



## EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

40 Rector Street, 14<sup>th</sup> Floor, New York, New York 10006

Telephone: (212) 788-8646 Fax: (212) 788-8652

Cesar A. Perez, Esq.

*Chair*

Angela Cabrera

Malini Cadambi Daniel

Elaine S. Reiss, Esq.

Arva A. Rice

*Commissioners*

Abraham May, Jr.

*Executive Director*

Charise Hendricks, PHR

*Deputy Director*

Judith Garcia Quiñonez

*Counsel*

November 10, 2011

Charles J. Hynes, District Attorney

Kings County

350 Jay Street

Brooklyn, New York 11201-2908

Re: **Resolution #11/24-903:** Preliminary Determination Pursuant to the Audit of Compliance by the Kings County District Attorney's Office (DAKC) with its Equal Employment Opportunity Policy from July 1, 2007 through June 30, 2010.

Dear District Attorney Hynes:

Pursuant to Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) is empowered to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women. (New York City Charter, Chapter 36, sections 831(d)(2) and (5).)

The Charter defines city agency as 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..." The Office of the Kings County District Attorney (DAKC) is funded by the City of New York and is therefore considered a city agency pursuant to Chapter 36, section 831(a) of the New York City Charter.

This Commission is empowered by Section 831 of the City Charter to recommend all necessary and appropriate actions to ensure fair and effective affirmative employment programs for minority group members, women and other protected classes. This audit measures the DAKC's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in the Federal, State and City Human Rights Laws. All recommendations for corrective actions are consistent with both the audit's findings and the parameters set forth in the DAKC's Equal Employment Opportunity (EEO) Policy and

Discrimination Complaint Procedure. In addition, this Commission is empowered by Section 831 of the City Charter to recommend necessary and appropriate actions to ensure fair and effective affirmative employment plans for minority group members and women.

The purpose of this audit is to evaluate the agency's compliance with the standards cited above, not to issue findings of discrimination pursuant to the New York City Human Rights Law.

### **Scope and Methodology**

Audit methodology included an analysis of the agency's responses to an EEPC Document and Information Request Form. The EEPC conducted electronic interviews with the DAKC's EEO Officer/Disability Rights Coordinator/55a Coordinator/EEO Trainer, EEO Coordinator/Disability Rights Coordinator/55a Coordinator/EEO Trainer, and the HR Director. In addition, 1,057 employees received an electronic link to the *EEPC's Employee Survey*; 467 people (41%) responded. Also, 61 supervisors/managers received an electronic link to the *EEPC's Supervisor/Manager Survey*; 43 people (70%) responded. Survey findings are attached (Appendix 5).

### **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.

### **Personnel Activity During the Audit Period**

According to data provided by the DAKC, during the audit period 315 people were hired: 163 Caucasians, 62 African Americans, 37 Hispanics, 28 Asians, and 25 Unknown. Of the individuals hired, 179 were female. Eighty-two individuals were promoted during the audit period: 50 Caucasians, 17 African Americans, 13 Hispanics, 1 Asians, and 1 other; 30 were female. (Appendix 4)

The DAKC reports that 26 employees were involuntarily separated during the audit period: 10 Caucasians, 9 African Americans, and 7 Hispanics; 11 were female. Between July 1, 2007 and June 30, 2010, the total number of employees increased from 1,111 to 1,144. The number of Caucasian employees increased from 599 to 612, African Americans decreased from 315 to 298, Hispanics decreased from 144 to 134, Asians increased from 53 to 56, Native Americans increased from 0 to 3, and Unknown/Other increased from 0 to 41. The number of female employees increased from 617 to 642. (Appendices 2 and 3)

### **Discrimination Complaint Activity During the Audit Period**

The DAKC reports that 44 internal EEO complaints were filed during the audit period: 33 received probable cause determinations and 11 received non probable cause determinations. Two external discrimination complaints based on disability and race were filed with the Equal

Employment Opportunity Commission: one was dismissed; the other was still pending at the time of this audit. No internal complaints were pending during the audit period.

### **Legal Activity**

According to the agency, there were no EEO judgments or settlements for the previous 5 years. The agency had 1 pending lawsuit.

### **PRELIMINARY DETERMINATION**

Following are our preliminary determinations with required corrective actions and recommendations pursuant to the audit.

