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BY MAIL AND EMAIL

June 17, 2016

Kenneth P. Thompson
District Attorney
Kings County District Attorney's Office
350 Jay Street, 19th Floor
Brooklyn NY 11201

Re: Preliminary Determination for Audit: Review, Evaluation and Monitoring of the Office of the Kings County District Attorney's Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

Dear District Attorney Thompson:

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 January 1, 2013 to December 31, 2015.

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 Office of the Kings County District Attorney, 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

Pursuant to Article 13, Section 13 of the State Constitution, District Attorneys are constitutional officers elected every four years. Section 927 of the County Law imposes upon District Attorneys the duty to protect the public by investigating and prosecuting criminal conduct in the counties in which they hold office. The agency headcount at the end of the audit period was 1,120 (workforce composition summary attached as **Appendix 5**).

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.
- ✓ The District Attorney issued an EEO Policy statement which was included as *Section III* of the agency's EEO Policy: *Equal Employment Opportunity – Discrimination Policy and Complaint Procedures*. The policy statement reaffirmed the District Attorney's "policy that this office maintain fair employment practices at all times for all its members and applicants for employment {...} It is the expectation of the Office that all parties will conduct themselves in accordance with the NYC Human Rights Law and the Sexual Harassment/ Hostile Work Environment Policies of the Office or risk being denied access to any Office facilities." The EEO Policy also included the name, location and phone number of the agency's principal EEO professional.
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's EEO Policy: *Equal Employment Opportunity – Discrimination Policy and Complaint Procedures* was posted on its intranet site, on bulletin boards on every floor of the agency's location and distributed by the Human Resources Department to new employees upon hire. The policy included sections on: sexual harassment; disabilities; discrimination and harassment complaint procedures; name and contact information for the agency's principal EEO professionals; other agencies where a complaint of discrimination may be filed (including address and phone numbers); statutory deadlines; *KCDA Complaint of Discrimination Form*, and a list of protected classes: *Age (18 and over); Pregnancy; Color; Creed; Prior record of arrest or conviction; Race; Disability; Religion; Gender (Including Gender Identity); Domestic Partnership Status; Genetic Predisposition; Marital Status, Pregnancy, Military Status; Retaliation for filing/assisting in the investigation of complaint; National Origin, including alienage, ancestry or citizenship status; and Status as A Victim of Domestic Violence, Sex Offense or Stalking.*
- The agency's EEO Policy: *Equal Employment Opportunity – Discrimination Policy and Complaint Procedures* did not include "unemployment status" or "consumer credit history" as protected classes under New York State Human Rights Law. Corrective action is required.

NOTE: As a result of the EEOC's June 3, 2016 *Preliminary Determination Preview Conference Call*, the agency updated its *Equal Employment Opportunity Policy, Equal Employment Opportunity Complaint Procedures, Discrimination Complaint form* and *Employee Manuals* (for Legal and Non-legal staff) to include "unemployment"; "Caregiver Status"; and "Consumer Credit History" as protected classes under its EEO policy. The updated policies were posted to the agency's intranet site on June 6, 2016 in several locations: under *EEO Policy & Procedures; Employee Manual for Legal Staff; and Policies, Procedures, and Rules of Conduct for Non-Legal staff.*

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.
- ✓ The agency established and implemented 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. During the period in review, *EEO and Diversity & EEO Basic Training* sessions were conducted by the EEO Coordinator - topics included: *employment decisions covered by discrimination laws, overview of Federal laws, overview of NYC and NYS Human Rights laws, NYC EEO policies, harassment, liability, enforcement agencies, and retaliation.*

There were two EEO training sessions in 2013, 72 new Assistant District Attorneys (ADAs) were in attendance. In 2014, the agency conducted three (3) training sessions: two (2) for new ADAs and one (1) for EEO Counselors (which covered the “*role of an EEO Counselor*”). In 2015, the agency conducted four (4) training sessions for 91 new ADAs. Also, in November 2015, the agency established an *EEO Computer Based Training* which was completed by 95% of the agency’s workforce (72% were line employees and 23% were managers/ supervisors).

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

Determination: The agency is in partial 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 examined its employment practices in 2014 and determined that discretionary positions, previously filled by referral only, would be open “to employees and general applicants” – by posting job vacancy notices on the city’s website - nyc.gov/jobs.

The CEEDS Report: *Workforce Compared with Internal and External Pools* for the 3rd quarter 2013 (the beginning of the period in review) indicated underutilization of minorities in six (6) job groups (*Managers, Technicians, Clerical Supervisors, Clerical, Police Supervisors, and Police*) and females in two (2) job groups (*Clerical Supervisors and Police*); the 2nd quarter 2016 CEEDS Report (the end of the period in review) indicated underutilization of minorities in five (5) job groups (*Technicians, Clerical Supervisors, Clerical, Police Supervisors, and Paraprofessionals*); and the 3rd quarter 2016 CEEDS Report (the most recent data available) indicates underutilization of minorities in three (3) job groups (*Technicians, Clerical Supervisors and Clerical*) and females in one (1) job group (*Police Supervisor*) (**Appendices 2 - 4**).

NOTE: The agency’s effort effectively eliminated underutilization of minorities in three job groups (*Managers, Police Supervisors, and Police*) and females in two job groups (*Clerical Supervisor and Police*). Recruitment efforts geared toward eliminating underutilization in the remaining categories should continue. (**For further information see §III.7**).

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.

- ✓ The agency reported that a review of its employment practices in 2014 resulted in the implementation of a practice wherein the Human Resources Department partnered with the Legal Hiring Department to ensure that discretionary positions were made available to a wider applicant pool by posting job vacancy notices on nyc.gov/jobs. In addition, the principal EEO professional compiled the agency's workforce statistics by gender, ethnicity and job category for the agency's biennial *EEOP Utilization Report* submission to the Department of Justice.
- The agency did not demonstrate that the agency's statistical information, the annual number of EEO complaints, or employment practices were reviewed annually to identify whether there were barriers to equal opportunity and determine if any corrective actions were required. Corrective action is required.

