees.
2. Communicated to executive staff various training opportunities. Approximately 12-15 Managers and Supervisors received Structured Interview Training, 20 participated in a Fundamentals of Supervision Training, and 22 participated in an Emotional Intelligence Training.
3. Promoted multiple employee recognition events across all of OATH's facilities. The Commissioner hosted Staff Recognition Lunches at our 6 OATH locations. We also organized a "Baseball in Brooklyn" staff appreciation event, requested nominations for the 2023 excellence in Customer Service Award, and recognized employees who hit certain career milestones with longevity recognitions.
4. Offered Fundamentals of Supervision training for supervisors and a training on Emotional Intelligence and created "supervisor cohorts" so that peer supervisors could enhance their skills by sharing suggestions and experiences with their peers.
5. Reached 100% compliance in the mandatory Sexual Harassment Prevention computer-based training course.
6. Created the Fun@Work Committee with the purpose to create a space where staff from all our locations can contribute and lead.
7. Created the Special Events Committee which will focus on annual agency-wide staff recognition events.
8. Created the Caregiver Committee so that staff who are caregivers have a trusted space to share ideas and foster group support.
9. OATH has nearly filled most of its vacancies after participating in the City's Hiring Spirit initiative where DCAS organized and held several hiring halls. The ability to use non-competitive titles and titles that did not have active lists, allowed OATH to fill many of its support vacancies quickly.

III. Workforce Review and Analysis

Please provide the total agency headcount as of 6/30/2023

Total Headcount: _____725_____

[Pursuant to Local Law 27 (2023), provide an analysis of your agency's compensation data and measures to address pay disparity and occupational segregation in FY 2023. The term "occupational segregation" means a group's under-representation or over-representation in certain jobs or fields of work, when such group is protected by the employment related provisions of the city's human rights law and such group does not benefit from greater pay, responsibility, flexibility, stability, prestige, or other indicators of job desirability. To do this analysis, look at titles where pay disparity exists and salaries vary within the same title when compared by years of service. Also conduct a comparison of women and racial or ethnic minority group members.]

1.] [Look at titles where pay disparity exists and salaries vary within the same title when compared by years of service. Also conduct a comparison of women and racial or ethnic minority group members.]

OATH conducted a pay parity analysis by evaluating the compensation of (a) Deputy Commissioners and individuals serving in roles that are functionally equivalent to Deputy Commissioner and (b) Assistant Commissioners and individuals serving in roles that are functionally equivalent to Assistant Commissioner.

An analysis of salaries revealed no material pay disparities by gender or minority status. For Deputy Commissioners and related titles, the difference between the average male salary and the average female salary was less than 1%, and the difference between the average minority salary and the average white salary was less than 1%. For Assistant Commissioner and related titles, the difference between the average male salary and the average female salary was less than 1%, and the difference between the average minority salary and the average white salary was only 6.6%. The agency has already submitted requests to OMB to promote even greater consistency within these office title groups, and this should reduce the already low salary difference of 6.6%.

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

In FY 2024, 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 2024, the agency will inform and remind employees of the option to add preferred name in ESS.

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

Each quarter, the EEO Officer prepares a CEEDS EEO Memo to the Commissioner, Deputy Commissioner for Administration, Assistant Commissioner for Human Resources, and the General Counsel. This memo summarizes the CEEDS data and highlights underutilizations, if any. This review also includes discussions on demographic trends in comparison to the previous quarter. If underutilizations exist, we adjust our recruitment strategy i.e., targeted outreach, attending career fairs, etc.

- 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 2024

1. Goals and strategies to enhance DEI and EEO in areas of Workforce, Workplace, Community, and Race Relations.

❖ Workforce:

Continue to recruit on forums that could attract applicants from various racial, religious, ethnic background.

Continue to promote existing staff into roles and titles that align with their skills and contributions, create new opportunities for individual development, and reduce attrition risks.

Encourage current staff to apply for leadership roles.

Encourage participation in professional development courses.

Strengthen practices around feedback and performance evaluations so that staff receive information about their performance and areas for development.

Commissioner-led review of compensation to identify areas where compensation levels across similar titles and duties can be improved.

❖ Workplace:

In FY 2024, OATH created the Fun@Work Committee with 16 volunteers from all our locations and across all divisions. So far in FY 2024, the committee has held 6 events. In September, we had a Show Your Colors day to kick off the NFL season. Employees were encouraged to wear their favorite team jerseys. In October we had a Breast Cancer Awareness Day, and Domestic Violence Awareness Day. Looking forward, in November, the committee has planned a Diabetes Awareness Day, Thanksgiving/Holiday Pot Luck at all our OATH locations, and in December we are hosting an Ugly Sweater Day. These events will continue throughout FY 2024 and allows employees to get together to organize fun employee activities with the purpose of promoting employee morale, inclusivity, and workplace culture.

