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VIA MAIL AND EMAIL

July 28, 2017

Donna M. Corrado
Commissioner
Department for the Aging
2 Lafayette Street, Suite 721
New York, NY 10007

Re: Preliminary Determination for Audit: Review, Evaluation and Monitoring of the Department for the Aging's Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Dear Commissioner Corrado:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you and your agency for the cooperation extended to our staff during the course of this audit. This letter contains the Commission's findings and preliminary determinations pursuant to our audit and analysis of your agency's Employment Practices and Procedures for the period covering July 1, 2014 to December 31, 2016.

The New York City Charter, Chapter 36, Section 831(d)(5), empowers this Commission to audit and evaluate city agencies' employment practices, programs, policies and procedures, and their efforts to ensure fair and effective equal employment opportunity for employees and applicants seeking employment with city agencies. Section 832.c provides that this Commission may, pursuant to an audit, make a preliminary determination that any plan, program or procedure utilized by any city agency does not provide equal employment opportunity and recommend all necessary and appropriate procedures, approaches, measures, standards and programs to be utilized by agencies in these efforts.

The Department for the Aging, which may herein be referred to as "the agency," falls within the Commission's purview under Chapter 36, Section 831(a) of the New York City Charter, which delineates 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 purpose of this audit and analysis is to evaluate the agency's employment practices and procedures, not to issue findings of discrimination pursuant to the New York City Human Rights Law. This Commission has adopted *Uniform Standards for EEPC Audits*¹ and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. These standards are founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; the New York City Human Rights Law (NYC Administrative Code §§8-107(1)(a) and (d), 8-107.13, and 8-107.1); the New York State Civil Service Law §55-a; the Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7); the Americans with Disabilities Act and its Accessibility Guidelines; and the equal employment opportunity requirements of the New York City Charter. Prescribed corrective actions are consistent with the aforementioned parameters.

Since this Commission is empowered to review and recommend actions which each agency should consider including in its annual plan of measures and programs to provide equal employment opportunity (Annual EEO Plan), the audited agency should incorporate required corrective actions in its current EEO Program and prospective Annual EEO Plans.

Scope and Methodology

This Commission's audit methodology includes collection and analysis of the documents, records and data the agency provides in response to the *EEPC Document and Information Request Form*; responses to the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, review of the agency's *Annual EEO Plans* and *Quarterly EEO Reports* and analysis of workforce and utilization data from the *Citywide Equal Employment Database System* (CEEDS).

This Commission reviews the workforce statistics and utilization analysis information available via CEEDS to understand the concentrations of race and gender groups within an agency's workforce. (CEEDS may be unavailable for certain non-mayoral agencies. In such cases, the EEPC requests that the agency submit similar statistics and analysis.) EEO Program Analysts examine imbalances between the number of employees in a particular job category and the number that would reasonably be expected when compared to their availability in the relevant labor market. Personnel transactions are reviewed in order to ascertain the agency's employment practices. Where underutilization is revealed within an agency's workforce, EEO Program Analysts assess whether the agency has undertaken reasonable measures to address it.

EEO professionals (including, but not limited to, past or current EEO Officers, Deputy or Co-EEO Officers, EEO Counselors, EEO Trainers, EEO Investigators, Disability Rights Coordinators, Career Counselors, 55-a Program Coordinators) and others involved in EEO program administration such as the Principal Human Resources Professional are given a two-week deadline to complete and return their individual questionnaires. The Commission's EEO Program Analysts also conduct

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



additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

Description of the Agency

Department for the Aging (DFTA) works for the empowerment, independence, dignity and quality of life of New York City's diverse older adults and for the support of their families through advocacy, education and the coordination and delivery of services. As an agency of City government and an Area Agency on Aging under the federal Administration on Aging, DFTA receives federal, state and city funds to provide essential services for seniors. It channels these monies to community-based organizations that contract with the Department to provide needed programs locally throughout the five boroughs. Hot meals and activities at senior centers, home-delivered meals, case management, home care, transportation and legal services are among the services these programs provide. DFTA manages the contracts with these programs and ensures service quality. DFTA also provides services directly through its Senior Employment Services Unit, Elderly Crime Victims Resource Center, Alzheimer's and Caregiver Resource Center, Foster Grandparent Program, Grandparent Resource Center, Health Insurance Information Counseling and Assistance Program, and Health Promotion Unit.

At the end of the period in review, DFTA had 904 employees. (See workforce composition, attached as Appendix 1.)

PRELIMINARY DETERMINATIONS AFTER AUDIT AND ANALYSIS

Following are the corresponding audit standards for each subject area along with the EEPC's findings and required corrective actions, where appropriate:

I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES:

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

1. Issue a general EEO Policy statement or memo reiterating commitment to EEO, declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information of EEO professionals, and attaching, or providing employees pertinent electronic links to, an EEO Policy/Handbook.

During the period in review, the agency head issued an EEO policy memo which stated that *"The Department for the Aging (DFTA) is an Equal Employment Opportunity Employer. As Commissioner, I reaffirm DFTA's strong commitment to maintaining fair employment practices for all of its employees, and to forging an environment which values diversity and promotes multi-cultural respect."* The policy statement included the name and contact information of the agency's principal EEO Professional. The agency reported that the EEO policy statement was posted on the agency's electronic bulletin board, accessible to all employees, along with the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City*

Agencies (2014), an agency notice of the updated protected classes (2016), and the EEO policy handbook: *About EEO: What You May Not Know*.

2. Distribute/Post a paper or electronic copy of the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies* – or an agency EEO Policy that conforms to city, state and federal laws – for use by managers, supervisors, and legal, human resources and EEO professionals. Include, or attach as addenda: a policy against sexual harassment; uniform and responsive procedures for investigating discrimination complaints and providing reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the agency's EEO professionals, as well as federal, state and local agencies that enforce laws against discrimination.
- ✓ The agency posted the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies (2014)*, which included a policy against sexual harassment, on the agency's electronic bulletin board - accessible to all employees, along with the EEO Handbook *About EEO: What You May Not Know (2015)*, the agency head's EEO policy statement, an agency notice of the updated protected classes (2016), the Department for the Aging's *Discrimination Complaint Procedures*, and *Reasonable Accommodation Procedural Guidelines (2016)*.