Corrective Action #1: Ensure that 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 in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

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 did not assess the manner in which candidates were selected for employment to determine whether there was any adverse impact upon any particular racial, ethnic, disability, or gender group. In addition, the 3rd quarter 2016 CEEDS Report: *Work Force Compared with Internal and External Pools* (the most recent data available) indicates underutilization of minorities in three (3) job groups which were also present at the end of the audit period (*Technicians, Clerical Supervisors and Clerical*) and females in one (1) job group (*Police Supervisor*). (See Appendices 2 - 4) Corrective action required.

Corrective Action #2: 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.

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.

- The agency did not demonstrate that it reviewed relevant utilization data to determine if underrepresentation existed in titles where the agency had discretion in hiring (i.e. discretionary titles). In addition, the most recent CEEDS report *Work Force Compared with Internal and External Pools* indicated underutilization of protected classes in four (4) job groups which may include *discretionary* titles. (See §III.6 and Appendix 4) Corrective action required.

Corrective Action #3: 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.

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.

- The agency did not demonstrate that it reviewed relevant utilization data to determine if underrepresentation existed in *civil service* (list) titles. In addition, the most recent CEEDS Reports *Work Force Compared with Internal and External Pools* indicated underutilization of protected classes in four (4) job groups which may include *civil service titles*. (See §III.6 and Appendix 4). Corrective action is required.

Corrective Action #4: 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.

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).
- ✓ The agency's Human Resources Professionals completed *Selection Interviewing: Hiring Right* training conducted by the Citywide Training Center and *Behavioral Interview Techniques* training conducted by PD Training USA in 2015.

- The agency did not demonstrate that all personnel involved in recruiting and hiring were 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). Corrective action is required.

Corrective Action #5: Ensure that all 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).

10. Promote employees' awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.
 - ✓ The agency reported that it participated in several employee development programs: (1) *cross-training*, which was the responsibility of individual bureaus; (2) *job transfers* - employees were encouraged to seek job transfers by filling out a transfer form and applying for positions for which they may qualify; and (3) *job rotation* - ADAs and Detectives were allowed to rotate assignments across bureaus.
11. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.
 - ✓ The agency advertised several vacant positions during the period in review including three positions (*Project Coordinator, Reporter/ Stenographer, and Program Coordinator*) that were posted on nyc.gov/jobs. Each job vacancy notice included the EEO tagline, "*The City of New York is an Equal Opportunity Employer.*" The agency also advertised several vacant positions (*Supervising Rackets Investigator, Senior Rackets Investigator, Chief Rackets Investigator and Assistant District Attorney*) in the *Chief Leader* newspaper. Each advertisement contained the EEO tagline, "*The Kings County District Attorney's Office is an Equal Opportunity Employer.*"
12. 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 reported that the Legal Hiring Department maintained an internal database called the *viDesktop* for all legal applicants that were considered for employment. The *viDesktop* software captured the *Position Type, Status* (e.g.: *offer accepted, offer deferred, offer declined, applicant withdrew, application received, 1st round interview, panel interview, and closed*); *Year, Status Date, Source (School Name), Graduation Year, Race, Ethnic Group and Gender*.
 - The agency reported that it did not maintain an applicant/candidate log or tracking system for non-legal positions. Additionally, the agency did not demonstrate that the *viDesktop* software captured *applicants'/candidates' names, identification number, disability or*

veteran status, interview date, interviewers' names, and reason selected/not selected (or disposition) of each applicant. Corrective action is required.

Corrective Action #6: 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 all applicants, 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.

IV. CAREER COUNSELING:

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

13. 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 did not demonstrate that, during the period in review, it designated a professional with appropriate training, knowledge and familiarity with career opportunities in City government to provide career counseling to employees upon request. Corrective action is required.

NOTE: Subsequently, as a result of the EEP's June 3, 2016 *Preliminary Determination Preview Conference Call* the agency designated two Career Counselors to provide career counseling to employees upon request. On June 7, 2016 the Chief of Staff distributed a memorandum to staff regarding "Legal and Non-Legal Career Counselors." The memo informed employees of the name, email address and type of guidance available from the Career Counselors. The agency reported that the Career Counselor for legal staff has been with the agency for nineteen years; has overseen the Human Resources Department and is currently the Counsel to the District Attorney.

14. 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.
- ✓ The Human Resources Department ensured that performance evaluations for non-legal employees were conducted annually. The principal EEO professional ensured that performance evaluations for legal employees were conducted annually. Tasks and standards

which set forth job responsibilities and performance evaluations standards were presented to each newly hired employee by their supervisors; both the employee and supervisor were required to sign to acknowledge receipt. The Human Resources department encouraged employees to take civil service exams for which they qualified, and training classes offered by the Department of Citywide Administrative Services. The agency reported that in 2014, the principal Human Resources professional and principal EEO professional held bi-weekly meetings to discuss matters that were unsubstantiated as EEO complaints but required Human Resources intervention; communication between the parties on EEO matters since then have been primarily via email. The 55-a Coordinator (a direct report to the principal EEO professional) was responsible for keeping the principal EEO professional abreast of the number of 55-a program participants (2 participants during the period in review). The Human Resources Department ensured that all new employees were provided copies of the agency's EEO Policy booklet. The EEO Counselor ensured that employees were trained on their rights and responsibilities under the EEO policy. (See §IV. 13 for Career Counselor information.)

