



The City of New York
Mayor's Office of Management and Budget
255 Greenwich Street • New York, New York 10007-2146
Telephone: (212) 788-5900 • Email: JihaJ@omb.nyc.gov

Jacques Jiha, Ph.D.
Director

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

Fiscal Year 2023

Mayor's Office of Management and Budget



NYC
Mayor's Office
of Management
and Budget

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I. Commitment and Accountability Statement by the Agency Head

On behalf of the New York City Mayor's Office of Management and Budget (OMB), I hereby declare my commitment as the Agency Head to support and enforce the rights and protections afforded by the New York City (City) EEO Policy, the City and New York State Human Rights Law, and all other relevant laws, for all employees, applicants for employment, external contractors, consultants, and agency partners, and members of the public served by our Agency. My commitment extends throughout the agency: All OMB employees of this agency are required and expected to adhere to the City's EEO Policy and other mandates that prohibit harassment and discrimination in the workplace. OMB, like all City agencies, will be a discrimination-free workplace.

Furthermore, as the Agency Head, I have a strong personal commitment to furthering equity, diversity, and inclusion principles throughout the agency by implementing strategies and best practices in partnership with the agency's Chief Diversity and WMBE Officer (Tara Boiard), Chief EEO and Diversity, Equity, and Inclusion Officer (Danica You), Director of Human Resources (Lauren Wittels), and other agency leadership (including all senior managers, supervisors, and employees). OMB, under my leadership, will uphold the City's EEO and DEI values and will strive to achieve the greatest possible diversity among our workforce, to create an inclusive culture of openness, acceptance, and cooperation in our workplaces, and to promote equity in all its aspects, including by working to implement this Plan. I will aim to ensure that all our staff and those our agency serves feel empowered, valued, and respected and to address potential barriers to our EEO and diversity and inclusion goals head-on.

Workforce -

OMB not only accepts, but also embraces the diversity of our workforce, including differences in age, color, disability, ethnicity, familial or marital status, gender identity or expression, language, national origin, race, religion, sexual orientation, socio-economic status, veteran status, and other essential characteristics that are at the heart of the people of New York City. When we value our differences, we build stronger teams, which drives the best performance of our agency and therefore best serves the City overall. Our agency will examine and eliminate the structural obstacles to equal treatment in the recruitment, selection, development, advancement, and retention of our diverse workforce reflective of our City's population.

The agency also values the diversity of the potential members of its workforce. Because of this, I commit to hold the agency's EEO and human resources professionals, managers, supervisors, and anyone else who may be involved in the hiring process, accountable for ensuring that OMB does not discriminate against not only existing employees, but also applicants for employment. Employment decisions will be made based on merit and equality of opportunity.

Workplace -

To best support our diverse workforce, I commit to working with relevant agency leaders, including the Personnel Director and EEO/DEI Officer, to examine and work to eliminate the

structural obstacles to equal treatment in the recruitment, development, and retention of employees, and to develop, implement, and maintain other measures to maintain a safe and inclusive work environment for all our staff. These measures will include critical human resource decisions, such as recruitment and hiring strategies, workforce projections, succession planning, promotion of training and career development opportunities, and strategic planning.

Additionally, the EEO/DEI Officer will serve as the primary resource for managers and supervisors by providing best practices and direction in addressing identified EEO and DEI issues. Her contact information is prominently available to all employees. The Agency EEO/DEI Officer should be contacted with any questions, inquiries, concerns, or complaints that an employee may have regarding any EEO-related issues, including any allegation of a violation of the City EEO Policy.

Community -

I will actively involve OMB's senior staff in the agency's efforts to enhance and promote the values of diversity, equity, inclusion, and respect for all as they lead efforts to implement the FY 2023 EEO Annual Plan ("FY 2023 Plan") across OMB. As an agency, we will better provide equitable, fair, and effective services to the public by implementing this plan, which will help us perform all aspects of our work through a lens of diversity, equity, and inclusion.

I also will ensure that the agency's Chief Diversity/MWBE Officer (Tara Boirard) will continue to assess and reevaluate the agency's MWBE participation goals, and lead efforts toward meeting those goals as outlined in Executive Order 59.

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

OMB's EEO/DEI Officer, Danica You, may be reached at YouD@omb.nyc.gov or 212-788-6030.

☐ This statement is the same as last year. (OMB Note: Slight changes from the prior fiscal year).

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

II. Recognition and Accomplishments

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

1. Began creating new OMB Employee Equity Group Program. Part of the program's mission is to contribute to the Agency Diversity/EEO goals regarding Workforce, Workplace, and

Community. In FY2022, OMB created a toolkit for employees to empower them to begin Employee Equity Groups. This program will launch in FY2023.