II. EEO TRAINING FOR AGENCY:

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

3. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
- ✓ During the period in review the agency's policy was that managers and supervisors were provided EEO training on an annual basis, and that line employees were provided with EEO training on a biannual basis. Throughout the period in review, the agency's EEO Trainers conducted twenty-one (21) in-house EEO and Diversity training sessions for all managerial and non-managerial employees; the agency used sign-in sheets to track attendance. The in-house EEO training for line staff included the following topics: *EEO Laws and Protections, Types of Discrimination, Harassment, Reasonable Accommodation, Grievance Procedures, Computer Based Training, Reasonable Accommodations, Sexual Harassment, and Complaint Procedures*. The in-house EEO training for managers and supervisors, in addition to the aforementioned topics, included sections on *Manager Responsibilities*, and *Structured Interviewing*. The agency reported that all new employees were required to complete EEO training as part of the onboarding process.

III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion):

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

4. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
- ✓ The agency stated that, during the period in review, it reviewed CEEDS Reports: *Workforce Compared with Internal and External Pools*; and that HR and the principal EEO Professional reviewed interview logs to determine diversity in unit interviews. A review of the agency's CEEDS Report: *Workforce Compared with Internal and External Pools* indicated no underutilization of women or minorities in any job groups during the period in review. Despite this, in response to the *Documents Information Request*, the agency indicated that it will identify professional and community organizations serving a broad segment of potential applicants for City employment, and contact such organizations when positions become available. Additionally, the agency will include the statement that the City of New York and the New York City Department for the Aging are equal employment employers, in its recruitment literature.
5. The principal EEO Professional, HR Professional, and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
- ✓ During the period in review, the principal EEO Professional and the principal HR Professional reviewed the agency's CEEDS Report: *Workforce Compared with Internal and External Pools* for each quarter. Additionally, meeting agendas and memoranda indicated that the agency head and the principal EEO Professional conducted meetings on a quarterly basis regarding agency's employment practices, policies and programs, including: the agency's Annual Diversity and EEO Plan, the annual number of EEO complaints, diversity events, and *Citywide Diversity & EEO Best Practices Group* meetings.
6. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.
- ✓ The agency demonstrated that it conducted an informal assessment of the manner in which candidates are selected for employment. The agency reviewed interview materials, as well as the employee application, to determine whether there was adverse impact upon any particular

racial, ethnic, disability, or gender group; and reported that every effort was made to ensure the interview panels were gender and ethnically diverse and inclusive.. Additionally, during the period in review, interviewers were provided with a checklist of acceptable, and nonacceptable, questions to ask when conducting interviews. According to the agency's CEEDS Report: *Workforce Compared with Internal and External Pools*, no underutilization of women or minorities existed in any job groups during the period in review.

7. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

NOTE: The CEEDS Report: *Workforce Compared with Internal and External Pools* indicated no underutilization of women or minorities in any job groups during the period in review; therefore no further analysis was conducted in the area.

8. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

NOTE: The CEEDS Report: *Workforce Compared with Internal and External Pools* indicated no underutilization of women or minorities in any job groups during the period in review; therefore no further analysis was conducted in the area.

9. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).
- ✓ Prior to conducting interviews, the principal HR Professional provided hiring personnel with the resumes, the structured interview guide, and *New York City Department for the Aging: Interviewing & Selecting the Right People*. The guide included the following sections: *Job Requirements Checklist, Developing Interview Questions, Sample Interview Questions, Assessing the Interview Information, and Examples of Questions That May or May Not Be Asked During an Employment Interview*. The agency reported that all recruitment was conducted exclusively through New York City Automated Personnel System (NYCAPS) e-Hire, by the HR Professional.

10. Promote employees' awareness of opportunities for advancement and transfer within the agency by: administering incentive programs; publicizing promotions, including promotions into, or changes in, the managerial ranks; and/or using other methods to communicate internal opportunities.
 - ✓ During the period in review, all job postings and opportunities for promotion were sent to employees via email, and posted on the agency's electronic bulletin board, which was accessible to all employees. The *Department for the Aging's Internal Posting Program* is a system for informing employees of positions for which a provisional or non-competitive appointment is permissible. The program provides employees who have appropriate training and experience with information about promotional opportunities or lateral transfers to enable their growth and advancement within the agency. The agency stated that all regular, full-time positions were posted when civil service lists did not exist. Temporary positions (Grant Funded) Part-time or full-time would be posted at the discretion of the Personnel Division. Additionally, employees who have completed a minimum of six months in their present position may apply for any posted position for which they qualify.
11. Ensure that employees are considered internally for career enhancement, development opportunities and transfer by: providing and encouraging training, development or mentorship programs to improve their performance and skills; establishing internal talent pools via cross-training, cross divisional assignments, job transfers, and/or job rotation; and identifying internal successors with applicable knowledge/skills/abilities.
 - ✓ During the period in review, the agency provided employees with information on the following *Professional Development Training*: [Management and Supervising Training] *Employee Engagement, Selecting the Right Staff, Strengths-Based Leadership, [Workplace Effectiveness Skills Training] Culture of Competence in the Workplace, Grief and Loss in Older People, Preventing and Reducing Worker Burnout, Write to The Point, Mindfulness-Based Stress Management, Action Grammar, Action Grammar Part 2, Writing Effective Email, Creating and Delivering Powerful Presentations, Mindfulness-Based Management, and Successful Workplace Communication*. The emails advised employees to review the trainings offered, and also provided instruction on how to submit the applications for each training session.
12. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.
 - ✓ During the period in review, the agency advertised for the several vacant positions including: *Community Coordinator, Director of SADC Ombuds Office, Program Officer I (2), and Auditor-in-Charge*. Each job posting contained the EEO tagline "Equal Opportunity Employer."
13. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position, applicants'/candidates' names, identification number, ethnicity, gender, disability or veteran status, interview date, interviewers' names, result, reason selected/not selected (or disposition) of each applicant, and recruitment source*. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.