OATH also created the Special Events Committee. This committee meets throughout the year to organize employee events such as employee recognition, staff appreciation, and customer service week.

OATH also created a Caregiver Committee. This committee will serve as a peer support and resource group for parents and caregivers to share experiences, exchange ideas, and connect with other caregivers at OATH to discuss experiences, exchange ideas, and bond over the joys and challenges of being caregivers.

OATH leadership and staff hold a variety of teambuilding opportunities for staff to connect and build community. These include large events (such as an agency-wide outing to a local sports event) to smaller opportunities (such as school/team pride day and ice-cream social events).

❖ **Community:**

OATH will remain present in the community by participating in outreach events and partnering with elected officials, community-based organizations, and other leaders and associations to educate the public on how to respond to summonses at OATH.

The Center for Creative Conflict Resolution will continue to serve as a conflict resource for New York City government, its agencies, employees, unions, and the public they serve. The Center provides creative, collaborative, flexible, cost efficient, and “breathable” options to effectively manage conflicts within and across New York City government.

OATH’s Pro Bono Programs recruit nonprofit legal assistance groups to assist and represent low-income New Yorkers who receive summonses either from the Department of Buildings, the Taxi & Limousine Commission, or the Port Authority. These legal assistance groups have attorneys that will represent these residents at no cost at hearings conducted at OATH. These efforts occur in all five boroughs and these pro bono programs have saved the New Yorkers who are represented by a pro bono attorney, thousands of dollars in penalty violations. Also in OATH’s Trials Division, OATH has recruited a law firm to provide pro bono services to motorists who seek to have their vehicle returned after the car was seized by the NYPD as part of an arrest. This program uses the pro bono attorneys to negotiate settlements with the NYPD to get the vehicles back upon a showing of no involvement by the owner in the initial arrest. The success of this program has allowed these vehicle owners to retain use of their means of transportation.

OATH’s Help Center employs a diverse group of Procedural Justice Coordinators, many of them bilingual, whose mission is to assist unrepresented members of the community navigate the summons process and assist them in whatever their native language is.

❖ **Equity, Inclusion and Race Relations Initiatives:**

Removal of words/phrases that would deter older/younger applicants

Attendance at DCAS sponsored hiring halls to attract applicants from various racial, ethnic or religious backgrounds

Through OATH's internal newsletter and Commissioner communications, OATH recognizes diversity-related days and heritage months, educates staff on the significance of these, and uses the opportunity to highlight the importance of diversity in our workforce and City.

OATH is also conducting a review of certain public-facing materials to ensure the usage of gender-neutral terminology.

2. Planned Programs, Initiatives, Actions

A. Workforce

In FY 2024, if underutilization of women and minorities exist, the EEO Officer will identify these job groups and together with the HR Team, work to increase targeted recruitment.

OATH will continue to recruit on forums that could attract applicants from various racial, religious, ethnic background. OATH had previously not reached out to any particular affinity groups such as the South Asian Bar Association for targeted recruitment efforts that were focused. For FY 2024, OATH planned to approach these groups for more focused efforts and to set up relationships with executive staff. OATH will plan to do this once OMB authorizes OATH to hire again. As part of the FY25 PEG, OMB has forced OATH into an attrition plan because OATH had no vacancies to give up due to filling all our authorized lines.

OATH will continue to promote existing staff into roles and titles that align with their skills and contributions, create new opportunities for individual development, and reduce attrition risks.

OATH will continue to encourage current staff to apply for leadership roles. OATH routinely promotes its internal positions to the agency via the agency newsletter. For FY 24, OATH planned to roll out a supervisor training program to identify basic supervisor training and support resources for OATH's front-line staff and new supervisors. This training program has been halted indefinitely due to OMB ceasing OATH's budget and due to DCAS not offering these trainings as a result of the FY25 PEG.

OATH will continue to strengthen practices around feedback and performance evaluations so that staff receive information about their performance and areas for development. As per OATH's policy, all divisions are required to issue tasks and standards for all employees. The Commissioner has directed all Deputy Commissioners to have informal feedback during the evaluation period to align performance with expectations prior to the formal evaluation at the end of the evaluation period.

B. Workplace

In FY 2024, OATH will submit its 5 year-accessibility plan to MOPD and ensure that our worksites are fully accessible.