2. Continued efforts to engage M/WBE vendors within the guidelines of Local Law 1; OMB attends M/WBE outreach events and procurement fairs hosted by various city agencies. In keeping with past precedent and dependent on available events, OMB plans to attend a minimum of four events this year while also fielding calls and conducting procurement-specific outreach to qualified M/WBE vendors.
3. Continued efforts to achieve 100% employee participation in the EEO-related DCAS Computer Based Training modules including, but not limited to, lgbTq: The Power of Inclusion; Sexual Harassment Prevention; Everybody Matters, and Disability Etiquette. The agency also required managers to attend DCAS's structured interview training and additional staff to take DCAS's new Unconscious Bias trainings once they became available.
4. Monthly DEI newsletters. The agency began creating and sending out DEI newsletters to all staff on a monthly basis during FY2022. These newsletters covered topics including various cultural commemorations (e.g., Caribbean American Heritage Month, Women's History Month, Pride, etc.) and other events of note that are DEI-related (e.g., National Coming Out Day, National Native American Day, BIPOC Mental Health Awareness Month, etc.).
5. Cultural events. OMB started organizing cultural events for all staff beginning in March 2022. These events took place nearly every month. For example, for Caribbean American History Month, the agency hosted a celebration featuring Caribbean food and music, held a team trivia event focused on issues relevant to the Caribbean culture, and showed videos educating on Caribbean dance and environmental issues. As another example, for BIPOC Mental Health Awareness Month, OMB hosted a speaker from NYU who spoke about mental health issues in indigenous American communities and then held a talking circle for staff, who shared their personal experiences with each other. At the end, the event organizers provided participants with information to mental health resources.

III. Workforce Review and Analysis

Please provide the total agency headcount as of 6/30/2022

Total Headcount: 477

In FY 2023, the agency will remind and encourage its employees to update self-ID information regarding race/ethnicity, gender, and veteran status through any of the following means:

- ☒ NYCAPS Employee Self Service (by email; strongly recommended every year)
- ☒ Agency's intranet site
- ☒ On-boarding of new employees
- ☒ Employees unable to complete the self-identification form using ESS will be provided an opportunity to submit paper form to the EEO Office.
- ☒ In FY 2023, the agency will inform and remind employees of the option to add preferred name in ESS.

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

Agency Head

☐ Quarterly ☐ Semi-Annually ☒ Annually ☐ Other _____

Human Resources

☒ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

General Counsel

☐ Quarterly ☐ Semi-Annually ☐ Annually ☐ Other _____

Chief of Staff

☐ Quarterly ☐ Semi-Annually ☒ Annually ☐ Other _____

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

iv. EEO, Diversity, Inclusion, and Equity Initiatives for FY 2023

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

❖ Workforce:

Hiring, Promotion, and Retention Practices

A central workforce goal is for OMB to continue to secure, support, and maintain a high-performing and diverse workforce. OMB will do this by expanding efforts to recruit from a diverse, qualified group of applicants. This will also involve continuing efforts to develop and implement an effective recruitment and hiring system, including diversifying our pipeline, training hiring managers on best practices, and recommending any changes necessary to make our workplace more inclusive. For FY2023, the EEO/DEI Officer will continue to partner with the HR Director and other agency leadership as necessary to implement DCAS's Diverse and Inclusive Recruitment Best Practices, as established by DCAS in FY2022 and add additional practices as necessary to help build a diverse and inclusive workforce. As part of efforts to enhance the hiring process at OMB, the agency began working with the Mayor's Office of Veteran's Services to participate in the VetConnect program in FY2022 and will solidify those efforts in FY2023.

OMB will also continue to support the promotion and retention of staff with diverse experience and attributes this fiscal year. The agency will do this by regularly analyzing the composition of its workforce, as well as demographic information of job applicants and staff selected for promotion, to better understand how that information might influence certain practices and programs developed by the agency. OMB will also continue to engage in efforts such as work with EquityNYC (including requirements under Executive Order 34) and performing additional analysis of workforce composition, including a review of promotion practices, professional development opportunities, and other issues relevant to this workforce goal.

Mentorship Program

Another workforce goal is to cultivate an inclusive workplace that enables full participation encourages collaboration, flexibility, and fairness. As part of this effort, OMB's existing Mentorship Program pairs together senior managers and less experienced staff to share perspectives, values, and experiences. It also provides an opportunity for staff to explore areas of interest outside their assigned portfolio. To allow for greater participation throughout the agency, each year preference is given to mentees who have not participated in program. The agency will re-visit this Program during FY2023, in partnership with the senior leader who established the program, and determine additional areas for growth, including determining whether broadening the Program to also include a mentorship opportunity between junior employees and mid-level managers, to provide additional opportunities for junior employees to gain insight from the experiences of the mid-level managers and to provide participating mid-level managers with the opportunity to strengthen their leadership skills.

Professional Development Opportunities

Significantly expanding professional development opportunities continues to be a key workforce goal for this fiscal year. In FY 2022, the agency hired its first Chief Learning Officer, who began creating up a formal learning and development program for the agency. The L&D program will include training for employees at all levels, initially targeting managers and analysts.

❖ **Workplace:**

OMB will continue to employ several strategies to achieve its goals focused on inclusion, workplace culture, and employee activities. Last fiscal year, OMB began to significantly grow its Workplace programming by beginning to host monthly DEI-related events for all staff. These efforts will continue to grow in FY2023.