- ✓ The agency used *NYCAPS eHire* to log and track applicant and candidate information; the logs captured the following information: Applicant Name, Applicant ID, Type, Disposition Title/Position, Agency Tracking Number, Submission Date, Interview Date, Interviewers Name, Rating, Gender, Ethnicity, Disability or Veteran Status, and Recruitment Source. Additionally, the agency maintained the *NYC Department for the Aging Unit Interview Record*, which captured the following information: *Vacant Position/Civil Service Title/JVN Number, Unit Director/Interviewer, Date Interviewed, Name, Ethnic Code, Sex, Source of Referral, Hired, Not Hired – Explanation, and Notification-Letter Sent*; the information was recorded by human resources professionals.

IV. CAREER COUNSELING:

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

14. Designate a professional (may be referred to as the Career Counselor) with appropriate training, knowledge and familiarity with career opportunities in City government to provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
- ✓ On November 29, 2014, the agency designated the principal HR Professional as the agency's Career Counselor. The agency's Career Counselor has worked in human resources for the City of New York for over 38 years, during which time the HR responsibilities included recruitment, career plans, position classification, alternate employment programs, and employee initiatives. The agency informed employees of the name and contact information of the Career Counselor via bulletin boards on each floor of the agency's building.
 - The agency did not demonstrate that the Career Counselor posting included the type of guidance available from the Career Counselor. **Corrective action required.**

Corrective Action #1: Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

15. The Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; ensures that all new employees are advised of the EEO policies, their rights and responsibilities under such policies and the discrimination complaint procedures; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.
- ✓ During the period in review, the principal HR Professional ensured that, upon hire, employees were provided information regarding job responsibilities, examinations, and training opportunities via electronic mail; informed of job postings via the agency's electronic bulletin board; and provided a copy of their tasks and standards as part of the performance evaluation

program. Upon hire, human resources professionals provided new employees the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies (2014)*, the *EEO Handbook About EEO: What You May Not Know*, an agency notice of the updated protected classes (2016), the Department for the Aging's *Discrimination Complaint Procedures*, and *Reasonable Accommodation Procedural Guidelines (2016)*. The agency reported that the principal EEO Professional and principal HR Professional met on an ad hoc basis to discuss any EEO related issues, and also conducted a quarterly review of the agency's CEEDS Reports to discuss utilization and recruitment. The agency's principal EEO Professional and principal HR Professional discussed the number of 55-a program participants and efforts the agency made to employ, promote and accommodate qualified individuals with disabilities. During the period in review, the HR and EEO staff participated in the Mayor's Office for People with Disabilities *Disability Mentoring Day (2014)*.

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

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

16. Ensure that information regarding employee rights and obligations, and the complaint, investigation and reasonable accommodation procedures is made available in appropriate alternative formats (i.e., large print, audio tape and/or Braille) upon request to employees and applicants for employment with disabilities.
- ✓ The agency reported that, during the period in review, *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies (2014)*, the *EEO Handbook About EEO: What You May Not Know*, Department for the Aging's *Discrimination Complaint Procedures*, and *Reasonable Accommodation Procedures*, were available in large print and audio; and that Braille would be made available upon request.
17. Document reasonable accommodation requests and their outcomes.
- ✓ Requests for reasonable accommodation, and their outcomes, were documented and maintained by the principal EEO Professional. Requests for reasonable accommodation were made via the *Reasonable Accommodation Request* form, available to employees on the agency's electronic bulletin board.

VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:
Determination: The agency is in compliance with the standards for this subject area.

18. Appoint a principal EEO Professional to implement EEO policies and standards within the agency. The principal EEO Professional is trained and knowledgeable regarding city, state, and federal EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.

- ✓ The *Assistant Commissioner/EEO Officer* (principal EEO Professional) was appointed on November 1st, 2013. The principal EEO Professional completed the following training conducted by the Department of Citywide Administrative Services (DCAS): *Citywide Diversity and Inclusion Training: Everybody Matters (Train-the-Facilitator Program)* (March 22, 2013), *Diversity and Equal Employment Opportunity Basic Training for EEO Professionals* (June 13th 2013), and *EEO Complaint Investigation Procedural Guidelines* (March 10th 2016). Employees were informed of the name and contact information of the principal EEO Professional via electronic mail as well as the agency's electronic bulletin board.
19. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.
- ✓ In addition to the principal EEO Professional, the agency designated the *Director of Senior Employment* and the *Director of Special Projects* as the EEO Investigators/Counselors, to assist the principal EEO Professional with advising employees of their rights & responsibilities, and conduct complaint intakes/interviews. The *Director of Senior Employment* completed Cornell University *Equal Employment Opportunity Studies* certification on April 13th 2008, and the DCAS *EEO Computer-Based Training* on June 29th 2009. The *Director of Special Projects* completed the DCAS *EEO Computer Based Training* on October 10th 2013, and the agency reported that the DCAS *Diversity and Equal Employment Opportunity Basic Training for EEO Professionals* was also completed. The *Director of Special Projects* served as an EEO Investigator/Counselor until April 6th 2015.
20. The principal EEO Professional reports directly to the agency head (or an approved direct report other than the General Counsel) in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities.
- ✓ During the period in review, the principal EEO Professional reported directly to the agency head in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities. This reporting relationship was reflected in the agency's organizational chart, dated December, 2016.
21. To ensure the integrity and continuity of the EEO Program, maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
- ✓ The agency maintained memoranda and agendas of quarterly and ad hoc meetings, between the agency head and the principal EEO Professional regarding decisions that impacted the administration and operation of the Diversity and EEO program, including: the content and issuance of the agency head's EEO policy statement, the Annual EEO Plan, the managerial training schedule, frequency of EEO training for employees (biannually), budget increases for diversity events, and Citywide Diversity & EEO Best Practices Group Meetings.

VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION – SUPERVISORS/MANAGERS:

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

22. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.
- ✓ The agency established and administered performance evaluations for managerial and non-managerial employees for 2014, and 2016. On March 24th, 2014, the agency's principal HR professional instructed personnel to *"Please prepare tasks and standards covering the period January 1, 2014 to December 31, 2014 for each employee reporting to you. Attached is a listing of employees. The original signed 2014 tasks and standards should be returned to [HR] by May 16, 2014. A copy should be kept for your files and a copy given to the employee."* The agency reported that it is currently in the process of conducting performance evaluations for 2016.
- The agency reported that performance evaluations for calendar year 2015 were not administered. **Corrective action required.**

Corrective Action #2: Ensure that the annual managerial and non-managerial performance evaluation programs are administered annually, to be used for probationary periods, promotions, assignments, incentives and training.

23. The managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).
- ✓ The *Managerial Performance Evaluation Form* contained a rating for EEO responsibilities and processes *"for assuring that people are appropriately employed, effectively and efficiently utilized, and dealt with in an equitable and impartial manner."*

VIII. REPORTING STANDARD FOR AGENCY HEAD:

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

24. Submit to the EEPD an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports² (up to 30 days following each quarter) on efforts to implement the plan.
- ✓ The agency submitted to the EEPD their Annual Plans for each year of the period in review, as well as quarterly reports on efforts to implement those plans.

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

After implementation of the EEPC's corrective actions, if any:

1. The agency head distributes a memorandum informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

Final Action: Distribute a memorandum signed by the agency head informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

Conclusion

The agency has 2 required corrective action(s) at this time.

Pursuant to Chapter 36 of the New York City Charter, your agency has the *option* to respond to this *preliminary determination*, but must respond to our Final Determination if corrective action is required.

Optional Response to preliminary determination: If submitted, your optional response should indicate, with attached documentation, what steps your agency has taken or will take to implement the prescribed corrective actions, and must be received in our office within 14 days from the date of this letter. No extensions will be granted for the *option* to respond to the *preliminary determination*.

(Optional Conference) During the Optional Conference, we will discuss the immediate steps your agency should take and address questions regarding your agency's implementation of the prescribed corrective action(s).

(No Response Option) If your agency does not respond to this preliminary determination within 14 days, it will become the EEPC's Final Determination.

Mandatory Response to Final Determination: Following this preliminary determination, the EEPC will issue a Final Determination where we may modify or eliminate the corrective actions based on verified information; identify remaining action which requires further monitoring in order to ensure implementation; and assign a mandatory compliance-monitoring period of up to 6 months for this purpose. Pursuant to Chapter 36 of the New York City Charter your agency must respond to our Final Determination within 30 days. Your response to the Final Determination will initiate the compliance monitoring period.



In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,

A handwritten signature in black ink, appearing to read "N. Conway", written over a horizontal line.

Nathan P. Conway, EEO Program Analyst

Approved by,

A handwritten signature in black ink, appearing to read "Charise L. Terry", written over a horizontal line.

Charise L. Terry, PHR
Executive Director

c: Kim Hernandez, Principal EEO Professional/Assistant Commissioner

Appendix-1

Department for the Aging
Workforce Composition Summary
2nd Quarter of Fiscal Year 2017
(End of Audit Period)

RUN DATE: 01/04/17
RUN TIME: 13:22:22.4

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2017 AGENCY 125 DEPARTMENT FOR THE AGING

PAGE: 117
REPORT: EBEPR210

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 001 ADMINISTRATORS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
12991	COMMISSIONER	0	0	0	0	0	0	1	0	0	0	0	0	0	1
95001	DEPUTY COMMISSIONER	1	0	0	0	0	0	0	0	0	0	0	0	0	1
95006	COUNSEL (DEPARTMENT FOR TH	0	0	0	1	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		1	0	0	1	0	0	1	0	0	0	0	0	0	3
		33.34	0.00	0.00	33.33	0.00	0.00	33.33	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 002 MANAGERS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
10001	ADMINISTRATIVE ACCOUNTANT	0	1	0	0	0	0	0	0	0	0	0	0	0	1
10025	ADMINISTRATIVE MANAGER	0	0	0	0	0	0	1	0	0	0	0	0	0	1
10026	ADMINISTRATIVE STAFF ANALY	1	0	0	1	0	0	2	0	0	0	0	0	0	4
10033	ADMINISTRATIVE PUBLIC INFO	0	0	0	0	0	0	0	0	0	0	0	1	0	1
10050	COMPUTER SYSTEMS MANAGER	0	0	1	1	0	0	0	0	0	0	0	0	0	2
10056	ADMINISTRATIVE DIRECTOR OF	0	0	0	0	0	0	1	0	0	0	0	0	0	1
10074	COMPUTER OPERATIONS MANAGE	0	0	0	0	0	0	1	0	0	0	0	0	0	1
10084	ADMINISTRATIVE PROGRAM OFF	3	0	1	0	0	0	11	9	4	2	0	1	0	31
82950	AGENCY CHIEF CONTRACTING O	0	0	0	0	0	0	0	0	0	1	0	0	0	1
83008	ADMINISTRATIVE PROJECT MAN	0	0	0	0	0	0	1	0	0	0	0	0	0	1
95005	EXECUTIVE AGENCY COUNSEL	1	0	0	0	0	0	0	0	0	1	0	0	0	2
95016	DIRECTOR OF ADMINISTRATION	0	0	0	0	0	0	1	0	0	0	0	0	0	1
95017	DIRECTOR OF COMMUNITY PROG	0	0	1	0	0	0	0	0	0	0	0	0	0	1
95018	DIRECTOR OF DIRECT SERVICE	0	0	0	0	0	0	0	1	0	0	0	0	0	1
95019	DIRECTOR OF RESEARCH, PLAN	0	0	0	0	0	0	0	0	0	1	0	0	0	1
EEO JOB GROUP TOTAL.....:		5	1	3	2	0	0	18	10	4	5	0	2	0	50
		10.00	2.00	6.00	4.00	0.00	0.00	36.00	20.00	8.00	10.00	0.00	4.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 003 MANAGEMENT SPECIALISTS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
1002A	ADMINISTRATIVE STAFF ANALY	0	0	1	0	0	0	0	0	0	2	0	0	0	3
1002D	ADMINISTRATIVE STAFF ANALY	1	1	0	0	0	0	4	0	0	1	0	0	0	7
12158	PROCUREMENT ANALYST	0	1	0	0	0	0	0	0	1	0	0	0	0	2
12626	STAFF ANALYST	0	0	0	0	0	0	0	1	0	0	0	0	0	1
12627	ASSOCIATE STAFF ANALYST	1	0	0	0	0	0	2	2	1	2	0	0	0	8
40502	MANAGEMENT AUDITOR	0	2	0	0	0	0	2	3	1	3	0	0	0	11
40510	ACCOUNTANT	0	0	0	0	0	0	0	0	1	1	0	0	0	2