The Commissioner regularly sends out an Agency Wide bulletin highlighting and celebrating the different heritage months. These celebratory events are also highlighted in our monthly newsletter and employees are encouraged to submit pictures of their own celebrations and traditions. OATH will continue to highlight these heritage months in FY 2024.

OATH will continue to promote positive and inclusive workplace culture through the committee and programming initiatives noted above.

- Promote employee involvement by supporting Employee Resource Groups (ERGs).

List below the names of existing ERGs:

- 1.
- 2.
- 3.
- 4.
- 5.

- 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

In FY 2023, OATH participated in several Community Outreach events to increase its visibility in the community. In FY 2024, OATH will continue to meet with Council Members and the public to educate the communities we serve on how to respond to a summons. In FY 2024, OATH will also, continue to promote its Pro Bono program. Although all penalty liability figures are calculated at the end of the year, so far for FY23, the Brooklyn Pro Bono program has saved \$ 104, 300 in penalty liability for residents through advocacy of the Pro Bono attorneys. In FY 2024, OATH began working with student leadership at NYU School of Law to expand the scope of law students available to conduct hearings as registered representatives at OATH. OATH will continue to expand on this initiative in FY 2024.

In our Trials Division we have a new attorney from the private law firm Cleary, Gottlieb, Steen, and Hamilton to provide pro bono help for vehicle owners who have a vehicle seized by the NYPD and attempt to have it released through a hearing in the Trials Division at OATH. While the program now is small, we hope to see growth in the next year with additional resources from the law firm. Also in the Trials Division we are planning outreach to two other law firms to provide pro bono assistance for taxi and vehicle-for-hire drivers who have their TLC licenses summarily suspended upon an arrest. Having pro bono attorneys assist these drivers in hearings before OATH to lift their suspension will be a new area of pro bono help at OATH.

Lastly, the pro bono coordinator is working collaboratively with our Alternative Dispute Resolution Division at OATH to work in conjunction with TLC to design a new option for TLC licensed drivers who receive a TLC summons. If implemented, this new program will allow eligible summonses to be submitted to an alternative dispute resolution process in lieu of a penalty fine for the alleged violation. This collaboration will continue in FY 2024.

In FY 2024, the agency will:

- Continue or plan to promote diversity and EEO community outreach in providing government services
- Promote participation with minority and women owned business enterprises (MWBES)
- Conduct a customer satisfaction survey
- Expand language services for the public

V. Recruitment

A. Recruitment Efforts

In FY 2024, OATH will continue to conduct proactive outreaches for our legal positions such as reaching out to local law school career offices and bar association, leveraging social media and professional networks to publicize openings, and expanding our recruitment sources.

Our quarterly review of our underutilization reports will continue to drive our recruitment

efforts as needed.

In FY 2024, OATH will continue to encourage Structured Interview Training and Unconscious Bias Training for Hiring Managers.

B. Recruitment for Civil Service Exams

OATH's HR Team will proactively reach out to Agency Executives to remind them of upcoming civil service exams and to encourage their staff to take an exam they qualify for.

OATH's HR Team will periodically send out Agency Wide Bulletins to all staff reminding them of DCAS's exam schedule.

List any planned recruitment events for FY 2024 that will be held by the agency to promote open-competitive civil service examinations. [This list should be updated in your quarterly reports]

Event Date	Event Name	Borough
7/11/2023	OC PAA CS Hiring Pool	Manhattan
8/15/2023	OCPAA CS Hiring Pool	Manhattan
8/15/2023	OC Customer Info Representative CS Hiring Pool	Manhattan

*Currently, there are no planned recruitment events to promote open-competitive civil service examination.

List planned expenditures for FY 2024 related to recruiting candidates for open-competitive and promotion civil service exams.

Borough	Approximate Dollar Amount (\$)
Bronx	\$0.00
Brooklyn	\$0.00
Manhattan	\$0.00
Queens	\$0.00
Staten Island	\$0.00

C. Recruitment Sources

City Bar Associations and Professional Organizations, including Minority Bar Associations, Network of Bar Leaders (NBL), Affinity Bar Collective

1. Posting on our OATH website and Internal Bulletins for current employees only
2. Law Student Groups: National Black Student Association, National Latino/a Law Student Association, Hispanic National Bar Association, National South Asian Law Student Association
3. Posting on NYC Careers-NYCAPS
4. Attending Career Fairs
5. Posting on social media: LinkedIn, Monster, Glassdoor, Smart Recruiters, Simply Hired, etc.