Cultural/DEI-Related Events and Activities

In FY 2022, OMB formed a committee to plan events and activities focused on cultural and diversity, equity, and inclusion. The events took place nearly every month (at minimum) and included celebrations of various DEI-related occasions, including monthly commemorations (e.g., Asian American Pacific Islander Heritage Month, Women's History Month, etc.) and other standalone events (e.g., online, and in-person events relating to Earth Day, etc.). The events will involve a variety of programming, including learning opportunities, team-building activities, and entertainment. The tentative list of in-person events planned for FY2023 is as follows:

January

- Martin Luther King Jr. Day

February

- Black History Month

March

- Women's History Month/International Women's Day

April

- Earth Day

May

- Asian American and Pacific Islander Heritage Month: Tentative Date

June

- LGBTQI+ Pride Month
- Caribbean American Heritage Month

July

- National Disability Independence Day

August

- Team Building Event(s) - HR

September - October

- Hispanic Heritage Month

October

- World Mental Health Day

November

- National Native American, American Indian, and Alaskan Native Heritage Month

December

- Staff Recognition Party

1. Workplace:

This fiscal year, OMB will employ several strategies to achieve its goals focused on inclusion, workplace culture, and employee activities.

Cultural/DEI-Related Events and Activities

In FY 2022, OMB will form a committee to plan events and activities focused on cultural and diversity, equity, and inclusion. The events will take place every other month, at minimum, and will include celebrations of various DEI-related occasions, including monthly commemorations (e.g., Asian American Pacific Islander Heritage Month, Women's History Month, etc.) and other standalone events (e.g., online, and in-person events relating to Earth Day, etc.). The events will involve a variety of programming, including learning opportunities, team-building activities, and entertainment. The tentative list of in-person events planned for FY2022 is as follows:

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- Black History Month

March

- Women's History Month/International Women's Day

April

- Earth Day

May

- Asian American and Pacific Islander Heritage Month: Tentative Date

June

- LGBTQI+ Pride Month
- Caribbean American Heritage Month

July

- National Disability Independence Day

August

- TBD

September - October

- Hispanic Heritage Month

October

- World Mental Health Day

November

- National Native American, American Indian, and Alaskan Native Heritage Month: Tentative Date 11/18

December

- Staff Recognition Party

Employee Equity Resource Groups and Employee Committees

OMB began revitalizing its Employee Resource Group program in FY2022 by expanding and redefining this program as Employee Equity Groups (EEGs) and Employee Committees (ECs). EEGs are groups of employees – specifically focused on groups that have historically been underrepresented in the workplace, such as the protected groups under the City's EEO Policy – who are connected in the workplace based on shared characteristics or life experiences, and are intended to provide support, enhance career development, improve personal development at the agency and the overall agency work environment. The purpose of EEGs is for employees to have the space to show up as their full selves and be heard, valued, and engaged. Anyone is invited to participate in EEGs. ECs are groups of employees that are interest-based; gathered more around specific activities and, again, are open to all employees. As part of the EEG/EC process, last fiscal year the EEO/DEI Officer drafted a toolkit and other information to help

interested employees form these new groups and support them as they develop. These materials will be finalized and distributed in FY2023, officially launching this program.

Employee Surveys

In FY2023, OMB will create a DEI survey, which will be a tool to help the agency benchmark the current status of DEI within the organization and build a strategic plan of measurable, tangible actions that can be implemented to improve the agency.

OMB will also continue to utilize an exit survey for all employees that are separating from the agency to measure, evaluate, and improve employee job satisfaction, including two questions that address issues relevant to EEO and DEI. In FY2022, the agency reviewed and updated the exit survey, including questions relating to EEO and DEI.

Additional In-House Trainings

As mentioned earlier, OMB's new Chief Learning Officer was hired in FY2022. In addition to the above-described trainings aimed toward achieving workforce goals, the CLO will also conduct in-house trainings that will benefit a cross-section of the agency, allowing staff to work with divisions they may not interact with frequently. These opportunities will hopefully help strengthen the workplace by exposing staff to the experiences of new colleagues.

❖ **Community:**

This fiscal year OMB will continue to work with the Mayor's Office of Immigrant Affairs to coordinate the agency's language access policy and implementation plan. Per the Mayor's Executive Order, the agency has and will continue to work with DOITT to make our website and its publications on the City's budget more accessible to all New Yorkers.

In FY 2022, OMB plans to attend a minimum of four events this year while also fielding calls and conducting procurement-specific outreach to qualified M/WBE vendors.

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

We continue to experience this pivotal time in history, set off in 2020 with the start of the coronavirus pandemic (along with acts of unfairly associated acts of violence and discrimination against members of the Asian American Pacific Islander (AAPI) community), as well as specific acts of violence against Black people that revealed the dramatic impacts of systemic racism and other acts of inequity to many people who did not already have a deep awareness of or experience with discussing these issues. These difficult situations impacted many people on a personal level, including OMB's own

employees, and caused some to question how institutions, including City agencies, might perpetuate systemic racism and other inequities – even if unintentional.

During FY 2020-2021, the agency began addressing equity, inclusion, and race relations issues directly by hosting online community events for staff to process these issues as a community, as well as provided resources to staff including training opportunities, mental health, and other support options through various City services.

In FY 2022, OMB began growing in terms of how the agency addresses issues of equity and race relations. The EEO/DEI Officer began formulating a diversity, equity, and inclusion strategic plan for the agency as part of this goal. In FY2023, the EEO/DEI Officer expects to complete this process. This will include taking a step back and re-visiting some foundational issues: creating a DEI mission and vision statement, creating a better framework for the agency's DEI work (including identifying clear metrics, objectives, and tasks for measuring progress), defining specific strategic DEI initiatives and creating timelines for those initiatives – all with an eye toward improving workforce, workplace, community, and equity/race relations; an essential way for the agency to strategically address matters involving equity and race relations.