RUN DATE: 01/04/17
RUN TIME: 13:22:22.4

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2017 AGENCY 125 DEPARTMENT FOR THE AGING

PAGE: 118
REPORT: EBEP210

51454 PROGRAM OFFICER (DEPARTMEN	2	1	1	1	0	0	11	14	6	3	1	0	0	40
80184 SPACE ANALYST	1	0	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:	5	5	2	1	0	0	19	20	10	12	1	0	0	75
	6.67	6.67	2.67	1.33	0.00	0.00	25.33	26.67	13.33	16.00	1.33	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 004 SCIENCE PROFESSIONALS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
13611	COMPUTER ASSOCIATE (TECHNI	0	1	0	0	0	0	0	0	0	0	0	0	0	1
13621	COMPUTER ASSOCIATE (OPERAT	0	0	0	0	0	0	1	0	0	0	0	0	0	1
13631	COMPUTER ASSOCIATE (SOFTWA	0	1	0	0	0	0	0	0	0	2	0	0	0	3
13632	COMPUTER SPECIALIST (SOFTW	2	0	0	4	0	0	2	0	0	2	0	0	0	10
20246	TELECOMMUNICATIONS ASSOCIA	1	0	0	0	0	0	0	0	0	0	0	0	0	1
21215	ARCHITECT	0	0	0	0	0	0	1	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		3	2	0	4	0	0	4	0	0	4	0	0	0	17
		17.65	11.76	0.00	23.53	0.00	0.00	23.53	0.00	0.00	23.53	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 005 HEALTH PROFESSIONALS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
50415	NUTRITION CONSULTANT	0	0	0	0	0	0	2	5	0	3	0	1	0	11
50416	PRINCIPAL NUTRITION CONSUL	0	0	0	0	0	0	1	0	1	0	0	0	0	2
EEO JOB GROUP TOTAL.....:		0	0	0	0	0	0	3	5	1	3	0	1	0	13
		0.00	0.00	0.00	0.00	0.00	0.00	23.08	38.46	7.69	23.08	0.00	7.69	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 006 SOCIAL SCIENTISTS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPAN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
22507	HOUSING DEVELOPMENT SPECIA	1	0	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		1	0	0	0	0	0	0	0	0	0	0	0	0	1
		100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 007 SOCIAL WORKERS

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

RUN DATE: 01/04/17
RUN TIME: 13:22:22.4

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2017 AGENCY 125 DEPARTMENT FOR THE AGING

PAGE: 119
REPORT: EBEP210

52312 SUPERVISOR II (SOCIAL SERV	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
52313 SUPERVISOR III (SOCIAL SER	1	0	1	0	0	0	2	0	0	1	0	0	0	0	5
EEO JOB GROUP TOTAL.....:	1	0	1	0	0	0	2	0	0	2	0	0	0	0	6
	16.67	0.00	16.67	0.00	0.00	0.00	33.33	0.00	0.00	33.33	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 008 LAWYERS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
30085	*ATTORNEY AT LAW	1	0	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		1	0	0	0	0	0	0	0	0	0	0	0	0	1
		100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 009 PUBLIC RELATIONS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
90610	PHOTOGRAPHER	0	1	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		0	1	0	0	0	0	0	0	0	0	0	0	0	1
		0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 010 TECHNICIANS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
13616	SUPERVISING COMPUTER SERVI	1	1	0	0	0	0	0	0	0	0	0	0	0	2
EEO JOB GROUP TOTAL.....:		1	1	0	0	0	0	0	0	0	0	0	0	0	2
		50.00	50.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 012 CLERICAL SUPERVISORS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
10124	PRINCIPAL ADMINISTRATIVE A	0	2	0	0	0	0	2	10	5	1	0	0	0	20
EEO JOB GROUP TOTAL.....:		0	2	0	0	0	0	2	10	5	1	0	0	0	20
		0.00	10.00	0.00	0.00	0.00	0.00	10.00	50.00	25.00	5.00	0.00	0.00	0.00	100.00

RUN DATE: 01/04/17
RUN TIME: 13:22:22.4

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2017 AGENCY 125 DEPARTMENT FOR THE AGING

PAGE: 120
REPORT: EBEP210

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 013 CLERICAL

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
10251	CLERICAL ASSOCIATE	0	1	1	0	0	0	0	3	1	0	0	0	0	6
10252	SECRETARY	0	0	0	0	0	0	1	5	1	0	0	0	0	7
40526	BOOKKEEPER	0	1	0	0	0	0	0	0	0	1	0	0	0	2
EEO JOB GROUP TOTAL.....:		0	2	1	0	0	0	1	8	2	1	0	0	0	15
		0.00	13.33	6.67	0.00	0.00	0.00	6.67	53.33	13.33	6.67	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 022 BUILDING SERVICES