D. Internships/Fellowships

The agency provided the following internship opportunities in FY 2023:

Type of Internship/Fellowship	Total	Race/Ethnicity *[#s] * Use self-ID data	Gender * [#s] * Use self-ID data
1. Urban Fellows			M __ F__ Non-Binary __ Other __ Unknown __
2. Public Service Corps			M __ F__ Non-Binary __ Other __ Unknown __
3. Summer College Interns		3	M __ F__ Non-Binary __ Other __ Unknown __
4. Summer Graduate Interns		5	M __ F__ Non-Binary __ Other __ Unknown __
5. Other (specify): CS Pathway Fellows		2	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 2 [number] 55-a participants. [Enter '0' if none]
- There are 1 [number] participants who have been in the program less than 2 years.
- In the last fiscal year, a total of 1 [number] new applications for the program were received and 1 participants left the program due to [state reasons] **Picked up from PAA list.**

The Agency will continue to partner with MOPD to identify 55-A applicants. Together with the HR team, the EEO Officer will forward resumes for consideration to hiring managers and those involved in the recruitment process.

- 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)

A. Career Counselors

The plans of the agency Career Counselor are as follow:

- Maintain knowledge of the civil service system and respond to inquiries regarding how to apply for civil service exams and/or positions in civil service titles that relate to the employee's intended career path.
- Maintain knowledge of training and professional development programs offered by the agency to encourage the use of these programs to improve skills, performance, and career opportunities.
- Maintain knowledge of approved job vacancies within the agency and navigate inquiries from employees on how to apply for these positions.
- Actively review policies, procedures, and practices related to hiring (including vacancy announcements, use of certification lists, and the selection process for mission critical occupations).

B. New Hires and Promotions

[Describe planned actions to review and assess the current new hire and promotional procedures for selection, especially for mid- and high-level discretionary positions. Actions

may include monitoring the representativeness and fairness of the selection and appointment process, vacancy posting protocols, training of hiring managers, procedures for interviewing applicants, the role of the EEO Officer in the selection and promotion actions, the use of the NYCAPS Applicant Interview Log Report, and efforts to identify and eliminate structural barriers to employment.]

The Deputy Commissioner for Administration and the Commissioner are in discussions of creating an Executive focused training for OATH's direct reports to the Commissioner. The idea will be to have a championing of DEI principles from the top so the culture may permeate down to the rest of the agency. Our goals will be to include values statements as well as definitions as to what DEI at OATH will look like. OATH intends to include DEI principles and cultural reformation at the highest levels of the agency so its values are able to be trickled down from the top.

C. EEO Role in Hiring and Selection Process

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

In FY 2024, the agency EEO Officer will do the following:

- Ensure that all vacancy announcements include the revised NYC EEO I 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 during the interview.
- Observe interviews, when necessary, especially for underutilized job titles and/or mid- and high-level discretionary positions.
- 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 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? *[It is most useful to conduct this analysis prior to finalizing the list of titles that will be impacted. Ensure that the Agency General Counsel and the Law Department are involved in the review.]*

- The agency will use the DCAS Layoff Procedure as guidance, should there be any layoffs, terminations, and demotions due to legitimate business/operational reasons in FY 2024.
- The agency will analyze the impact of layoffs or terminations on racial, 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.)	Up to 550	February 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.)		
3. Sexual Harassment Prevention (e-learning)	All employees – Annually (Cycle 6 runs between September 1, 2023 – August 31, 2024)	Up to 550	July 2024
4. Sexual Harassment Prevention (classroom/live webinar)	All employees – Annually (Cycle 6 runs between September 1, 2023 – August 31, 2024)		
5. IgbTq – Power of Inclusion (e-learning)	Managers, Supervisors, and Front-line employees (must be completed by March 31, 2024) All other employees	Up to 550	February 2024
6. IgbTq – Power of Inclusion (classroom/live webinar)	Managers, Supervisors, and Front-line employees (must be completed by March 31, 2024) All other employees		
7. Disability Awareness and Etiquette			
8. Structured Interviewing and Unconscious Bias (classroom/live webinar)			
9. Other (specify)			
10. Other (specify)			

VIII. Reasonable Accommodation

[Please indicate the actions your agency will take to ensure that the process of reviewing reasonable accommodation requests is compliant with the EEO Policy as well as the applicable federal, state, and local laws. Additionally, please detail any best practices currently implemented in this area. Lastly, please describe your current appeal protocol.]

Describe your agency's practices for analyzing statistics with regard to volume, trends, and speed of disposition of EEO complaints and reasonable accommodation requests and appeals:

During our monthly meetings, the EEO Officer goes over any EEO complaints filed and the status of those complaints. Similarly, reasonable accommodations are discussed with regards to volume and trends. If a Reasonable Accommodation is denied, employees are advised in writing that they have 30 days to appeal that decision directly to the Commissioner and that the Commissioner then has 15 business days to make a written determination on the appeal.