### **EEO Policy**

The DAKC is in compliance with the following requirements:

1. The agency issued its EEO Policy and Policy Statement to all employees. The agency's EEO policy included an up-to-date list of protected classes and information on external agencies that handle complaints.
2. The agency distributed its EEO, Sexual Harassment, and Disability Policies as Appendix E of the *Handbook for Assistant District Attorneys* and as Chapter II of the *Handbook for Non-legal and Non-managerial Employees* to all new employees during new hire orientation and during EEO training. In addition, 81% of the respondents to the *EEPC's Supervisor/Manager Survey* indicated they received a copy of the agency's EEO Policy Statement. Also, 72% of the respondents to the *EEPC's Supervisor/Manager Survey* indicated the policy can be found in the HR office and 60% indicated it can be found in the EEO office.
3. The agency has posted its EEO policies and policy statements in areas that are accessible to all employees: 72% of the respondents to the *EEPC's Employee Survey* said that the EEO Policy is posted on the agency's bulletin boards or kept in an area otherwise accessible to employees.

### **EEO Training Standards**

The DAKC is in compliance with the following requirement:

The agency has developed a plan to ensure that all new employees receive EEO and Sexual Harassment training. The EEO Officer/EEO trainer and EEO Coordinator/EEO trainer conducted EEO training annually during the audit period. In addition, 91% of the respondents to the *EEPC's Supervisor/Manager Survey* indicated they received sexual harassment prevention training.

## **Discrimination Complaint and Investigation Procedures**

The DAKC is in compliance with the following requirements:

1. The DAKC has established uniform Discrimination and Harassment Complaint procedures. The agency's EEO Officer, EEO Coordinator, and EEO Counselor received and investigated discrimination complaints in conformance with these procedures. In addition, 70% of the respondents to the *EEPC's Supervisor/Manager Survey* indicated the agency's Discrimination Complaint procedure was included with the EEO policy.
2. The agency has identified its EEO Professionals by posting their names and contact information in the agency's EEO Policy.
3. The agency's EEO Officer, EEO Coordinator, and EEO Counselor received EEO training at the Department of Citywide Administrative Services' (DCAS) Office of Citywide EEO and Cornell University School of Industrial and Labor Relations.

The following section refers to the 10 latest discrimination complaints filed during the audit period:

The DAKC is not in compliance with the following requirement:

Nine of 10 complaint files did not contain a written notification to the complainant and respondent regarding the outcome of the complaint. Corrective action is required.

Recommendation: It is the EEPC's position that in order for an agency to demonstrate it has a meaningful and responsive procedure for investigating discrimination complaints, as required by City Human Rights Law, the agency's complaint procedure should require written communication of the conclusion of the complaint investigation to the parties involved. Therefore, the agency should revise its complaint procedure to require that the complainant and respondent be informed in writing of the outcome of the complaint investigation. (Adm. Code, Sect. 8-107.13; EEPC/Sect. 831, City Charter)

The DAKC is in partial compliance with the following requirement:

In lieu of the District Attorney's signature, each of the 10 complaint files submitted to the EEPC contained a transmittal sheet signed by the EEO Officer. When attached to the Investigative Report, the transmittal serves to "*document his [District Attorney's] review and approval of the recommendations made therein.*" Corrective Action is required.

Recommendation: Because the agency head is responsible for the administration of EEO in the agency, the agency should revise its complaint procedure to require that the agency head sign-off (in electronic or written form) on each Investigative Report to indicate that it has been reviewed and adopted. (EEPC/Sect. 831, City Charter)

## **Selection and Recruitment System**

The DAKC is in compliance with the following requirements:

1. Five jobs (Executive Director, Executive Assistant/Secretary, Deaf/HOH Specialist, Victim Advocate/Case Manager, and Job Developer) advertised in the Carib-News, Monster.com, and Socialservice.com during the audit period included the Equal Opportunity Employer tagline. In addition, six internal job vacancy notices for Receptionist, Property Release Bureau Clerk, Court Part Clerk, Paralegal Trial Bureau V, Paralegal Appeal Bureau, and Paralegal Crimes Against Children Bureau also included the EEO tag line.
2. The agency conducted annual performance evaluations for non-managerial employees during the audit period. In addition, 53% of the respondents to the EEPC's *Employee Survey Questionnaire* indicated that they received annual performance evaluations within the past 3 years. Also, 74% of the respondents to the *EEPC's Supervisor/Manager Survey* indicated they conducted formal evaluations of the employees under their supervision annually.

The DAKC is in partial compliance with the following requirement:

Although the agency conducted annual evaluations of non-managerial employees during the audit period, managerial evaluations were not conducted on an annual basis. The agency's HR office could not provide documentation that the agency had conducted managerial evaluations annually during the period in review. In addition, 81% of the respondents to the *EEPC's Supervisor/Manager Survey* indicated their last performance evaluation was over a year ago or not at all. Corrective action is required.