**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.

15. 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 its EEO policy and EEO complaint procedures were available in large print. Visually impaired employees used their desktop "text to speech" software to hear the policies read aloud. The agency also reported that its on-site print shop, IT department and graphics services could produce EEO policies and related documents in audiotape or large print upon request. If an alternate format which was not readily available was requested, the agency committed to "make every effort possible to comply with the request."
16. Document reasonable accommodation requests and their outcomes.
 - ✓ During the period in review, the agency reported that thirty (30) requests for reasonable accommodation were received – twenty- seven (27) were approved. The agency tracked requests via its *Reasonable Accommodation Log*. The *Disabilities* section (3.4) of the agency's EEO Policy states in-part "any employee who wishes to request an accommodation for a disability should contact [the agency's principal EEO professional]." The agency reported that in addition to the current log, it was in the process of establishing a Reasonable Accommodation Request form to capture all future requests.

VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:

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

17. 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.

- ✓ In February 2014, the agency appointed the Executive Assistant District Attorney as its principal EEO professional. The principal EEO professional received certificates of completion for: *Diversity and EEO Basic Training for EEO Professionals* in November, 2014; *Everybody Matters, Diversity & Inclusion* Computer Based Training, in May 2015; and *EEO Laws and Discrimination Prevention from WorkPlace Answers*, in December, 2015.

Subsequent to the period in review, the principal EEO professional completed *LGBT: Are You Ready for the T – Creating an Inclusive Culture for Transgender* training, conducted by DCAS in April 2016, and *EEO Professionals Series* training presented by Cornell University, in May 2016. Topics included *The Law of EEO, Affirmative Action, Harassment Prevention in the Workplace* and *Employee Internal Investigations*.

18. 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 appointed an EEO Coordinator and seven EEO Counselors – to conduct complaint intake and investigations. The *EEO Coordinator* completed *Disability is Diversity: Tapping into Talents of New Yorkers with Disabilities* conducted by Cornell University in September, 2011.

On October 22, 2015 the agency appointed a new *Acting EEO Coordinator* who also served as the agency's Disability Rights Coordinator and 55-a Coordinator. Subsequent to the period in review, the Acting EEO Coordinator completed *EEO Complaint Procedural Guidelines Launch* training in March 2016; *Diversity and EEO Basic Training for EEO Professionals* in March 2016; and *LGBT: Are You Ready for the T – Creating an Inclusive Culture for Transgender* training in April 2016 each conducted by Department of Citywide Administrative Services. Additionally, the Acting EEO Coordinator also earned a Certificate from Cornell University in May, 2016 for completing its 12-day *EEO Professionals Series*; topics covered included *The Law of EEO, Affirmative Action, Harassment Prevention in the Workplace* and *Employee Internal Investigations*.

19. 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 to the Chief of Staff (a direct report to the District Attorney); this reporting relationship was reflected in the agency's organization chart.

20. 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 reported that during the period in review, the principal EEO professional and Chief of Staff met regularly on EEO matters; meetings were often preceded by emails that included subject only. According to those emails, meetings were primarily regarding open EEO complaints.
- The agency did not demonstrate that during the period in review, decisions that impacted the administration and operation of the EEO program, made as a result of the meetings were memorialized. Corrective Action is required.

Corrective Action #7: 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.

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

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

21. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.
- ✓ Performance evaluations were administered for all managerial and non-managerial employees for 2014 and 2015. The Human Resources Department maintained a tracking system to ensure that all non-legal evaluations were completed by May 31 each year. In 2014, the principal EEO professional tracked the completion of legal staff evaluations by bureau using employee rosters; 2015 performance evaluations for legal staff were tracked via the agency's *viDesktop* software.
22. 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).
- During the period in review managerial performance evaluation forms did not contain a rating for EEO. Corrective action is required.

Corrective Action #8: 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).

VIII. REPORTING STANDARD FOR AGENCY HEAD:

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

23. Submit to the EEPC 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 did not submit to the EEPC Annual Plans of measures and programs to provide equal employment opportunity, or quarterly reports on efforts to implement the plan. Corrective action is required.

Corrective Action #9: Submit to the EEPC 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.

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 9 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).

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



(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 blue ink, appearing to read "Ilacia Zuell", written over a horizontal line.

Ilacia Zuell
Supervisory EEO Program Analyst
Administrator of Electronic Audit Management

Approved by,

A handwritten signature in blue ink, appearing to read "Charise L. Terry", written over a horizontal line. To the left of the signature is a small blue mark that looks like a stylized "fi".

Charise L. Terry, PHR
Executive Director

c: Nancy Laxer, Principal EEO Professional

Appendix - 1

EEO Job Group Descriptions

**DESCRIPTION OF
CITYWIDE EQUAL EMPLOYMENT OPPORTUNITY DATABASE SYSTEM (CEEDS)
JOB GROUP CATEGORIES**

001 Administrators: Occupations in which employees set broad policies and exercise overall responsibility for the execution of these policies. This category includes: elected officials, commissioners, executive directors, deputy commissioners, chairpersons, general counsels, controllers, chiefs of department, inspector generals and kindred workers.

002 Managers: Occupations in which employees direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. This category includes: assistant commissioners, deputy directors, assistant directors, project managers, special assistants, superintendents, deputy counsels and kindred workers.

003 Management Specialists: Occupations which require specialized and theoretical knowledge of management, finance or personnel, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: accountants, underwriters, financial analysts, personnel analysts, staff analysts, program analysts, buyers, purchasing specialists, inspectors, research analysts, program officers, project coordinators and kindred workers.

004 Science Professionals: Occupations which require specialized and theoretical knowledge of various scientific or mathematical fields, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: architects, engineers (chemical, nuclear, civil, electrical, industrial, mechanical, marine), computer specialists, telecommunications specialists, actuaries, statisticians, physicists, chemists, geologists, biologists, foresters and kindred workers.

005 Health Professionals: Occupations which require specialized and theoretical knowledge of the medical or health fields, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: physicians, dentists, veterinarians, optometrists, podiatrists, registered nurses, pharmacists, dieticians, occupational therapists, physical therapists, speech therapists, physician's assistants and kindred workers.

006 Social Scientists: Occupations which require specialized and theoretical knowledge of the social sciences, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: librarians, archivists, economists, psychologists, sociologists, urban planners and kindred workers.