OMB acknowledges that it has a responsibility to address issues of equity and race relations, is committed to ensuring that the agency make improvements, and looks forward to working with others, including DCAS, on how to make these positive changes as City agencies.

2. Planned Programs, Initiatives, Actions

A. Workforce

The people who make up a workforce are at the foundation of any organization. To enhance equity at OMB with respect to the workforce, we must acknowledge the importance of having a diverse network of empowered teams, utilizing open dialogue and inclusive work styles that bring out peoples' strengths and make space and provide tools for improvement. The demographic of the workforce is rapidly changing, becoming more multi-generational, multi-cultural, and driven by technology, and it is important that we recognize this reality to improve equity. Additionally, it is important to also acknowledge the significant challenges presented by the current state of the job market, which also directly impact OMB's ability to hire and retain a diverse workforce.

As outlined in greater detail above, with respect to specific actions pertaining to Workplace designed to enhance equity, in FY 2023, OMB will engage in activities including (1) re-visiting

hiring, promotion, and retention practices, including implementing DCAS's Diverse and Inclusive Recruitment Best Practices, (2) continuing to support the promotion and retention of staff with diverse experience and attributes by regularly analyzing the composition of the workforce, (3) engage in equity work through the EquityNYC program, (4) strengthen the agency's mentorship program, and (5) expand professional development opportunities.

With respect to addressing underutilization in FY2023, OMB will continue to expand internal and external applicant pools through outreach strategies for broader recruitment, including creating a list of new resources targeting women and minorities, which was initially drafted by EEO in FY2022 and will be finalized in FY2023.

The agency will continue to review the quarterly reports and dashboards to have a strong grasp of the agency's underutilization numbers and adjust recruitment and retention efforts accordingly and to the extent possible.

The agency will also continue to inform and encourage OMB employees to prepare for and take civil service examinations.

The agency will continue to integrate succession planning in agency activities to strengthen its existing pipeline, facilitate a seamless transition and continuity of service, especially for critical senior management positions.

In FY2023, the agency will determine whether any additional assessment is necessary to ensure fair and equitable pay and promotions.

B. Workplace

The key element of workplace analysis is looking at organizational culture, here, to support DEI principles and aim to build a more inclusive work environment, including initiatives to address race relations at the agency.

This fiscal year, the agency will build on its efforts from FY2022 and establish a formal structure and expand its employee equity group program, formalize a DEI committee that will host events and address the myriad of issues to help enhance equity at the agency, and continue and strengthen existing efforts such as the mentorship program, and events to address broader issues relating to race relations.

The agency will continue to celebrate heritage months and other DEI-related events, aiming to do so at least once per month in FY2023. As mentioned above, the agency will aim to create an EEO/DEI-related survey in order to obtain details to help with addressing relevant issues and creating and implementing certain initiatives.

Additionally, the agency will continue to look at actions to strengthen leadership, create continuous learning and development opportunities, performance management programs, career development/growth opportunities, and rewards and recognition of employees. All of these factors together will help enhance equity with respect to the workplace.

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

List below the names of existing ERGs:

1.LGBT ERG (will be relaunching with the EEG program)

- ☒ Agency will create a Diversity Council to leverage equity and inclusion programs
- ☐ Agency Diversity Council is in existence and active
- ☒ Agency will sponsor focus groups, Town Halls and learning events on race, equity, and inclusion
- ☒ Agency will inform employees of their rights and protections under the New York City EEO Policy
- ☒ Agency will ensure that its workplaces post anti-hate or anti-discrimination posters

C. Community

As a general matter, OMB's work isn't as directly public facing as many other NYC agencies – however, the agency is aware of the importance of its role and influence on the services provided to the community based on OMB's work.

With respect to actions designed to enhance equity as they relate to community, this fiscal year, the agency will continue our work with EquityNYC on efforts to incorporate equity into the agency's broader budgeting work, continue our strong use of purchasing from MWBEs, and through methods such as the future employee equity groups, and working toward a more diverse workforce and inclusive culture (including through efforts outlined above), which would drive a better understanding of the needs and relevant expectations of the community.

In FY 2023, the agency will:

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

V. Recruitment

A. Recruitment Efforts

OMB notifies its employees of all discretionary vacancies within the agency, by emailing job notices agency-wide and requiring all hiring managers to interview any eligible internal candidates during the initial hiring period. All job notices are listed internally for 10 business days. All job notices are posted on the agency's website and on E-Hire. In addition, OMB's Office of Personnel Management will actively work with staff interested in expanding or changing their portfolio. The agency will review its current policies around the promotion of discretionary positions to determine whether any changes may be possible to improve that process to better build and retain a diverse and inclusive workforce.

To identify a more diverse pool of candidates, OMB will continue to review and its recruiting efforts, particularly at CUNY and SUNY schools as well at HBCUs. In FY2022, OMB began expanding its list of potential recruitment sources, including affinity groups, including at colleges and universities, in our recruitment efforts. In FY2023, OMB will finalize this list and began utilizing it accordingly.

OMB is actively working with other partners in City government and in the non-profit sector, including the Mayor's Office of Appointments, to help identify candidates for senior level vacancies.

This fiscal year, the EEO/DEI Officer will coordinate with the Learning and Development Officer to identify ways to better train managers and others involved in the recruitment process on DEI-related topics.