Recommendation: Since the *Guidelines for Evaluating Managerial Performance in NYC Agencies* require that managerial employees receive annual performance evaluations, the agency should develop a plan, which includes a timetable, to evaluate managerial employees annually. (EEPC/Sect.831, City Charter)

## **EEO Professionals**

The DAKC is in compliance with the following requirements:

1. The agency appointed an EEO Officer, EEO Coordinator, and EEO Counselor who are responsible for establishing, developing and monitoring the EEO Program. During the audit period, EEO professionals of both genders are available to investigate discrimination complaints. In addition, 70% of the respondents to the *EEPC's Employee Survey* indicated they know who the agency's EEO Officer is.
2. The EEO Officer met with the EEO Coordinator and Counselor when necessary to review their work and keep them abreast of internal and external EEO developments.
3. The EEO Officer reported to the agency head on EEO matters and maintained agendas and/or notes regarding decisions that impact the administration of the agency's EEO program.

The DAKC is partial compliance with the following requirements:

Although the EEO Officer reports to the agency head on EEO matters, the agency's organizational chart does not indicate this reporting relationship. The EEO Officer title is not indicated on the chart. Corrective action is required.

Recommendation: Because the EEO Officer should report directly to the agency head or a direct report, the DAKC should revise its organization chart to reflect this reporting relationship. (EEPC/Sect. 831, City Charter)

### **EEO for Persons with Disabilities**

The DAKC is in compliance with the following requirements:

1. The agency participated in the Section 55-A program. Information about the 55-a program was provided during new employee orientation, during EEO training, posted on the office bulletin boards, distributed electronically, and is accessible in the EEO office. During the audit period, the program had 4 participants.
2. The DAKC's response to the EEPC's accessibility for persons with disabilities checklist indicated that its offices at 350 Jay Street (1200 employees) and 120 Schermerhorn Street, 2<sup>nd</sup> floor (25 employees) are accessible to, and useable by persons with disabilities. Each facility has a street accessible entrance and/or ramp access, wheelchair accessible elevators, Braille and a bell in the elevators, wide restroom stalls, grab bars, and low sink or bathroom fixtures. The agency also has a deaf coordinator on staff for translation.
3. The agency's EEO Policies and procedures are available in Braille, large-print, audiotape, and electronic file and can be obtained from the EEO Officer, the EEO Coordinator, or the Human Resources Department. The agency is committed to providing alternative formats upon request.
4. Fourteen reasonable accommodations were requested and granted during the audit period. Among the accommodations were a voice-ready computer, TTY line, enhanced keyboard, headset and amplifier, and shift/ schedule changes.

The DAKC is in partial compliance with the following requirement:

Although the EEO Officer and EEO Coordinator, and HR representative were identified in the agency's EEO Policy as the individuals who handle reasonable accommodation requests, 78% of the respondents to the *EEPC's Employee Survey* stated that they do not know who the *Disability Rights Coordinator* is (the person responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies pertaining to persons with disabilities). Corrective action is required.

Recommendation: To ensure that all employees are aware of the person responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities, the agency

should distribute to all employees in writing the name, location, and telephone number of this person. (EEPC/Sect. 831, City Charter)

### **Special Contingencies**

In August 2011, the agency appointed a new EEO Officer who has not received Basic Training for EEO Representatives thus far. Corrective action is required.

Recommendation: Because EEO representatives should be trained in federal, state, and city EEO laws and procedures and know how to carry out their responsibilities under the agency's EEOP, the EEO Officer should attend the next available DCAS training session for EEO professionals or enroll in training conducted by another appropriate agency or school. The EEO Officer should obtain a certificate of completion. (EEPC/Sect. 831, City Charter)

### **SUMMARY OF RECOMMENDED CORRECTIVE ACTIONS**

1. It is the EEPC's position that in order for an agency to demonstrate it has a meaningful and responsive procedure for investigating discrimination complaints, as required by City Human Rights Law, the agency's complaint procedure should require written communication of the conclusion of the complaint investigation to the parties involved. Therefore, the agency should revise its complaint procedure to require that the complainant and respondent be informed in writing of the outcome of the complaint investigation. (Adm. Code, Sect. 8-107.13; EEPC/Sect. 831, City Charter)
2. Because the agency head is responsible for the administration of EEO in the agency, the agency should revise its complaint procedure to require that the agency head sign-off (in electronic or written form) on each Investigative Report to indicate that it has been reviewed and adopted. (EEPC/Sect. 831, City Charter)
3. Since the *Guidelines for Evaluation Managerial Performance in NYC Agencies* require that managerial employees receive annual performance evaluations, the agency should develop a plan, which includes a timetable, to evaluate managerial employees annually. (EEPC/Sect.831, City Charter)
4. Because the EEO Officer should report directly to the agency head or a direct report, the DAKC should revise its organization chart to reflect this reporting relationship. (EEPC/Sect. 831, City Charter)
5. To ensure that all employees are aware of the person responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities, the agency should distribute to all employees in writing the name, location, and telephone number of this person. (EEPC/Sect. 831, City Charter)
6. Because EEO representatives should be trained in federal, state, and city EEO laws and procedures and know how to carry out their responsibilities under the agency's EEOP, the EEO Officer should attend the next available DCAS training session for EEO professionals or enroll in training conducted by another appropriate agency or school.