007 Social Workers: Occupations which require specialized and theoretical knowledge of social work, youth and family counseling, addiction treatment and casework, which is usually acquired through college or training or through work experience and other training which provides comparable knowledge. This category includes: caseworkers, probation officers, correctional counselors, juvenile counselors, addiction treatment counselors, eligibility specialists, human rights specialists, community liaison workers, clergy and kindred workers.

008 Lawyers: Occupations which require specialized and theoretical knowledge of the law and the judicial process, which is usually acquired through college training. This category includes: attorneys, assistant district attorneys, counsels, assistant counsels, deputy counsels, law judges, and kindred workers.

009 Public Relations: Occupations which require special knowledge or skills in public relations, journalism, modern language or the fine arts, which are usually acquired through college training, specialized post-secondary school education, or work experience or training which provides comparable knowledge. This category includes: technical writers, graphic designers, musicians, actors, directors, announcers, painters, illustrators, photographers, artists, editors, press officers, public relations specialists, public relations advisors, interpreters, customer service specialists and kindred workers.

010 Technicians: Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. This category includes: health technicians (clinical laboratory, dental hygienists, health records, radiologic

and licensed practical nurses), electrical and electronic technicians, engineering technicians (electrical, electronic, industrial, and mechanical), drafting occupations, surveying and mapping technicians, science technicians, airline pilots and navigators, air traffic controllers, broadcast equipment operators, computer programmers, legal assistants, investigators, and kindred workers.

011 Sales: Not applicable.

012 Clerical Supervisors: Occupations in which employees are responsible for overseeing and supervising the duties of clerical staff. This category includes: chief clerks, supervising clerks, principal administrative associates, supervising cashiers, telegraph superintendents, supervising stenographers and kindred workers.

013 Clerical: Occupations in which employees are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. This category includes: cashiers, computer operators, word processors, secretaries, stenographers, typists, ticket agents, receptionists, clerks (information, personnel, file, library, records), bookkeepers, office machine operators, telephone operators, messengers, dispatchers, stock clerks, meter readers, office aides, general office clerks, bank tellers and kindred workers.

014 Household Services: Not applicable.

015 Police Supervisors: Occupations in which uniformed employees with peace officers status set broad policies in the area of public safety and security, exercise overall responsibility for execution of policies, direct individual units or special phases of the agency's operations, or supervise on a regional, district or area basis. This category includes: sergeants, captains, lieutenants, inspectors, captains (correction), wardens and kindred workers.

016 Fire Supervisors: Occupations in which uniformed employees set broad policies in the area of public safety and protection; exercise overall responsibility for execution of policies; direct individual units or special phases of the agency's operations; or supervise on a regional, district or area basis. This category includes: lieutenants, captains, battalion chiefs, deputy chiefs, supervising fire marshals, supervising fire prevention inspectors and kindred workers.

017 Firefighters: Occupations in which uniformed employees are entrusted with public safety, security and protection from destructive forces. This category includes: firefighters, marine engineers (uniformed), fire prevention inspectors, fire protection inspectors and kindred workers.

018 Police and Detectives: Occupations in which uniformed employees with peace officer status are entrusted with public safety, security and protection. This category includes: police officer, detectives, correction officers, bridge and tunnel officers, sheriffs, special officers, enforcement agents (traffic, sanitation) and kindred workers.

019 Guards: Occupations in which employees are entrusted with public safety and security. This category includes: school crossing guards, housing guards, watch persons, lifeguards, park rangers, school guards and kindred workers.

020 Food Preparation: Occupations in which employees are responsible for the preparation and distribution of food, or management of food services, in City facilities (e.g. schools, correctional institutions, and concessions). This category includes: cooks, school lunch helpers, school lunch managers, food service managers, commissary managers and kindred workers.

021 Health Services: Occupations in which employees are responsible for assisting health professionals in maintaining and promoting the health, hygiene and safety of the general public. This category includes: dental assistants, dietary aides, public health assistants, nurse's aides, institutional aides, health aides, orderlies, and kindred workers.

022 Building Services: Occupations in which employees perform duties which result in or contribute to the upkeep and care of buildings and facilities. This category includes: custodians, cleaners, caretakers, maintainers, elevator operators and starters, exterminators, pest control aides and kindred workers.

023 Personal Services: Occupations in which employees perform duties which result in or contribute to the comfort or convenience of the general public. This category includes: housekeepers, barbers, attendants, railroad porters, homemakers, matrons and kindred workers.

024 Farming: Occupations in which employees perform duties which result in or contribute to the upkeep and care of agricultural/botanical/zoological facilities or grounds of public property. This category includes: herbarium aides, aquarium technicians, botanical gardening aides, gardeners, groundskeepers, pruners, hostlers, menagerie keepers, horseshoers and kindred workers.

025 Craft: Occupations in which employees perform duties which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work in which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. This category includes: mechanics, equipment repairers, telephone line installers, small instrument repairers, brick masons, carpenters, electricians, plumbers, mining occupations, tool and die makers, sheet metal workers, tailors, butchers, bakers, machine operators, locksmiths, precision handworking occupations and kindred workers.

026 Operators: Occupations in which employees perform duties which require specialized machine skills which are required through on-the-job training and experience or through apprenticeship or other formal training programs. This category includes: printing press operators, high pressure boiler operators, laundry workers and kindred workers.

027 Transportation: Occupations in which employees perform duties which require motor vehicle, bus, train, or other transportation operation skills which are acquired through on-the-job training and experience or through other formal training programs. This category includes: bus drivers, chauffeurs, motor vehicle operators, trainmasters, ferry terminal supervisors and kindred workers.

028 Laborers: Occupations in which employees perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public, or which contribute to the upkeep and care of buildings and facilities. There are no job qualification requirements for titles in this category. This category includes: skilled craft helpers and apprentices, construction laborers, stock handlers, garage and service station related occupations, car cleaners, seasonal park helpers, track workers, assistant highway repairers and kindred workers.