B. Recruitment Sources

1. CUNY and SUNY - As many CUNY students are from the NYC metropolitan area, we would expect to receive a great deal of interest from current City and State residents that reflect the diversity of New York.

2. Undergraduate/Graduate School Career Fairs throughout the metropolitan area and NYS - Focus would be on schools that offer Public Administration programs to target applicants that have an interest in public service.

3. New York City's E-Hire online website - Primarily targeting current New York City employees looking to continue their career path and growth with NYC. This has been the primary source of new hires over the past year

4. The Mayor's Office of Appointments - Resumes are collected from a diverse network from the Mayor's Office of Appointments, and then screened and vetted to determine if a candidate is a suitable match for open positions, particularly senior staff openings.

5. Advertisements in targeted papers and online sites such as Idealist.org and LinkedIn – This source would be used primarily for positions that require specialized skills, knowledge and/or training.

As stated earlier, OMB began formulating a list of additional recruitment sources aimed at underrepresented groups at the end of FY2022 and will finalize and begin using that list in FY2023.

C. Internships/Fellowships

The agency provided the following internship opportunities in FY 2022:

| Type of Internship\Fellowship | Total | Race/Ethnicity *[#s] * Use self-ID data | Gender * [#s] * Use self-ID data |
|-------------------------------|-------|----------------------------------------------------|------------------------------------------------------------|
| 1. Urban Fellows | | | M __ F__ Non-Binary __ Other __ Unknown __ |
| 2. Public Service Corps | | | M __ F__ Non-Binary __ Other __ Unknown __ |
| 3. Summer College Interns | 13 | 9 Asian 2 Black 1 White 1 Hispanic/Latina | M <u>8</u> F <u>5</u> Non-Binary __ Other __ Unknown __ |
| 4. Summer Graduate Interns | 3 | 2 White 1 Asian | M <u>1</u> F <u>2</u> Non-Binary __ Other __ Unknown __ |
| 5. Other (specify): | | | M __ F__ Non-Binary __ Other __ Unknown __ |

OMB will continue to offer internship/fellowship opportunities in FY2023, including interns from the City's Summer Youth Employment Program. In the past, OMB has hired interns for entry-level positions and will continue to do so in FY2023 and beyond.

D. 55-a Program

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

Nearly all of OMB's employees are in non-competitive titles which are not suitable for 55-A titles. We are aware of the program and make our best efforts to recruit 55-A candidates to the small number of competitive civil service titles that the agency has available.

That being said, OMB's 55-a Program Coordinator will attend training sessions, seminars and/or workshops offered by DCAS's the Office of Citywide Equity and Inclusion (OCEI) which pertain to the program. As with all civil service exams, employees are encouraged to review the Notice of Exam for eligibility for open-competitive exams.

Based on the June 7, 2016, 55-a Memorandum, issued by DCAS, OMB will carefully evaluate each request by longtime provisional employees for designation under § 55-a to serve non-competitively in a competitive title position to ensure that the request is not made solely to avoid the consequences of CSL § 65(3). In addition, OMB will reiterate to provisional staff that 55-a certification should not be used as a substitute for passing a civil service exam.

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

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

VI. Selection (Hiring and Promotion)

A. Career Counselors

OMB's Career Counselor, will promote advancement and transfers within the agency, advise employees of opportunities for promotion, the availability of service exams, and provide resources to help employees grow and develop future careers by:

- Reviewing policies, procedures, and practices related to hiring (e.g., vacancy announcements sent to all staff).

- Promote opportunities for promotion and transfer within the agency to all employees, including by arranging for agency-wide notification of these opportunities.
- Work with the agency's Learning and Development Officer to encourage the use of training and development to improve skills, performance, and career opportunities.
- Explain and provide information about the civil service process to staff and providing technical assistance in applying for civil service exams as necessary.
- Provide employees with citywide vacancy announcements, civil service exam notices, and other career development information as applicable.
- Assist employees in assessing and developing plans for their career paths.
- Provide resources and support for targeted job searches, review of effective interview and career growth techniques, and internship exploration.

B. New Hires and Promotions

As with all vacancies, employees are advised of current openings. Internal applicants that meet the minimum requirements for a position are eligible to apply. External candidates that meet the qualifications may apply through email or E-Hire. Applicants for mid and high-level discretionary positions are often interviewed by senior staff members and sometimes by the Executive staff. Once a candidate has been chosen, the hiring manager submits a personnel action request packet to OMB's Office of Personnel Management and Administration who must approve the request before it goes on to the Budget Director or their designee for final approval. In FY2023, the agency will determine whether a more formal role for the EEO/DEI Officer in selection and promotion actions would be appropriate.

C. EEO Role in Hiring and Selection Process

In FY 2023, the agency EEO Officer will do the following:

- ☒ Ensure that all vacancy announcements include the revised NYC EEO I Anti-Discrimination Statement.
- ☒ Review vacancy postings to ensure elimination of language that has the potential for gender and age stereotyping and other unlawful discrimination. (It is recommended to use gender-neutral terms and pronouns and language that is age-inclusive).
- ☐ Actively monitor agency job postings and ensure recruitment strategy aligns with the diversity goals of the agency.
- ☒ Provide consultation regarding creation/review of objective criteria for evaluating candidates for hire or promotion and applying those criteria consistently to all candidates.

