



**The City of New York**  
**Financial Information Services Agency**

450 West 33<sup>rd</sup> Street, 4<sup>th</sup> Floor  
New York, NY 10001-2633

Telephone: (212) 857-1200  
Fax: (212) 857-1106  
TTY: (212) 857-1780

MICHAEL R. BLOOMBERG, *Mayor*  
WILLIAM C. THOMPSON, JR., *Comptroller*

ROBERT W. TOWNSEND  
*Executive Director*

December 5, 2013

Charise L. Hendricks, PHR  
Executive Director  
Equal Employment Practices Commission  
253 Broadway  
Suite 602  
New York, NY 10007

DEC 9 2013 PM 2:11

Re: Preliminary Determination Pursuant to the Audit of the Financial Information Services Agency (FISA) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2011 through June 30, 2013.

Dear Ms. Hendricks,

The Financial Information Services Agency has reviewed the findings and recommendations detailed in the Preliminary Determination forwarded by letter dated November 18, 2013 resulting from the above-cited audit. The following presents the findings, and includes FISA management responses to the recommendations detailed in the report.

**1. SELECTION AND RECRUITMENT SYSTEM**

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

- ✓ In order to enhance recruitment strategies for individuals with disabilities and veterans the agency solicited the assistance of the Mayor's Office for People with Disabilities, City University of New York and Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR).
- However, a review of data provided by the New York City Department of Personnel CEEDS System (work force compared with internal and external pools) revealed underutilization of additional protected groups in discretionary titles (see Appendix 3). **Corrective action is required.**

Corrective Action #1: 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.

**Management Response:**

*FISA has recently increased its outreach efforts to reach out to underrepresented groups. We are in the process of adding additional groups that are included in the DCAS guide issued in September, as well as identifying other groups on our own. It should be noted that the technical nature of job openings and the lack of entry level titles will continue to impact the numbers.*

A review of data provided by the New York City Department of Personnel CEEDS System (work force compared with internal and external pools) revealed underutilization of protected groups in civil service titles (see Appendix 3).

**Corrective action is required.**

Corrective Action #2: 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.

**Management Response:**

*FISA has reviewed the job vacancy specifications and competencies and found them to be current. FISA plans to contact a number of the additional groups that DCAS has identified, as well as identifying other groups on our own, and will do what it can within the confines of the civil service process. It should be noted that the technical nature of job openings and the lack of entry level titles will continue to impact the numbers.*

Although the agency utilizes the citywide Recruitment Management System- eHire, which captures the interviewee's name, address, race/ ethnicity, gender, disability status, interview date, result, reason selected/ not selected for each applicant and recruitment source, it also maintained a separate applicant/ interview log which was completed by the hiring manager. **Corrective action is required.**

Corrective Action #3: Ensure that the selection process avoids the appearance of bias, by delegating the responsibility for recording this information to an individual other than the hiring manager.

**Management Response:**

*FISA believes that the internal processes currently in place which include quarterly hiring reviews and annual reviews by Internal Audit, address this issue. Further, there is no evidence that any data has been recorded incorrectly. Given all of the circumstances, we believe it is both more practical and more effective to focus on results, as we are doing. It is unclear to us how this suggested change would improve those results.*

**V. CAREER COUNSELING:**

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

1. 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.
- ✓ The agency has appointed a Career Counselor whose name is listed in the EEO Policy Statement with other EEO Personnel. The Career Counselor is also responsible for providing information, advice and counseling to employees on promotional, transfer, and citywide career development training opportunities.
- Although the agency appointed a Career Counselor whose name is listed in the EEO Policy Statement, 52% of respondents to the EEPC Employee Survey indicated they did not know the identity of the agency's Career Counselor (described as a trained professional familiar with civil service and provisional jobs who provides career counseling to employees who request such guidance).

Corrective Action #4: Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.

**Management Response:**

*FISA will redistribute the identity of the Career Counselor to all employees and remind them of the services provided. In addition, this information will also be reemphasized at biannual meetings with staff. We do believe, however, that FISA employees who do not know the identity of the Career Counselor, do know how to obtain the name if these services are needed.*

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

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

- Although the DRC's name and contact information are included in the agency's EEO Policy statement, 67% of respondents to the *EEPC Employee Survey* indicated they did not know the person responsible for reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies pertaining to persons with disabilities (Disability Rights Coordinator). **Corrective action is required.**

Corrective Action #5: Re-distribute the identity and responsibilities of the Disability Rights Coordinator to ensure that employees are aware of this information.

**Management Response:**

*FISA will redistribute the identity of the Disability Rights Coordinator to all employees and remind them of the services provided. In addition, this information will also be reemphasized at biannual meetings with staff. We do believe, however, that FISA employees who do not know the identity of the Disability Rights Coordinator, do know how to obtain the name if these services are needed.*

**VIII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION -  
SUPERVISORS/MANAGERS:**

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

2. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.
- ✓ The agency conducted performance evaluations for all non-managerial employees annually, based on employees' title start date. The agency has also established a system for tracking the completion of evaluations by department. The tracking system captures the anniversary month and the date forms were completed/ received. The agency holds managers responsible for conducting evaluations in a timely manner and schedules meetings with the Executive Director and managers who do not meet the deadline.
  - Although the agency utilized a managerial review process in which the performance of managerial employees was reviewed in meetings twice in the initial six month probationary period, the agency did not conduct annual performance evaluations for managers thereafter. In addition, 54% of respondents to the *EEPC Supervisor/Manager Survey* indicated they did not receive an annual performance evaluation. **Corrective action is required.**

Corrective Action #6: Establish and implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

**Management Response:**

*FISA currently reviews managers on an ongoing basis. EEO issues are dealt with proactively and escalated quickly. FISA will institute a formal evaluation of managerial performance of EEO.*

3. 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 agency does not have an annual managerial performance evaluation program and therefore did not rate managers on implementing EEO-related policies and/or performing EEO-related responsibilities. **Corrective action is required.**

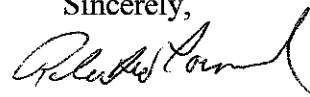
Corrective Action #7: Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

**Management Response:**

*FISA currently reviews managers on an ongoing basis. EEO issues are dealt with proactively and escalated quickly. FISA will institute a formal evaluation of managerial performance of EEO.*

If you have any questions on these comments, please direct them to Richard McCarrick at (212) 857-1534.

Sincerely,



Robert W. Townsend  
Executive Director

cc: E. Fitzpatrick  
A. Edley  
S. Spindel  
R. McCarrick