- 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 grants or denies request 30 days after submission or as soon as possible.
- 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 : _____

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.

- 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.

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

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 6 – September 1, 2023 – August 31, 2024) 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 2023.

- 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 2024

- List of diversity and inclusion training for FY 2024 is included in section VII of this annual plan.

F. 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 4 runs from April 1, 2022, to March 31, 2024.

- 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

[Note: Agency Head's signature and date should be provided for final submission only after the agency receives approval of the plan by DCAS.]

Asim Rehman

Print Name of Agency Head



Signature of Agency Head

December 19, 2023

Date

Appendix A: Contact Information for Agency EEO Personnel

Agency EEO Office mailing address: 66 John Street, NY, NY 10038, 10th Floor

	Title/Function	Name	Email	Telephone
1.	Agency EEO Officer [indicate if 'Acting' or 'Interim']	Sharina DeRoberts	SDeRoberts@oath.nyc.gov 66 John Street, 10th Floor NY, NY 10038	212-436-0524
2.	Agency Deputy EEO Officer [if appointed]	n/a		
3.	Agency (Chief) Diversity & Inclusion Officer [if appointed]	n/a		
4.	Chief Diversity Officer/Chief MWBE Officer per E.O. 59	Arnab Das	ADas2@oath.nyc.gov 100 Church Street, 12 th Floor NY, NY 10007	212-933-3030
5.	ADA Coordinator	Sharina DeRoberts		
6.	Disability Rights Coordinator	Sharina DeRoberts		
7.	Disability Services Facilitator	Sharina DeRoberts		
8.	55-a Coordinator	Sharina DeRoberts		
9.	EEO Investigator(s)	n/a		
10.	Career Counselor(s)	Marcia Grant	MGrant@oath.nyc.gov 100 Church Street, 12 th Floor NY, NY 10007	212-933-3038

11.	EEO Training Liaison(s)	Zhuo Wu	Zwu2@oath.nyc.gov 100 Church Street, 12 th Floor NY, NY 10007	212-933-3007
12.	EEO Counselor(s)	Migdalia Nieves, Lorna Mondesir	MNieves@oath.nyc.gov 100 Church Street, 12 th Floor NY, NY 10007 LMondesir2@oath.nyc.gov 260 East 161 st Street, 6 th Floor Bronx, NY 10451	212-933-3072 718-503-5831
13.	Other (specify)			

Appendix B: Local Law 28 (2023) – Diverse Recruitment and Retention

Agency Name: Office of Administrative Trials and Hearings (OATH)

Local Law 28 of (2023) is a Local Law to amend the New York City charter and the administrative code of the City of New York, in relation to the evaluation and expansion of diverse recruitment and retention within the municipal government.

Pursuant to Local Law 28 (2023), each agency shall collect and submit the following information for the prior fiscal year to the Department of Citywide Administrative Services by **August 31, 2023**, and annually thereafter.

For each agency-specific training program your agency has that is required for, or relevant to, an applicant’s appointment to a position based on an open-competitive civil service examination or a promotion civil service examination, list the following [Include this information for each individual training program within your agency that was completed in FY2023. The table below can be duplicated. If your agency does not have a training program, write “N/A”]:

[Insert name of the Training Program]	Totals
# of applicants enrolled in such program	N/A
# of applicants who completed the program	N/A
# of applicants who passed and graduated from the program	N/A
# of applicants who passed but did not graduate from the program	N/A
# of applicants who did not pass or graduate from the program	N/A
# of applicants who accepted any appointment offered base on graduation from the program	N/A

List all expenditures related to recruiting candidates for open-competitive civil service examinations and promotion civil service examinations in FY 2023.

Borough	Approximate Dollar Amount Spent (\$)
Bronx	\$0
Brooklyn	\$0
Manhattan	\$0
Queens	\$0
Staten Island	\$0

* The agency absorbed the cost of postage for mailing notifications re the Agency’s CS hiring pool events (PAA title – 55 letters, and Customer Information Rep title – 8 letters). The cost, roughly, \$38.

Provide a list of recruiting events, including location, held, or attended by your agency to promote open-competitive civil service examination in FY2023.

Event Date	Event Name	Borough
7/11/23	DCAS Hiring Pool/Open Competitive PAA	Manhattan
8/15/23	DCAS Hiring Pool/Open Competitive PAA & OC Customer	Manhattan

Provide a list of any preparatory materials developed for applicants or potential applicants for open-competitive civil service examinations or promotion civil service examinations, if applicable. [Include as attachments]

N/A