- ☒ In collaboration with the Director of Human Resources, review interview questions to ensure that they are EEO-compliant, job-related, and required by business necessity.
- ☒ Assist the hiring manager if a reasonable accommodation is requested during the interview.
- ☐ Observe interviews, when necessary, especially for underutilized job titles and/or mid- and high-level discretionary positions.
- ☒ Advise Human Resources to use candidate evaluation form for uniform assessment and equity.
- ☐ Periodically review candidate evaluation forms and conduct a job applicant analysis via the NYCAPS eHire Applicant Interview Log reports to advise Human Resources of any demographic trends and/or EEO concerns based on available self-ID data.
- ☐ Review hiring package to evaluate that the selection process was conducted in accordance with EEO best practices.
- ☐ Other: _____

Currently, OMB's Chief of Staff and HR Director review all requests for promotion and hiring before approval. Personnel Action Request packets submitted include a detailed explanation for the request along with interviewer's supporting documentation, which include an interviewer's report and each candidate's resume. Each candidate selected for an interview is asked to submit an Applicant Interview Form on which they can self-identify.

EEO personnel are not officially involved in the interviewing process and do not observe interviews that are conducted. The agency will incorporate an analysis of the source of final candidates selected and will compare the demographics of those hires to current staffing levels to determine if the agency is reaching a diverse pool of candidates and will investigate ways of incorporating the EEO Officer into this process as appropriate.

D. Layoffs

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

- ☒ The agency will use the DCAS Layoff Procedure as guidance, should there be any layoffs, terminations, and demotions due to legitimate business/operational reasons in FY 2023.

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

VII. Training

| Training Topic | Type of Audience (e.g., All Staff, Front-line Employees, Managers, Supervisors, etc.) | Goal Number of Participants | Projected Dates |
|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-----------------------------------|--------------------|
| 1. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (e-learning) | All employees – Biennially (Cycle 1 must be completed by March 31, 2023.) | 100% of OMB employees | March 30, 2023 |
| 2. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (classroom/live webinar) | All employees – Biennially (Cycle 1 must be completed by March 31, 2023.) | | |
| 3. Sexual Harassment Prevention (e-learning) | All employees – Annually (Cycle 5 runs between September 1, 2022 – August 31, 2023) | 90% of OMB employees | August 30, 2023 |
| 4. Sexual Harassment Prevention (classroom/live webinar) | All employees – Annually (Cycle 5 runs between September 1, 2022 – August 31, 2023) | 10% of OMB employees | August 30, 2023 |
| 5. lgbTq – Power of Inclusion (e-learning) | Managers, Supervisors, and Front-line employees All other employees | 90% of OMB employees | March 31, 2024 |

| | | | |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------|----------------------|-------------------|
| 6. lgbTq – Power of Inclusion (classroom/live webinar) | Managers, Supervisors, and Front-line employees All other employees | 10% of OMB employees | March 31, 2024 |
| 7. Disability Awareness and Etiquette | | 50% of OMB employees | August 30, 2023 |
| 8. Structured Interviewing and Unconscious Bias (classroom/live webinar) | | All managers | Throughout FY2023 |
| 9. Other (specify) | | | |

VIII. Reasonable Accommodation

- ☒ Managers, supervisors, human resources personnel and discipline personnel are required to report to the EEO Office any reasonable accommodation requests and needs that are received, observed, learned about, or suspected, so that the EEO Office may facilitate discussions, research appropriate accommodations, and assist with the resolution of the matter.
- ☒ Absent of any undue hardship, the agency provides reasonable accommodation for disability, religion, victims of domestic violence, sex offense and stalking, pregnancy, childbirth, or a related medical condition.
- ☒ The agency follows the City’s Reasonable Accommodation Procedure.
- ☒ The agency grants or denies request 30 days after submission or as soon as possible.
- ☒ The Agency Head or designee must review and grant or deny an appeal fifteen (15) days after submission of appeal.
- ☐ If the review and decision on appeal is not done by the Agency Head.
Provide the name and title of the designee¹ : _____

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

☐ The designee reports directly to the Agency Head.

☒ The agency will input the Reasonable Accommodation activity on the DCAS Citywide Complaint and Reasonable Accommodation (CAD) Database and update the information as needed.

RA requests are submitted to the EEO/DEI Officer who responds as promptly as possible using the cooperative dialogue process. Most requests are processed within a week of submission, well in advance of the recommended timeframes as set forth in DCAS's Reasonable Accommodations Procedural Guidelines.

The EEO/DEI Officer meets with the requesting employee and reviews relevant documentation and information provided by the employee and medical provider (when applicable). The EEO/DEI Officer will separately meet with the employee's manager to discuss potential undue hardship alone, including discussing potential impact on agency work needs.

The EEO/DEI Officer discusses potential accommodations with the employee and with relevant agency staff as necessary to determine the feasibility of implementation. The EEO/DEI Officer provides recommendations based on all information from throughout the cooperative dialogue process. The process is fully documented by the EEO/ Officer, including approvals and denials. Appeals may be made by the requesting employee directly to the agency head.

The EEO/DEI Officer will review Reasonable Accommodation requests monthly and share the information with the HR Director and Chief of Staff.

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

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

☒ The agency plans to train all new employees on Sexual Harassment Prevention within 30 days of start date.

☒ The agency will train all current employees on Sexual Harassment Prevention (Cycle 5 – September 1, 2022 – August 31, 2023) as indicated in the Section VII Training above.