The EEO Officer should obtain a certificate of completion. (EEPC/Sect. 831, City Charter)

In addition to the above recommendations, during the compliance process, the Commission requires that the agency head distribute a memorandum to all staff informing them of the changes that are being implemented in the agency's EEO program pursuant to the audit. This memorandum should re-emphasize the agency head's commitment to the agency's Equal Employment Opportunity Program.

### **Conclusion**

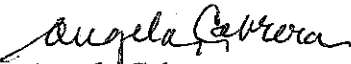
Pursuant to Chapter 36 of the New York City Charter and the previously cited preliminary determinations relating to EEPC's audit of the DAKC's compliance with its Equal Employment Opportunity Policy, and EEO standards expressed in Federal, State, and City EEO laws, we respectfully request your response to the aforementioned preliminary determinations.

Your response should indicate what corrective actions your office will take to bring the agency in compliance with the aforementioned policies and which recommendations it intends to follow. Please forward your response within thirty days of receipt of this letter.

Pursuant to Section 832 of the New York City Charter, as amended in 1999, if you do not implement all of these recommendations for corrective actions during a compliance period not to exceed six months, this Commission may publish a report and recommend the appropriate corrective actions that you should implement in your agency's EEO Plan.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's auditors during the course of this audit. If you have any questions regarding these preliminary determinations, please let us know.

Sincerely,

  
Angela Cabrera  
Chair of the Meeting



APPENDIX - 1

**Kings County District Attorney's Office**

**EMPLOYEE SURVEY RESULTS**

Employees = 1057      Survey Respondents = 467      44%

**A. GENERAL OVERVIEW**

1. Equal Employment Opportunity (EEO) guarantees the right of all persons to be accorded full and equal consideration on the basis of merit, regardless of protected group status. Do you agree with this principle?  
Yes (443)      No (18)
2. Do you know who your agency's EEO Officer is?  
Yes (327)      No (138)
3. Is the City's EEO Policy posted on your agency's bulletin boards or kept in an area otherwise accessible to employees?  
Yes (339)      No (120)
4. Were you given a copy of the EEO Policy Handbook - About EEO: What You May Not Know?  
Yes (324)      No (136)
5. Do you believe your agency practices equal opportunity (i.e. ensures fairness in all aspects of employment including hiring, selection, promotions, etc.)?  
Yes (332)      No (122)
6. How often has your manager or supervisor reaffirmed the agency's commitment to the principle of Equal Employment Opportunity during staff meetings within the past year?  
Two or more times (103)      One time (77)      At no time (268)
7. How often has your manager or supervisor reaffirmed employees' right to file a discrimination complaint with the agency's EEO Officer during staff meetings within the past year?  
Two or more times (72)      One time (68)      At no time (311)
8. When hired, were you advised of the EEO policies, and of your rights and responsibilities under such policies?  
Yes (258)      No (26)      Do not remember (180)

**B. EEO COMPLAINTS**

9. Do you know how to file an EEO complaint?  
Yes (297)      No (167)
10. If you had an EEO complaint, would you bring it to your agency's EEO Office?  
Yes (267)      No (53)      Undecided (145)
11. Would you prefer to file an EEO complaint with an office outside your agency rather than your agency's EEO Office?  
Yes (157)      No (167)      Undecided (140)
12. During the past 3 years, did you file a complaint with your agency's EEO Office?  
Yes (11)      No (456)
13. Was your manager or supervisor supportive of your right to file a complaint?  
Yes (16)      No (15)      Not Applicable (433)

**C. EEO TRAINING**

14. During the past 3 years, did you receive EEO training?  
Yes (105)      No (338)      Employed for less than 12 months (21)
15. How informative was this training?  
Very informative (61)      Somewhat informative (42)  
Not really informative (11)      Not Applicable (346)