029 Sanitation Workers: Occupations in which employees perform duties which result in or contribute to the cleanliness, hygiene and safety of the public domain. Qualification requirements, which include civil service examinations, exist for titles in this category. This category includes: sanitation workers, debris removers and kindred workers.

030 Teachers: Occupations which require specialized and theoretical knowledge of education and instructional methods, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: teachers, instructors, professors, lecturers, fitness instructors, graduate assistants, fellows, adjunct professors, substitute teachers, trade instructors, education/vocational counselors, education analysts, education officers, institutional instructors and kindred workers.

031 Paraprofessionals: Occupations in which employees perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion. This category includes: administrative assistants, project associates, coordinators, community associates and assistants, community service aides, research associates, welfare service workers, child care workers and kindred workers.

Appendix - 2

CEEDS: *Workforce Compared with Internal and External Pools*
3rd Quarters of Fiscal Year 2013
(Beginning of audit period)

RUN DATE: 04/01/13
 RUN TIME: 8:19:42
 FY2013 Q3

NEW YORK CITY DEPARTMENT OF PERSONNEL
 C E E D S S Y S T E M
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 119
 PROGRAM: EBP961
 EXTRACT DATE: 03/30/13

AGENCY: 903 DISTRICT ATTORNEY-KINGS COUNTY
 EEO VARIABLE: ETH ETHNICITY
 PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	WHITE OBSRV	EXPCT	I	BLACK OBSRV	EXPCT	I	HISPANIC OBSRV	EXPCT	I	ASIAN / OBSRV	EXPCT	I	NATIVE A OBSRV	EXPCT	I	ETH UNKN OBSRV	EXPCT	I
002 MANAGERS	528	378	270	O	65	111	U	29	71	U	30	44	N	1	2	N	25	31	N
003 MNGMNT SPECS	49	24	20		15	15		5	6	N	4	6	N	0	0	N	1	1	N
004 SCIENCE PROFNS	3	3	1	N	0	1	N	0	0	N	0	1	N	0	0	N	0	0	N
007 SOCIAL WORKERS	8	3	2	N	3	5	N	1	1	N	1	0	N	0	0	N	0	0	N
008 LAWYERS	1	1	1	N	0	0	N	0	0	N	0	0	N	0	0	N	0	0	N
010 TECHNICIANS	25	9	9		12	8		3	5	U	1	2	N	0	0	N	0	1	N
012 CLERICAL SUPS	15	7	4		4	8	U	2	2		2	1		0	0	N	0	0	N
013 CLERICAL	40	17	9	O	15	20	U	7	6		1	3	N	0	0	N	0	2	N
015 POLICE SUPS	22	16	16		4	3		1	3	U	0	0	N	0	0	N	1	0	N
018 POLICE	54	33	23	O	10	16	U	10	12		0	2	N	0	0	N	1	0	
025 CRAFT	1	0	0	N	1	0	N	0	0	N	0	0	N	0	0	N	0	0	N
031 PARA PROFESSION	368	109	133	U	144	105	O	88	83		15	31	N	0	2	N	12	14	

RUN DATE: 04/01/13
 RUN TIME: 8:19:42
 FY2013 Q3

NEW YORK CITY DEPARTMENT OF PERSONNEL
 C E E D S S Y S T E M
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 120
 PROGRAM: EBP961
 EXTRACT DATE: 03/30/13

AGENCY: 903 DISTRICT ATTORNEY-KINGS COUNTY
 EEO VARIABLE: GEN GENDER

PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	MALE OBSRV EXPCT I	FEMALE OBSRV EXPCT I	GENDER U OBSRV EXPCT I
002 MANAGERS	528	230 291 U	298 220 O	0 17 N
003 MNGMNT SPECS	49	17 28 U	32 20 O	0 1 N
004 SCIENCE PROFNS	3	2 2 N	1 1 N	0 0 N
007 SOCIAL WORKERS	8	1 3 N	7 5 N	0 0 N
008 LAWYERS	1	1 0 N	0 1 N	0 0 N
010 TECHNICIANS	25	13 15	12 10	0 0 N
012 CLERICAL SUPS	15	6 3	9 11 U	0 0 N
013 CLERICAL	40	8 12 U	32 27	0 1 N
015 POLICE SUPS	22	17 19	5 3	0 0 N
018 POLICE	54	44 40	10 14 U	0 0 N
025 CRAFT	1	1 1 N	0 0 N	0 0 N
031 PARA PROFESSION	368	146 144	222 220	0 1 N

Appendix - 3

CEEDS: *Workforce Compared with Internal and External Pools*
2nd Quarter of Fiscal Year 2016
(End of the audit period)

RUN DATE: 01/05/16
 RUN TIME: 8:35:10
 FY2016 Q2

NEW YORK CITY DEPARTMENT OF PERSONNEL
 C E E D S S Y S T E M
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 119
 PROGRAM: EBP961
 EXTRACT DATE: 12/31/15

AGENCY: 903 DISTRICT ATTORNEY-KINGS COUNTY
 EEO VARIABLE: ETH ETHNICITY
 PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	WHITE OBSRV	EXPCT	I	BLACK OBSRV	EXPCT	I	HISPANIC OBSRV	EXPCT	I	ASIAN / OBSRV	EXPCT	I	NATIVE A OBSRV	EXPCT	I	ETH UNKN OBSRV	EXPCT	I
002 MANAGERS	538	338	276	O	86	102		44	70	N	38	55	N	0	1	N	32	22	N
003 MNGMNT SPECS	49	16	20	U	20	14		8	6		4	6	N	0	0	N	1	1	
004 SCIENCE PROFNS	5	3	2	N	1	1	N	0	1	N	1	1	N	0	0	N	0	0	N
007 SOCIAL WORKERS	3	1	0	N	1	2	N	1	0	N	0	0	N	0	0	N	0	0	N
008 LAWYERS	1	0	1	N	1	0	N	0	0	N	0	0	N	0	0	N	0	0	N
010 TECHNICIANS	21	7	7		11	7		1	4	U	2	2		0	0	N	0	0	N
012 CLERICAL SUPS	17	7	4		5	10	U	3	2		2	1		0	0	N	0	0	N
013 CLERICAL	34	16	6	O	11	18	U	6	5		1	2	N	0	0	N	0	2	N
015 POLICE SUPS	14	9	10		4	2		1	2	U	0	0	N	0	0	N	0	0	N
018 POLICE	57	24	24		15	17		14	12		2	3	N	1	0		1	0	
025 CRAFT	1	0	0	N	1	0	N	0	0	N	0	0	N	0	0	N	0	0	N
031 PARA PROFESSION	380	100	123	U	158	102	O	96	93		14	37	U	0	1	N	12	10	