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

☒ The agency will ensure that sexual harassment complaints, and all other EEO complaints, are investigated and closed within 90 days.

☒ The agency will input sexual harassment complaint data, as well as all other types of complaints, on the DCAS Citywide Complaint and Reasonable Accommodation (CAD)

Database, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.

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

☒ The agency plans to train all new employees on Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees within 30 days of start date.

☒ The agency will train all current employees on Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (Cycle 1: April 1, 2021 – March 31, 2023) as indicated in the Section VII Training above.

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

Under Executive Order No. 16 of 2016, the agency must provide supervisory and front-line staff training approved by DCAS on transgender diversity and inclusion. Pursuant to Executive Order No. 16, this training must be provided to all newly hired supervisory and managerial employees and line staff whose work tasks involve contact with the public.

☒ The agency plans to train all new employees within 30 days of start date.

☒ All managers, supervisors, and front-line employees will be re-trained every two years, no later than the third quarter of the Fiscal Year, as indicated in Section VII Training above.

☒ In addition, all other employees will be trained or re-trained every two years, as indicated in Section VII Training above.

☒ The agency will ensure that the Transgender Restroom Access notice/poster is posted where required, e.g., on bulletin boards, near restrooms and, in digital form, where other EEO notices and announcements can be found.

E. Local Law 101 (2018): Climate Survey

The agency, in collaboration with DCAS, has conducted a climate survey in 2020 and:

☒ Analyzed the 2020 Climate Survey data provided by DCAS.

- ☒ Will review or has reviewed the results of the survey with agency head and senior leadership.
- ☒ Developed an action plan in consultation with agency head and senior leadership outlining the initiatives and actions that will be adopted by the agency in response to the 2020 Workplace Climate Survey data. See Appendix B below.

X. Audits and Corrective Measures

- ☒ The agency is NOT involved in an audit conducted by NYC EEPD or another governmental agency specific to our EEO practices.
- ☐ The agency is currently being audited or preparing responses to an audit conducted by the EEPD or _____ [another governmental agency – please specify] specific to our EEO practices. Upon forwarding our responses to the recommendations issued by the EEPD, the agency will submit to OCEI an amendment letter, which shall amend the agency plan for FY 2023 to include and implement EEPD recommendations that will be implemented during the fiscal year.
- ☐ The agency is subject to any other oversight or review by a federal, state or city civil rights agency [please specify] _____. [Please attach a copy of the document setting out the oversight parameters and the agency's most recent report to the oversight agency.]
- ☐ Within the last two years the agency was involved in an audit conducted by the EEPD or _____ [another governmental agency – please specify] specific to our EEO practices.
- ☐ The agency will continue/be required to implement corrective actions during the year that this plan is in effect [please attach a copy of the audit findings.]
- ☐ The agency received a Certificate of Compliance from the auditing agency. [Please attach a copy of the Certificate of Compliance from the auditing agency.]

XI. Agency Head Signature

Jacques Jiha, Ph.D.

Print Name of Agency Head

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a horizontal line.

Signature of Agency Head

January 4, 2023

Date

Appendix A: Contact Information for Agency EEO Personnel

| | Title/Function | Name | Email | Telephone |
|-----|--------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 1. | Agency EEO Officer | Danica You | YouD@omb.nyc.gov | (212) 886-6030 |
| 2. | Agency Deputy EEO Officer | N/A | | |
| 3. | Agency Chief Diversity and Inclusion Officer | Danica You | | |
| 4. | Agency Diversity & Inclusion Officer [if designated] | N/A | | |
| 5. | Chief Diversity Officer/Chief MWBE Officer per E.O. 59 | Tara Boirard | BoirardT@omb.nyc.gov | (212) 788-6420 |
| 6. | ADA Coordinator | Danica You | | |
| 7. | Disability Rights Coordinator | Danica You | | |
| 8. | Disability Services Facilitator | Danica You | | |
| 9. | 55-a Coordinator | Danica You | | |
| 10. | Career Counselor(s) | Lauren Wittels | WittelsL@omb.nyc.gov | (212) 788-6371 |
| 11. | Training Liaison(s) | Danica You Nicole DellaCorte Stephanie Baril | DellaCorteN@omb.nyc.gov BarilS@omb.nyc.gov | (212) 788-6094 |
| 12. | EEO Counselor(s) | Angel Acevedo Donna Braithwaite Kara Kirchoff Kathryn Johnson | AcevedoA@omb.nyc.gov BrathwaiteD@omb.nyc.gov KirchhoffK@omb.nyc.gov JohnsonK@omb.nyc.gov | (212) 788-2984 (212) 788-6291 (212) 788-6348 (212) 788-6432 |

Appendix B: 2020 Climate Survey Action Plan

1. Target area and objective: Increase employees' familiarity with the EEO Policy.

➤ Planned actions, initiatives, programs, or policies:

- The EEO/DEI Officer will continue to provide all new employees with the EEO Policy and other EEO and DEI-related policies within their first two weeks at the agency.
- The EEO/DEI Officer will continue to circulate monthly emails to all staff including EEO resources.
- The EEO/DEI Officer will continue to present at new employee trainings about EEO and DEI-related issues.
- The EEO/DEI Officer will continue to remind all staff who attend DEI-related events about EEO-related resources, including the EEO Policy where relevant

➤ Intended reach

- All staff, including, senior executives, managers, interns, consultants, etc. All of OMB staff has access to computers.