KCDA SURVEY RESULTS CONTINUED

D. JOB PERFORMANCE/ADVANCEMENT

16. Does your agency use training and development programs in order to improve job performance and/or career opportunities?  
Yes (250)                      No (106)                      I do not know (108)
17. Were vacant positions advertised on bulletin boards or other areas accessible to employees in a timely manner?  
Yes (385)                      No (36)                      Do not remember (45)
18. The Personnel Rules and Regulations of the City of New York and the Guidelines for Evaluating Managerial Performance in NYC Agencies require that all employees (managerial and non-managerial) receive at least one performance evaluation a year. Have you received annual performance evaluations within the past 3 years?  
Yes (248)                      No (181)                      Employed for less than 12 mos (36)
19. Did your evaluation contain recommendations for improving your job performance?  
Yes (112)                      No (100)                      Not Applicable (249)
20. Did your evaluation contain recommendations for career advancement with your agency?  
Yes (56)                      No (164)
21. The Career Counselor is a trained professional (often the Human Resources Director) familiar with civil service and provisional jobs who provides career counseling to employees who request such guidance. Do you know who your agency's career counselor is?  
Yes (96)                      No (277)                      Not Applicable (90)

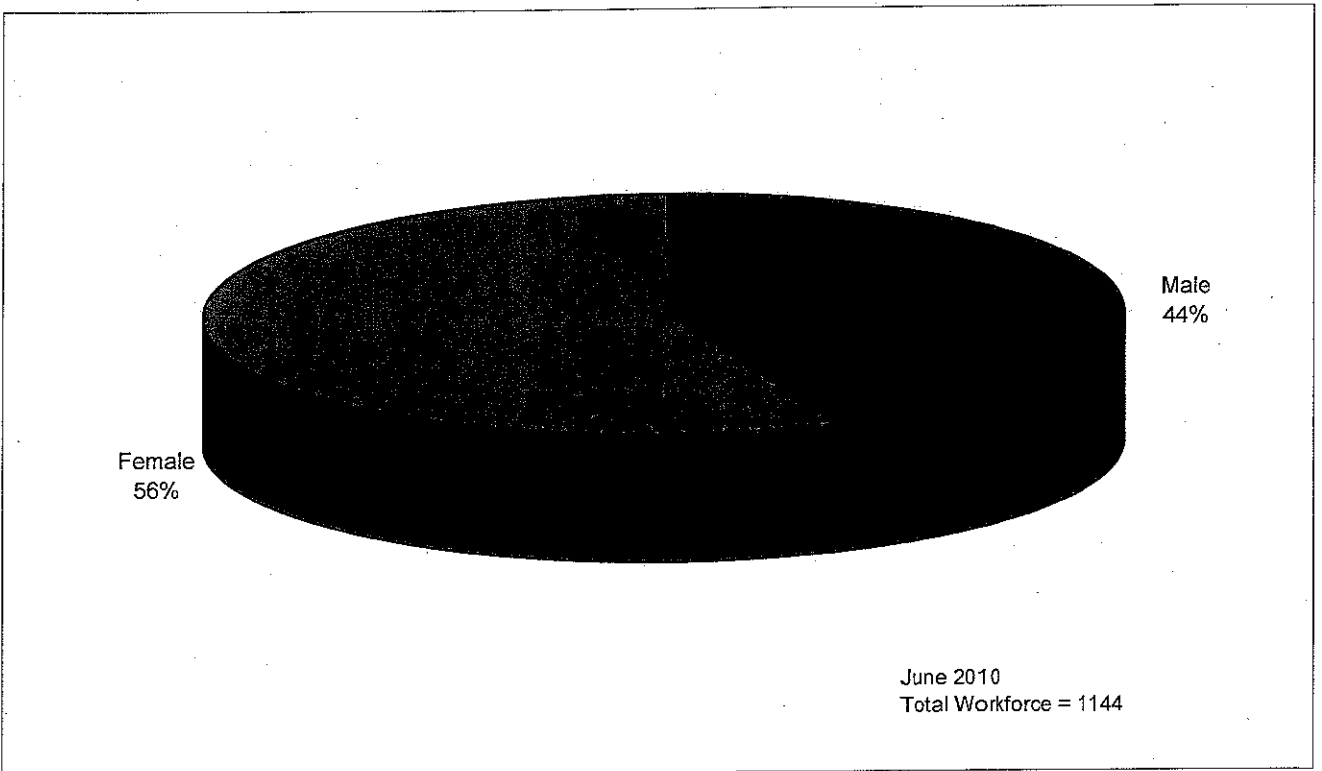
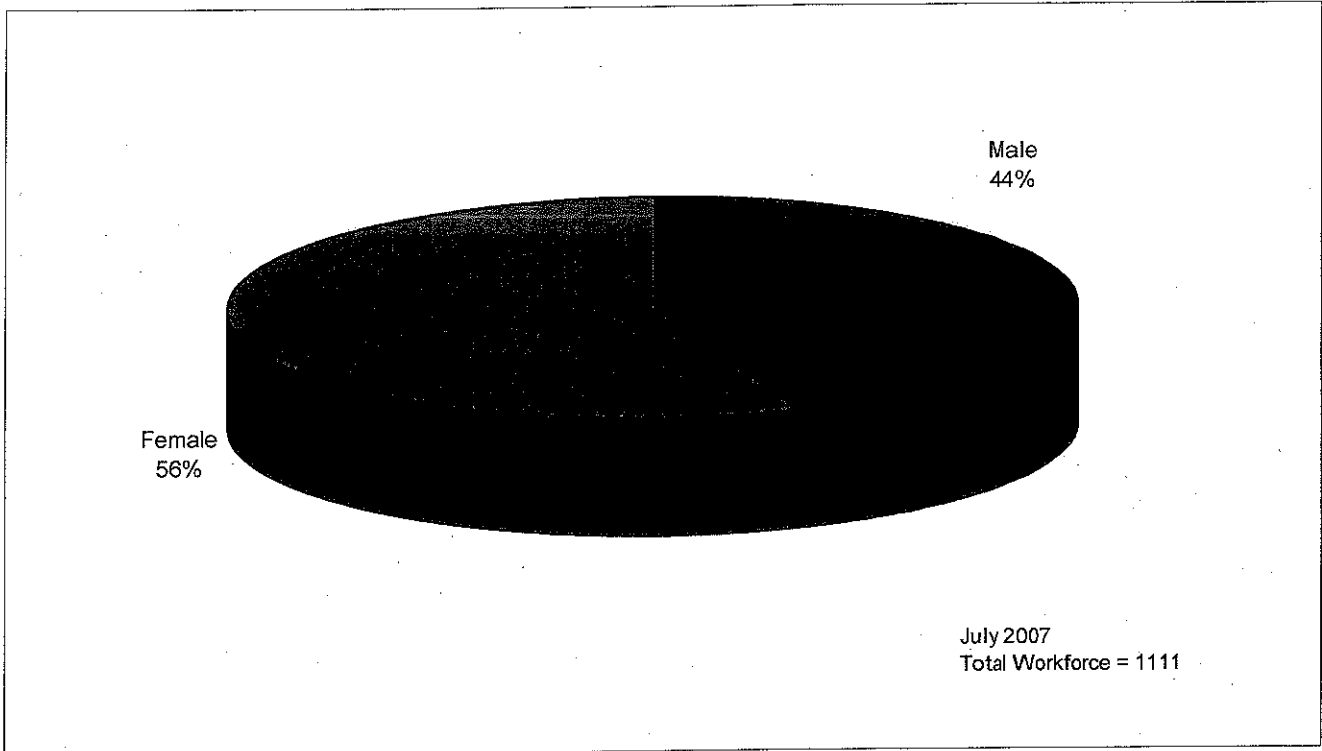
E. SPECIFIC PROTECTIONS