RUN DATE: 01/05/16
 RUN TIME: 8:35:10
 FY2016 Q2

NEW YORK CITY DEPARTMENT OF PERSONNEL
 C E E D S S Y S T E M
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 120
 PROGRAM: EBP961
 EXTRACT DATE: 12/31/15

AGENCY: 903 DISTRICT ATTORNEY-KINGS COUNTY
 EEO VARIABLE: GEN GENDER

PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	MALE OBSRV EXPCT I	FEMALE OBSRV EXPCT I	GENDER U OBSRV EXPCT I
002 MANAGERS	538	243 288 U	295 226 O	0 11 N
003 MNGMNT SPECS	49	15 28 U	34 20 O	0 1 N
004 SCIENCE PROFNS	5	4 3 N	1 2 N	0 0 N
007 SOCIAL WORKERS	3	1 1 N	2 2 N	0 0 N
008 LAWYERS	1	1 0 N	0 0 N	0 0 N
010 TECHNICIANS	21	11 13	10 8	0 0 N
012 CLERICAL SUPS	17	5 4	12 13	0 0 N
013 CLERICAL	34	6 10 U	28 23	0 1 N
015 POLICE SUPS	14	12 12	2 2	0 0 N
018 POLICE	57	43 42	14 14	0 0 N
025 CRAFT	1	1 1 N	0 0 N	0 0 N
031 PARA PROFESSION	380	141 144	239 221	0 0 N

Appendix - 4

CEEDS: *Workforce Compared with Internal and External Pools*
3rd Quarter of Fiscal Year 2016
(Most recent quarter available)

RUN DATE: 04/04/16
 RUN TIME: 9:59:29
 FY2016 Q3

NEW YORK CITY DEPARTMENT OF PERSONNEL
 C E E D S S Y S T E M
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 119
 PROGRAM: EBP961
 EXTRACT DATE: 03/31/16

AGENCY: 903 DISTRICT ATTORNEY-KINGS COUNTY
 EEO VARIABLE: ETH ETHNICITY
 PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	WHITE OBSRV	EXPCT I	BLACK OBSRV	EXPCT I	HISPANIC OBSRV	EXPCT I	ASIAN / OBSRV	EXPCT I	NATIVE A OBSRV	EXPCT I	ETH UNKN OBSRV	EXPCT I
002 MANAGERS	528	331	271 O	85	100	45	68 N	38	54 N	0	1 N	29	21
003 MNGMNT SPECS	48	16	20	20	14	7	6	4	6 N	0	0 N	1	1
004 SCIENCE PROFNS	5	3	2 N	1	1 N	0	1 N	1	1 N	0	0 N	0	0 N
007 SOCIAL WORKERS	4	2	1 N	1	3 N	1	1 N	0	0 N	0	0 N	0	0 N
008 LAWYERS	1	0	1 N	1	0 N	0	0 N	0	0 N	0	0 N	0	0 N
010 TECHNICIANS	19	7	7	9	6	1	4 U	2	2	0	0 N	0	0 N
012 CLERICAL SUPS	17	7	4	5	10 U	3	2	2	1	0	0 N	0	0 N
013 CLERICAL	31	14	6 O	10	17 U	6	5	1	2 N	0	0 N	0	1 N
015 POLICE SUPS	12	8	8	3	2	1	2 N	0	0 N	0	0 N	0	0 N
018 POLICE	60	23	25	17	18	15	13	3	3	1	0	1	0
031 PARA PROFESSION	373	95	121 U	158	100 O	95	91	14	36 U	0	1 N	11	10

RUN DATE: 04/04/16
 RUN TIME: 9:59:29
 FY2016 Q3

NEW YORK CITY DEPARTMENT OF PERSONNEL
 C E E D S S Y S T E M
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 120
 PROGRAM: EBP961
 EXTRACT DATE: 03/31/16

AGENCY: 903 DISTRICT ATTORNEY-KINGS COUNTY
 EEO VARIABLE: GEN GENDER

PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	MALE OBSRV EXPCT I	FEMALE OBSRV EXPCT I	GENDER U OBSRV EXPCT I
002 MANAGERS	528	236 282 U	292 222 O	0 10 N
003 MNGMNT SPECS	48	15 27 U	33 19 O	0 1 N
004 SCIENCE PROFNS	5	4 3 N	1 2 N	0 0 N
007 SOCIAL WORKERS	4	1 1 N	3 3 N	0 0 N
008 LAWYERS	1	1 0 N	0 0 N	0 0 N
010 TECHNICIANS	19	10 12	9 7	0 0 N
012 CLERICAL SUPS	17	5 4	12 13	0 0 N
013 CLERICAL	31	6 9 U	25 21	0 1 N
015 POLICE SUPS	12	11 10	1 2 U	0 0 N
018 POLICE	60	43 44	17 15	0 0 N
031 PARA PROFESSION	373	138 142	235 217	0 0 N

Appendix – 5

CEEDS: *Workforce Composition Summary*
2nd Quarter of Fiscal Year 2016
(End of the audit period)