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
90644	CITY CUSTODIAL ASSISTANT	0	0	0	0	0	0	0	0	1	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		0	0	0	0	0	0	0	0	1	0	0	0	0	1
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 125 DEPARTMENT FOR THE AGING
EEO JOB GROUP : 031 PARA PROFESSIONAL OCCUPATIONS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
09749	COMMUNITY SERVICE AIDE (SC	8	24	22	35	1	5	16	65	57	26	0	4	0	263
52441	FOSTER GRANDPARENT	1	6	5	24	0	5	9	147	69	51	1	7	2	327
56056	COMMUNITY ASSISTANT	0	1	0	0	0	0	0	5	5	0	0	0	0	11
56057	COMMUNITY ASSOCIATE	0	4	4	2	1	0	3	13	7	3	1	1	0	39
56058	COMMUNITY COORDINATOR	4	5	8	7	0	0	15	10	8	1	0	1	0	59
EEO JOB GROUP TOTAL.....:		13	40	39	68	2	10	43	240	146	81	2	13	2	699
		1.85	5.72	5.58	9.73	0.29	1.43	6.15	34.33	20.89	11.59	0.29	1.86	0.29	100.00

AGENCY TOTAL.....:		31	54	46	76	2	10	93	293	169	109	3	16	2	904
		3.43	5.97	5.09	8.41	0.22	1.11	10.29	32.41	18.69	12.06	0.33	1.77	0.22	100.00

Corrective Action #1:

Designate a professional (may be referred as the Career Counselor) with appropriate training, knowledge and familiarity with career opportunities in the City government to provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

Corrective Action #1: Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

The Department for the Aging (DFTA) will remind all employees of the identity/type of guidance available from the Career Counselor each year beginning in CY2017 and into the future as follows:

- Send electronic email to all employees, post on the DFTA intranet/electronic bulletin board, and on bulletin boards on all seven DFTA floors, reminding employees the identity of the Career Counselor and type of guidance available.
- The Career Counselor will also attend a Fall-2017 Human Resource Management (HRM) Certificate 12 week course. The course will serve as a valuable resource for the Career Counselor and Human Resource Management. *(see attached training course information)*

Example of posting for DFTA intranet and agency bulletin boards:

DFTA Career Counselor: Leon Madramotoo

Telephone Number: (212) 602-4409

Email: LMadramotoo@aging.nyc.gov

Location: DFTA Human Resources. 2 Lafayette Street, 9th Floor. New York, NY 10007

- Ensure employees have access to information regarding Job Responsibilities – Tasks & Standards, and Performance Evaluation Standards
- Civil Service Examinations
- Training Opportunities
- Job Postings
- EEO policies
- 55-a Program
- Recruitment
- Career Plans
- Position Classification
- Alternate Employment Programs
- Employment Initiatives

See sample email attached. The following sample email will be sent to all DFTA employees each year in January and July.

Corrective Action #2:

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

Corrective Action #2: Ensure that the annual managerial and non-managerial performance evaluation programs are administered annually, to be used for probationary periods, promotions, assignments, incentives and training.

The Department for the Aging (DFTA) will ensure all annual managerial and non-managerial performance evaluation programs are administered annually. DFTA will continue to use the Performance Evaluation program as a tool for managers to communicate to employees about past performance, job satisfaction, and future goals. By linking the employees' individual work efforts with DFTA's mission and objectives, employees will clearly understand how their jobs contribute to the success of the Agency.

See attached Memorandum and Forms:

- 2016 Non-Managerial Performance Evaluations
2017 Non-Managerial Tasks and Standards
- 2017 Managerial Employee Position Responsibilities and Performance Expectations (PRPE)

New-hire employees will continue to receive Tasks & Standards with their key responsibilities and performance expectations within one month of their appointment. *(See attached email)*



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

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Deputy Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676.2724 fax

BY MAIL AND EMAIL

August 18, 2017

Donna M. Corrado
Commissioner
Department for the Aging
2 Lafayette Street
New York, NY 10007

RE: Audit Resolution #2017/212-125: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Department for the Aging's Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Dear Commissioner Corrado:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you for your August 10, 2017 response to our July 28, 2017 Preliminary Determination, and for the cooperation extended to our staff during the course of this audit.

As indicated in our Preliminary Determination, this Commission has adopted uniform standards¹ to assess agencies' employment practices and programs for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. The attached Determination contains the Commission's findings and required corrective actions pertaining to the referenced review, evaluation and monitoring of your agency's employment practices and procedures.

Chapter 36, Section 832.c of the New York City Charter requires that: 1) the EEPC assign a 6-month compliance period to monitor your agency's efforts to eliminate remaining required corrective actions; and 2) the agency provide a written response within 30 days from the date of this letter indicating corrective action taken.

¹ Founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; New York City Human Rights Law (NYC Administrative Code, §§8-107.1(a) and 8-107.13(d)); New York State Civil Service Law §55-a; Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7) and the equal employment opportunity requirements of the New York City Charter.



The assigned compliance-monitoring period is: September 2017 to February 2018.


If corrective actions remain: Your agency's response should indicate what steps your agency has taken, or will take, to implement the corrective actions during the designated period. Documentation which supports the implementation of each corrective action shall be uploaded to TeamCentral, the EEPC's Automated Compliance-Monitoring System. Your agency will be monitored monthly until all corrective actions have been implemented. Instruction on how to access and navigate TeamCentral is attached. Upon your agency's completion of the final corrective action, this Commission requires that your agency upload a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. Upon receipt of the final memorandum, the EEPC will issue a *Determination of Compliance*.