22. The Disability Rights Coordinator is responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies pertaining to persons with disabilities. Do you know who your agency's Disability Rights Coordinator is?  
Yes (95)                      No (365)
23. Agencies are required to take appropriate action to reasonably accommodate qualified employees and applicants with disabilities, and those who are victims of domestic violence, sex offenses, or stalking, to enable them to perform their jobs or enjoy equal benefits and privileges of employment. Agencies are also required to provide reasonable accommodations for the religious observances, beliefs and practices of an employee or applicant. During the past 3 years, did you ask for a reasonable accommodation due to any of the above?  
Yes (49)                      No (416)
24. Was your accommodation granted?  
Yes (42)                      No (10)

OPTIONAL INFORMATION

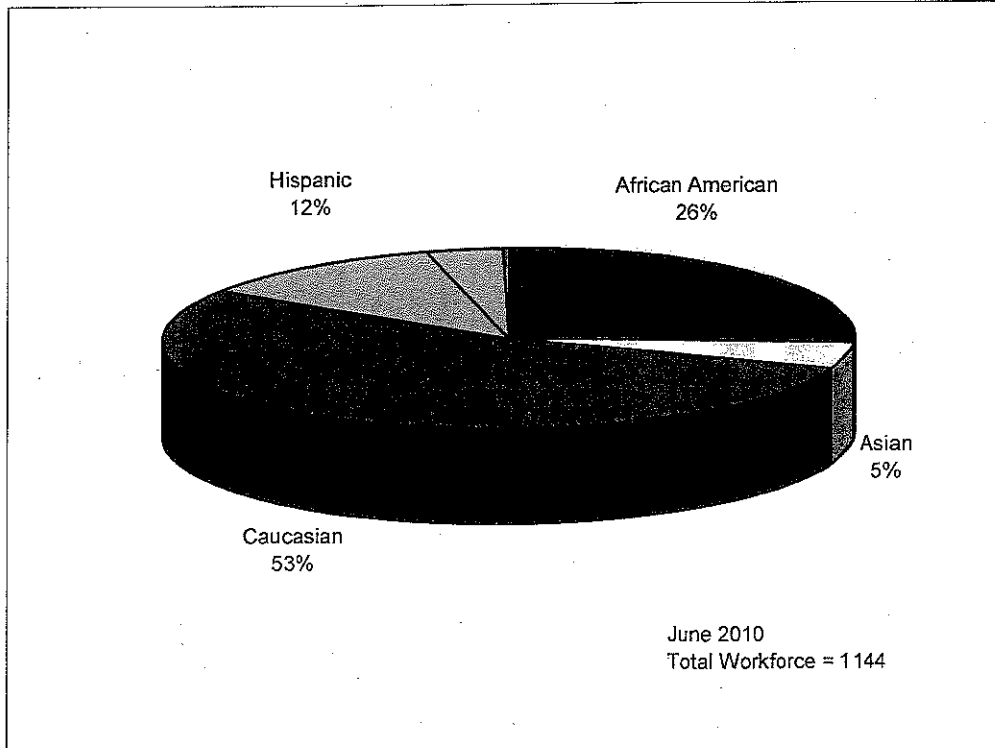
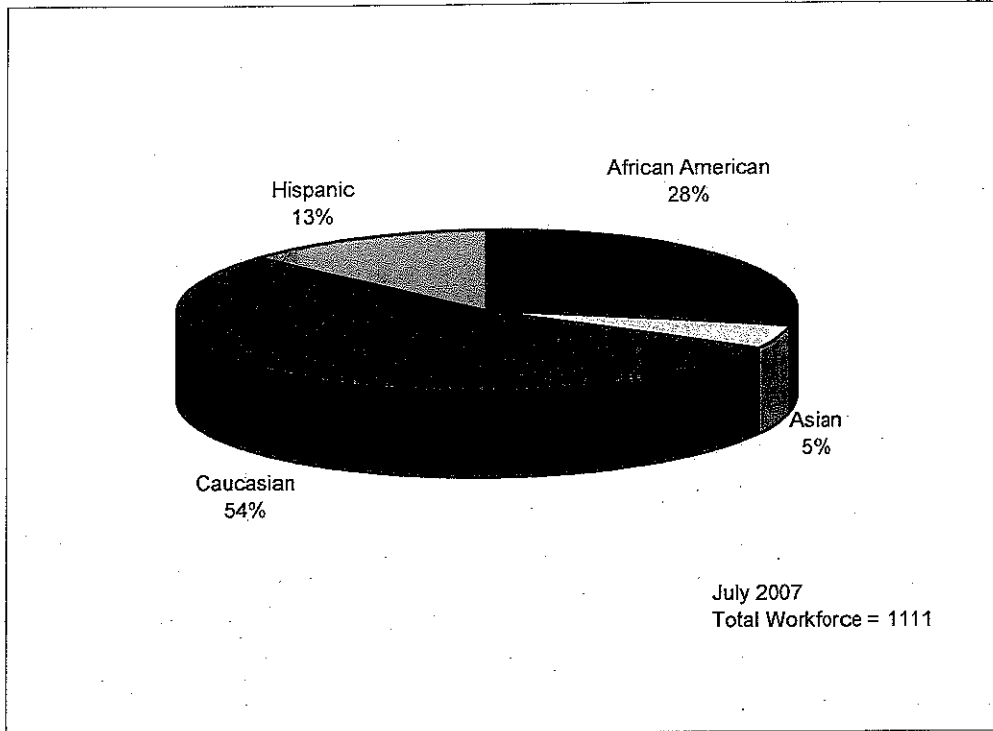
25. Race/Ethnicity  
Asian or Pacific Islander (0)                      Hispanic (55)  
American Indian or Alaska Native (0)                      White (not of Hispanic origin) (230)  
Black (not of Hispanic origin) (86)                      Other (0)
26. Gender  
Male (151)                      Female (264)

Appendix - 2  
Kings County District Attorney's Office  
Workforce by Sex



Appendix - 3

Kings County District Attorney's Office  
Workforce by Ethnicity



## APPENDIX – 4

The following table indicates personnel activity during the audit period, July 1, 2007 to June 30, 2010