RUN DATE: 01/05/16
RUN TIME: 08:37:43.5

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2016 AGENCY 903 DISTRICT ATTORNEY-KINGS COUNTY

PAGE: 251
REPORT: EBEPR210

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
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		
10025	ADMINISTRATIVE MANAGER	0	2	0	0	0	0	1	3	0	0	0	0	0	6
10026	ADMINISTRATIVE STAFF ANALY	0	0	0	0	0	0	0	1	0	0	0	0	0	1
10050	COMPUTER SYSTEMS MANAGER	2	0	0	0	0	0	0	0	0	0	0	0	0	2
10103	EXECUTIVE ASSISTANT	0	1	0	0	0	0	0	2	1	0	0	0	0	4
30114	ASSISTANT DISTRICT ATTORNE	149	25	25	19	0	15	183	50	18	19	0	17	0	520
3083A	SUPERVISING RACKETS INVEST	2	1	0	0	0	0	0	0	0	0	0	0	0	3
30856	PRINCIPAL ACCOUNTANT INVES	1	0	0	0	0	0	0	0	0	0	0	0	0	1
82950	AGENCY CHIEF CONTRACTING O	0	1	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		154	30	25	19	0	15	184	56	19	19	0	17	0	538
		28.62	5.58	4.65	3.53	0.00	2.79	34.20	10.41	3.53	3.53	0.00	3.16	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
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	1	0	0	0	0	0	0	1	0	0	0	0	0	2
1002C	ADMINISTRATIVE MANAGER NON	5	1	1	2	0	0	5	14	3	0	0	1	0	32
1002E	ADMINISTRATIVE STAFF ANALY	0	0	0	0	0	0	0	0	1	0	0	0	0	1
12158	PROCUREMENT ANALYST	0	0	0	0	0	0	0	1	0	0	0	0	0	1
13401	STRATEGIC INITIATIVE SPECI	1	0	0	0	0	0	0	0	0	0	0	0	0	1
30854	SUPERVISING ACCOUNTANT INV	2	1	1	0	0	0	2	2	2	0	0	0	0	10
40510	ACCOUNTANT	0	0	0	0	0	0	0	0	0	2	0	0	0	2
EEO JOB GROUP TOTAL.....:		9	2	2	2	0	0	7	18	6	2	0	1	0	49
		18.38	4.08	4.08	4.08	0.00	0.00	14.29	36.73	12.24	4.08	0.00	2.04	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
EEO JOB GROUP : 004 SCIENCE PROFESSIONALS

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		
13611	COMPUTER ASSOCIATE (TECHNI	0	1	0	0	0	0	0	0	0	0	0	0	0	1
13631	COMPUTER ASSOCIATE (SOFTWA	0	0	0	1	0	0	1	0	0	0	0	0	0	2
13632	COMPUTER SPECIALIST (SOFTW	1	0	0	0	0	0	0	0	0	0	0	0	0	1
13651	COMPUTER PROGRAMMER ANALYS	1	0	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		2	1	0	1	0	0	1	0	0	0	0	0	0	5
		40.00	20.00	0.00	20.00	0.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY

RUN DATE: 01/05/16
RUN TIME: 08:37:43.5

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY
QUARTER 2 YEAR 2016 AGENCY 903 DISTRICT ATTORNEY-KINGS COUNTY

PAGE: 252
REPORT: EBEPR210

EEO JOB GROUP : 007 SOCIAL WORKERS

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		
52613	SOCIAL WORKER	1	0	0	0	0	0	0	1	1	0	0	0	0	3
EEO JOB GROUP TOTAL.....:		33.34	0.00	0.00	0.00	0.00	0.00	0.00	33.33	33.33	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
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		
94353	DISTRICT ATTORNEY	0	1	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		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 : 903 DISTRICT ATTORNEY-KINGS COUNTY
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		
30080	PARALEGAL AIDE	0	2	0	0	0	0	4	4	1	0	0	0	0	11
30726	CLAIM SPECIALIST	0	0	0	0	0	0	1	0	0	0	0	0	0	1
90622	MEDIA SERVICES TECHNICIAN	2	5	0	2	0	0	0	0	0	0	0	0	0	9
EEO JOB GROUP TOTAL.....:		9.53	33.33	0.00	9.52	0.00	0.00	23.81	19.05	4.76	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
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	2	0	2	1	0	0	5	5	1	1	0	0	0	17
EEO JOB GROUP TOTAL.....:		11.78	0.00	11.76	5.88	0.00	0.00	29.41	29.41	5.88	5.88	0.00	0.00	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
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		

RUN DATE: 01/05/16
RUN TIME: 08:37:43.5

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
WORK FORCE COMPOSITION SUMMARY

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QUARTER 2 YEAR 2016 AGENCY 903 DISTRICT ATTORNEY-KINGS COUNTY

10115 OFFICE ASSISTANT	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
10212 REPORTER/STENOGRAPHER (DA)	1	0	1	0	0	0	11	3	1	0	0	0	0	0	17
10251 CLERICAL ASSOCIATE	1	1	1	0	0	0	2	3	3	0	0	0	0	0	11
10252 SECRETARY	0	0	0	0	0	0	0	4	0	1	0	0	0	0	5
EEO JOB GROUP TOTAL.....:	3	1	2	0	0	0	13	10	4	1	0	0	0	0	34
	8.83	2.94	5.88	0.00	0.00	0.00	38.24	29.41	11.76	2.94	0.00	0.00	0.00	100.00	

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
EEO JOB GROUP : 015 POLICE SUPERVISORS

		MALE						FEMALE						OTHER	TOTAL EMP
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
30832	SUPERVISING RACKETS INVEST	8	2	0	0	0	0	0	1	1	0	0	0	0	12
30835	ASSISTANT CHIEF RACKETS IN	0	1	0	0	0	0	0	0	0	0	0	0	0	1
30836	CHIEF RACKETS INVESTIGATOR	1	0	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		9	3	0	0	0	0	0	1	1	0	0	0	0	14
		64.29	21.43	0.00	0.00	0.00	0.00	0.00	7.14	7.14	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
EEO JOB GROUP : 018 POLICE