If no corrective actions remain: Your agency is exempt from the aforementioned monitoring period. However, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. This will be considered your agency's final action. Upon receipt of the memo, a *Determination of Compliance* will be issued.

If there are further questions regarding this Final Determination or the compliance-monitoring process, please have the Principal EEO Professional contact Janet P. Ford, Esq., Agency Counsel/Director of Compliance, at 212.615.8942

Thank you and your staff for your continued cooperation.

Sincerely,


for Charise L. Terry, PHR
Executive Director

C: Kim Hernandez, Assistant Commissioner/Principal EEO Professional

FINAL DETERMINATION

Agency response indicating corrective action taken with documentation is due within 30 days.

The Equal Employment Practices Commission's findings and required corrective actions are based on the audit methodology which includes collection and analysis of the documents, records and data the agency provided in response to the *EEPC Document and Information Request Form*; the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the agency's *Annual EEO Plans and Quarterly EEO Reports*; and workforce and utilization data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

After reviewing the agency's optional response² (if applicable) to the EEPC's preliminary Determination, our Final Determination is as follows:

Monitoring Required

The agency's implementation of the following required corrective actions will be monitored during the assigned compliance monitoring period.

Corrective Action #1

Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

Agency Response: "The Department for the Aging (DFTA) will remind all employees of the identity/type of guidance available from the Career Counselor each year beginning in CY2017 and into the future ..."

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #1. Documentation that demonstrates implementation of corrective action #1 will be required during the compliance-monitoring period.

Corrective Action #2

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

Agency Response: "The Department for the Aging (DFTA) will ensure all annual managerial and non-managerial performance evaluation programs are administered annually..."

"New-hire employees will continue to receive Tasks & Standards with their key responsibilities and performance expectations within one month of their appointment."

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #2. Documentation that demonstrates implementation of corrective action #2 will be required during the compliance-monitoring period.

Thank you and your staff for your continued cooperation.

² Excerpts are italicized.

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #2017/212-125: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Department for the Aging's Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Whereas, pursuant to Chapter 36, Section 831(d) (2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized 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, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPD Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit of the Monitoring of the Department for the Aging's (DFTA) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated July 28, 2017, setting forth findings and the following required corrective actions:

1. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
2. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on August 10, 2017; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on August 14, 2017; and

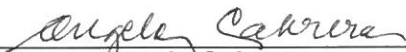
Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from September 2017 through February 2018, to determine whether it implemented remaining required corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and

Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved, that the Commission approves issuance of this Final Determination to Commissioner Donna M. Corrado of the Department for the Aging.

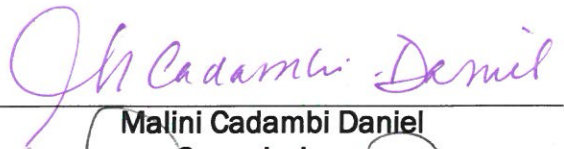
Approved unanimously on August 17, 2017.



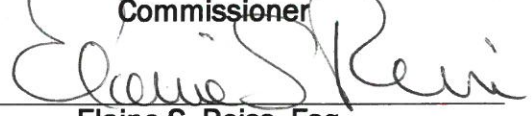
Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



Donna M. Corrado, PhD
Commissioner

2 Lafayette St.
New York, NY 10007

212 602 4100 tel
212 442 1095 fax

September 15, 2017

Janet P. Ford, Esq.
Agency Counsel/Director of Compliance
NYC Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

Re: Response to the Final Determination Letter – Audit Resolution 2017/212-125 Department for the Aging's (DFTA) Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Dear Ms. Janet Ford, Esq.:

Thank you for sending the Final Determination Letter dated August 18, 2017, and for reviewing the Corrective Actions. The following Corrective Actions will be implemented and are designed to increase equality of opportunity for DFTA's employees and job applicants.

Corrective Action #1

Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

DFTA Human Resources will remind all employees of the identity/type of guidance available from the Career Counselor each year beginning in September 2017 and into the future. The methods of notifying employees of the Career Counselor identity/type are:

- Send an email to all DFTA employees introducing – Leon Madramotoo as the DFTA Career Counselor (*email attached*).
- Post on DFTA intranet – electronic bulletin DFTA Career Counselor information/email (*screenshot attached*).
- Enrollment of the Career Counselor to attend the Human Resources Management Course in collaboration with NYC Citywide Administrative Services (DCAS) and Pace University (*see attached*).
- The Career Counselor will attend scheduled Agency Personnel Officers (APO) meetings and the Office of Labor Relations (OLR) quarterly meetings.



Corrective Action #2

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

DFTA HR will ensure that the annual managerial and non-managerial performance evaluations are administered annually. New hire employees will continue to receive Tasks and Standards with their key responsibilities and performance expectations within one (1) month of appointment.

Human Resources will send an email informing all employees of the Department's commitment to conducting both annual non- managerial and managerial performance evaluations (*see attached email*).

If there are further questions regarding DFTA's response to this Final Determination, please contact me at (212) 602-4197 or email khernandez@aging.nyc.gov.

Thank you and your staff for your continued cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim Hernandez".


Kim Hernandez, MPA
Assistant Commissioner and EEO Officer
Bureau of Active Aging

Attachments

CC: C. Terry, Executive Director
N. Conway, EEO Program Analyst
D. Corrado, Commissioner
R. Lorenzo, Director of Human Resources
L. Madramotoo, Career Counselor



TO: All Department for the Aging Staff

FROM: Commissioner Donna M. Corrado 

DATE: October 10, 2017

RE: Implementation of Equal Employment Practices Commission ("EEPC") Recommendations Pursuant to the Review, Evaluation, and Monitoring of the New York City Department for the Aging's (DFTA) Employment Practices and Procedures for the Period July 1, 2014 to December 31, 2016.