### **Kings County District Attorney's Office**

#### **Hires by Sex and Ethnicity**

Total Hires: 315

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Unknown	Total
136	179	315	163	62	37	28	25	315

#### **Promotions by Sex and Ethnicity**

Total Promotions: 82

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Other	Total
52	30	82	50	17	13	1	1	82

#### **Separations by Sex and Ethnicity**

Total Separations: 26

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Unknown	Total
15	11	26	10	9	7	0	0	26

## Kings County District Attorney's Office

## SUPERVISOR/MANAGER SURVEY RESULTS

Total Supervisors = 61 Completed Questionnaire = 43 (70%)

1. Which of the following are you?  
Supervisor (23)                      Manager (19)
2. How many employees are under your supervision?  
Less than 5 (4)                      11 to 20 (0)  
6 to 10 (0)                      21 or more (11)
3. How long have you worked for this agency?  
3yrs or less (1)                      Over 3 yrs (41)
4. Each agency head may distribute a statement in support of Equal Employment Opportunity to all employees. Have you received a copy of your agency's EEO Policy Statement?  
Yes (35)                      No (7)                      Do not remember (0)
5. In your agency, where can the City's EEO Policy be found?  
In the EEO Office (26)                      In my office (9)  
In the HR/Personnel Office (31)                      I do not know (6)  
On the Intranet (6)
6. Of the choices indicated, which is most easily accessible to you?  
The EEO Office (12)                      Your Office (11)  
The HR/Personnel Office (11)                      Not applicable (1)  
The Intranet (7)
7. Is the Discrimination Complaint Procedure included with the EEO Policy?  
Yes (30)                      No (0)                      Do not know (12)
8. Do you know the name of your agency's EEO Officer?  
Yes (37)                      No (5)                      Do not know (0)
9. Did the EEO Officer meet with you to discuss your EEO rights as an employee?  
Yes (35)                      No (7)
10. Did the EEO Officer meet with you to discuss your EEO responsibilities as a supervisor or manager?  
Yes (34)                      No (8)
11. Did you complete the Department of Citywide Administrative Services' (DCAS) Division of Citywide EEO Computer based Training?  
Yes (8)                      No (26)                      Not Applicable (8)
12. In your role as a supervisor/manager, how many times have you discussed the agency's commitment to the principle of Equal Employment Opportunity during staff meetings within the past year?  
Two or more times (10)                      One time (8)                      At no time (24)
13. In your role as a supervisor/manager, how many times have you discussed with employees their right to file a discrimination complaint with the agency's EEO Officer during staff meetings within the past year?  
Two or more times (8)                      One time (7)                      At no time (27)
14. Did you receive sexual harassment prevention training from your agency?  
Yes (39)                      No (2)
15. Please indicate when the training was done:  
Over 2 years ago (34)                      Within the past 2 years (4)

**KCDA SUPERVISOR/MANAGER QUESTIONNAIRE CONTINUED**

16. Did all of the employees that you supervise receive sexual harassment prevention training?  
Yes (18) No (3)
17. When you were hired, did you receive an orientation session that included a review of the City's EEO Policy?  
Yes (13) No (12) Do not remember (17)
18. Do you participate in orientation sessions for new employees?  
Yes (13) No (29)
19. Do new employee orientation sessions include information on the City's EEO Policy?  
Yes (17) No (1) Do not know (24)
20. Do you interview candidates for positions in your agency?  
Yes (36) No (6)
21. If you are involved in interviewing job applicants, did your agency provide you with training and/or a guide that outlines illegal or discriminatory questions and includes instructions for conducting a structured interview?  
Training (6) Both training and guide (5)  
Guide (3) Neither (22)  
I do not interview applicants (6)
22. Were you informed that fulfillment of your EEO responsibilities will be part of your overall performance evaluation and will be considered in determining your eligibility for promotions and merit increases?  
Yes (8) No (34)
23. When was your last performance evaluation?  
Within the past year (7) Over a year ago (19) I have not received one (16)
24. Does your performance evaluation include an EEO component? (A section that rates your ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner.)  
Yes (5) No (17)
25. Do you conduct formal evaluations of the employees under your supervision annually?  
Yes (32) No (10)
26. Do you believe the agency has provided sufficient training to supervisors/managers on their responsibilities in assisting employees who may complain about discrimination or harassment?  
Yes (38) No (4)

**OPTIONAL INFORMATION**

27. Race/Ethnicity  
Asian or Pacific Islander (0) Hispanic (2)  
American Indian or Alaskan Native (0) White (23)  
Black (3) Other (0)
28. Gender  
Male (19) Female (12)