➤ Who will be responsible for implementing the action?

- EEO/DEI Officer and EEO Counselors in partnership with Personnel Management and Administration and applicable agency leadership.

2. Target area and objective: Improve the EEO Office's visibility to the workforce.

➤ Planned actions, initiatives, programs, or policies:

- The EEO/DEI Officer will continue to provide an introductory email to all new employees, and inform them not only about the EEO Policy, but about the other EEO-related resources available to them (programming, other staff, etc.).
- The EEO/DEI Officer will continue to present at new employee trainings, raising the EEO Office's visibility to the workforce.
- The EEO/DEI Officer will continue to circulate monthly emails to all staff about cultural celebrations, training reminders, and other matters that improve the EEO Office's visibility to the workforce.
- The EEO/DEI Officer will continue to remind all staff who attend DEI-related events about the various services the EEO Office provides.

- The EEO Office will have staff in addition to the EEO Officer, such as college and graduate interns, who will work on DEI and EEO matters that will help increase the Office's visibility to the workforce.

➤ **Intended reach**

- All staff, including, senior executives, managers, interns, consultants, etc. All of OMB staff has access to computers.

➤ **Who will be responsible for implementing the action?**

- EEO/DEI Officer and EEO Counselors in partnership with Personnel Management and Administration and applicable agency leadership.

3. Target area and objective: Improve employees' knowledge of the EEO complaint process, including where and how to file a formal complaint, and what happens after a complaint is filed.

➤ **Planned actions, initiatives, programs, or policies:**

- The EEO/DEI Officer will continue to provide an introductory email to all new employees, and inform them not only about the EEO Policy, but about the EEO complaint process specifically.
- The EEO/DEI Officer will continue to present at new employee trainings, including a section focusing on the EEO complaint process.
- In at least one of the monthly emails sent to all staff by the EEO/DEI Officer, there will be a reminder about the City's EEO complaint process each fiscal year.
- The EEO/DEI Officer will create an annual training for EEO counselors to keep them refreshed on issues including the EEO complaint process.

➤ **Intended reach**

- All staff, including, senior executives, managers, interns, consultants, etc. All of OMB staff has access to computers.

➤ **Who will be responsible for implementing the action?**

- The EEO/DEI Officer and EEO Counselors.

4. Target area and objective: Increase employees' understanding of protected rights and prohibition of discrimination, including sexual harassment, in the workplace.

➤ **Planned actions, initiatives, programs, or policies:**

- The EEO/DEI Officer will continue to provide an introductory email to all new employees about EEO-related issues, including notification of their protected rights and prohibition of discrimination in the workplace.
- The EEO/DEI Officer will continue to present at new employee trainings about employees' protected rights and the City's prohibition of discrimination.
- In at least one of the monthly emails sent to all staff by the EEO/DEI Officer, there will be a reminder about the City's EEO Policy and employees' protected rights and the City's prohibition of discrimination each fiscal year.
- The EEO/DEI Officer will continue to remind all staff who attend DEI-related events about the various services the EEO Office provides, including those to help employees understand their protected rights and the prohibition of discrimination in the workplace.

➤ **Intended reach**

- All staff, including, senior executives, managers, interns, consultants, etc. All of OMB staff has access to computers.

➤ **Who will be responsible for implementing the action?**

- The EEO/DEI Officer, EEO Counselors, and applicable PMA leadership and staff.

5. Target area and objective: Improve managers' and supervisors' awareness of measures that an employee may take to report any violations under the EEO Policy, including discrimination and sexual harassment.

➤ **Planned actions, initiatives, programs, or policies:**

- The EEO/DEI Officer will continue to provide an introductory email to all new employees (which includes new managers and supervisors) and inform them of measures an employee may take to report potential EEO violations and their role in the process.
- The EEO/DEI Officer will continue to present at new employee trainings (which includes new managers and supervisors), including a section on measures that an employee may take to report EEO violations and the specific role of managers and supervisors in this process.

- The EEO/DEI Officer will work with the Learning and Development Officer and the Director of HR on how to better integrate the measures and employee may take to report potential EEO violations and their role in the EEO process into management trainings.

➤ **Intended reach**

- Managers and supervisors.

➤ **Who will be responsible for implementing the action?**

- EEO/DEI Officer, Learning and Development Officer, PMA , agency leadership as applicable.

6. Target area and objective: Improve managers' and supervisors' knowledge of whom and where to direct employees who may want to discuss a complaint (s) under the EEO Policy.

➤ **Planned actions, initiatives, programs, or policies:**

- The EEO/DEI Officer will continue to provide an introductory email to all new employees (which includes new managers and supervisors) and inform them of where to direct employees who may want to discuss a potential violation of the EEO Policy.
- The EEO/DEI Officer will continue to present at new employee trainings (which includes new managers and supervisors), including a section on where to direct employees who may want to discuss a potential violation of the EEO Policy.
- The EEO/DEI Officer will work with the Learning and Development Officer and the Director of HR on how to better integrate where to direct employees who may want to discuss a potential violation of the EEO Policy into the new managers training process.

➤ **Intended reach**

- Managers and supervisors.

➤ **Who will be responsible for implementing the action?**

- EEO/DEI Officer, Learning and Development Officer, PMA , agency leadership as applicable.