The New York City Department for the Aging (DFTA) is responsible for fulfilling the mission "to work for the empowerment, independence, dignity and quality of life of New York City's diverse older adults and for the support of their families through advocacy, education and the coordination and delivery of services." As an agency of City government and an Area Agency on Aging under the federal administration on Aging, DFTA receives federal, state and city funds to provide essential services for seniors. It channels these monies to community-based organizations that contract with the Department to provide needed programs locally throughout the five boroughs. Hot meals and activities at senior centers, home-delivered meals, case management, home care, transportation and legal services are among the services these programs provide. DFTA manages the contracts with these programs and ensures service quality. DFTA also provides services directly through its Senior Employment Services Unit, Elderly Crime Victims Resource Center, Alzheimer's and Caregiver Resource Center, Foster Grandparent Program, Grandparent Resource Center, Health Insurance Information Counseling and Assistance Program, and Health Promotion Unit.

The Department for the Aging (DFTA) is an Equal Employment Opportunity Employer. As Commissioner, I reaffirm DFTA's strong commitment to maintaining fair employment practices for all of its employees, and to forging an environment which values diversity and promotes multi-cultural respect.

The Equal Employment Practices Commission ("EEPC") has adopted uniform standards to assess agencies' employment practices and programs for compliance with federal, state, and local

laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. Consistent with its responsibility to perform periodic audits of City agencies' employment practices, EEPC conducted an audit of DFTA's employment practices and procedures for the period starting July 1, 2014 and ending December 31, 2016. Following the audit, EEPC issued recommendations to DFTA. As recommended by EEPC, DFTA has implemented the following actions:

1. The Department for the Aging has formally designated Leon Madramotoo, Assistant Director of Human Resources, as the agency's Career Counselor. Mr. Madramotoo will be able to assist employees in making informed decisions regarding their professional development. He has appropriate training, knowledge and familiarity with career opportunities in City government and can provide career counseling to employees upon request. An email was sent on September 8, 2017 to inform staff of this service.
2. The Department for the Aging will ensure the establishment and administration annually of a managerial and non-managerial performance evaluation program used for probationary periods, promotions, assignments, incentives and training. The Department's Human Resources Unit will ensure that the annual managerial and non-managerial performance evaluations are administered annually. New hire employees will continue to receive Tasks and Standards with their key responsibilities and performance expectations within one (1) month of appointment. An email was sent on September 6, 2017 to inform staff about performance evaluations.

If you have any questions, please reach out to Kim Hernandez, Assistant Commissioner/Equal Employment Opportunity Officer at (212) 602-4197 or email khernandez@aging.nyc.gov.

Thank you,



Donna M. Corrado, PhD

Commissioner

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #2017/214-125-C28: Determination of Compliance (Monitoring Period Required) by the Department for the Aging (DFTA) with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the New York City Department for the Aging's Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized 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, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the DFTA's Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated July 28, 2017, setting forth findings and the following required corrective actions:

1. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
2. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on August 10, 2017; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on August 18, 2017 which indicated that corrective action nos. 1 and 2 required compliance monitoring; and

Whereas, the DFTA submitted its response to the EEPC's Final Determination letter, on September 15, 2017; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the remaining corrective actions from September 2017 – October 2017, with no extension of the monitoring period; and

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the DFTA submitted a copy of the agency head's memorandum to staff dated October 10, 2017, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated commitment to the agency's EEO Program; and

Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #2017/214-125-C28: Determination of Compliance (Monitoring Period Required) by the Department for the Aging (DFTA) with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the New York City Department for the Aging's Employment Practices and Procedures from July 1, 2014 to December 31, 2016.

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Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

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Whereas, the DFTA submitted its response to the EEPC's Final Determination letter, on September 15, 2017; and

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Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved, that the Department for the Aging has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.


Be It Resolved, that the Commission approves issuance of this Determination of Compliance to Commissioner Donna M. Corrado of the Department for the Aging.

Approved unanimously on October 26, 2017.

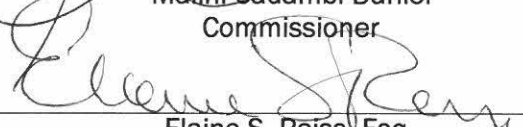


Angela Cabrera
Commissioner

Absent
Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner (Absent)



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

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Deputy Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 615. 8931 fax

BY MAIL AND EMAIL

October 26, 2017

Donna M. Corrado
Commissioner
Department for the Aging
2 Lafayette Street
New York, NY 10007

Re: Resolution #2017/214-125-C28: Determination of Agency Compliance

Dear Commissioner Corrado:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to inform you that the Commission has issued the attached Determination of Compliance to the Department for the Aging. This Commission has determined that the Department for the Aging has implemented the required corrective actions deemed necessary by this Commission for ensuring a fair and effective affirmative employment program of equal opportunity as required by the equal employment opportunity standards of this Commission and Chapters 35 and 36 of the New York City Charter.

On behalf of this Commission, I want to thank you and Principal EEO Professional Kim Hernandez for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,

A handwritten signature in black ink, appearing to read "Malini Cadambi Daniel".

Malini Cadambi Daniel
Commissioner

c: Kim Hernandez, Assistant Commissioner\Principal EEO Professional

EEPC

EQUAL EMPLOYMENT PRACTICES COMMISSION

This
Determination of Compliance

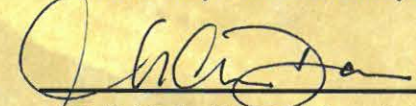
is issued to

Department for the Aging

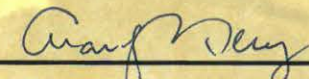
*for successfully implementing 2 of 2 required corrective actions pursuant to the Equal Employment Practices Commission's
Employment Practice and Procedures Audit From July 1, 2014 to this date.*

*In care of Commissioner Donna M.
Corrado, and Principal EEO
Professional/Assistant Commissioner
Kim Hernandez*

On this 26th day of October in the year 2017,



Malini Cadambi Daniel, Commissioner



Charise L. Terry, PHR, Executive Director