		MALE						FEMALE						OTHER	TOTAL EMP
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
30830	RACKETS INVESTIGATOR	10	4	5	2	1	0	2	5	2	0	0	1	0	32
30831	SENIOR RACKETS INVESTIGATO	11	4	5	0	0	0	1	1	1	0	0	0	0	23
70810	SPECIAL OFFICER	0	0	1	0	0	0	0	1	0	0	0	0	0	2
EEO JOB GROUP TOTAL.....:		21	8	11	2	1	0	3	7	3	0	0	1	0	57
		36.85	14.04	19.30	3.51	1.75	0.00	5.26	12.28	5.26	0.00	0.00	1.75	0.00	100.00

AGENCY CODE : 903 DISTRICT ATTORNEY-KINGS COUNTY
EEO JOB GROUP : 025 CRAFT

		MALE						FEMALE						OTHER	TOTAL EMP
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN- KNOWN		
90698	MAINTENANCE WORKER	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 : 903 DISTRICT ATTORNEY-KINGS COUNTY
EEO JOB GROUP : 031 PARA PROFESSIONAL OCCUPATIONS

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

RUN DATE: 01/05/16
RUN TIME: 08:37:43.5

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)
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52406 COMMUNITY SERVICE AIDE	0	3	1	0	0	0	1	4	2	0	0	0	0	11
56056 COMMUNITY ASSISTANT	11	24	11	1	0	1	5	16	11	0	0	2	0	82
56057 COMMUNITY ASSOCIATE	24	28	16	4	0	2	42	61	47	6	0	7	0	237
56058 COMMUNITY COORDINATOR	7	5	3	0	0	0	10	17	5	3	0	0	0	50
EEO JOB GROUP TOTAL.....:	42	60	31	5	0	3	58	98	65	9	0	9	0	380
	11.04	15.79	8.16	1.32	0.00	0.79	15.26	25.79	17.11	2.37	0.00	2.37	0.00	100.00

AGENCY TOTAL.....:	245	114	73	32	1	18	276	200	101	32	0	28	0	1120
	21.86	10.18	6.52	2.86	0.09	1.61	24.64	17.86	9.02	2.86	0.00	2.50	0.00	100.00



Kenneth P. Thompson
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**
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JUL 1 2016 AM 11:42

Nancy Laxer
Executive Assistant District
Attorney for Administration

July 1, 2016

Charise L. Terry, PHR
Executive Director
NYC EEPC
253 Broadway
New York, NY 10006

BY HAND

Dear Ms. Terry:

On behalf of the District Attorney, Kenneth P. Thompson, I acknowledge receipt of the Equal Employment Practices Commission (EEPC) preliminary determination, dated June 17, 2016, relative to its audit of the KCDA's Employment Practices and Procedures.

After a review of the Commission's findings and recommendations, the agency's responses explanations and plans for moving forward are detailed in the attached document.

A memorandum will be electronically distributed to all staff (or affected staff) informing them of the changes that are being implemented to the Office's EEO program pursuant to the audit, and re-emphasizing the District Attorney's commitment to his EEO program. This process will be completed within 30 days of this letter.

I believe the attached document addresses all corrective actions recommended by the EEPC. If you have any questions or concerns please feel free to contact me at (718)250-2068.

Yours truly,

Nancy Laxer
Executive ADA for Administration/EEO Officer



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

Marie E. Giraud, Esq.
Agency Attorney/
Director of Compliance Monitoring

253 Broadway
Suite 602
New York, NY 10007

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

BY MAIL AND EMAIL

July 8, 2016

Kenneth P. Thompson
District Attorney
Kings County District Attorney's Office
350 Jay Street, 19th Floor
Brooklyn NY 11201

RE: Audit Resolution #2016/903: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Office of the Kings County District Attorney's Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

Dear District Attorney Thompson:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for your July 1, 2016 response to our June 17, 2016 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: JULY 2016 TO DECEMBER 2016.


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 call Marie Giraud, Esq., Agency Attorney/Director of Compliance Monitoring at 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,



Charise L. Terry, PHR
Executive Director

c: Nancy Laxer, 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 response (if applicable) to the EEPC's preliminary Determination, our Final Determination is as follows:

Agree

Regarding your responses² to the following EEPC required corrective actions, we Agree based on documentation that is attached to your response.

Corrective Action #3

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.

Agency Response: *"[...] The underutilization in the most recent CEEDS Report indicates underutilization of minorities in three job groups, [...] underutilization of females in one discretionary title job group (Police Supervisors). [...] Rackets Investigators, second are the Senior Rackets Investigators and last are the Supervising Rackets Investigators (Police Supervisor title in the CEEDS Report). [...] [T]he recent hirings [sic] in the Rackets Investigator titles reflects a trend towards hiring more females and thus increasing the pool of available females eligible to be promoted to supervisory positions. In the event the Office experiences turnover in the Police Supervisor category we will look not only to the female Rackets Investigators in the Office to fill these jobs, but will also be sure to focus our recruitment efforts on organizations or publications who cater to females."* Resp Pg. 4- 5

EEPC Response: The EEPC accepts the agency's response and recognizes the agency's commitment to implement Corrective Action #3.

Corrective Action #6

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

² Excerpts are italicized.

veteran status, interview date, interviewers' names, result, reason selected/not selected (or disposition) of all applicants, 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.

Agency Response: *"Legal [applicants:] ViDesktop Captures now captures: applicants'/candidates' names, identification number, disability or veteran status, interview date, interviewers' names, and reason selected/not selected (or disposition) of each applicant." [...] Resp. Pg. 8.*

"Non-Legal [applicants:] NYCAPS captures the required information for all non-legal applicants however, the Office was not aware of this. H.R. now has access in NYCAPS to capture all EEO information. [...] Going forward will utilize this feature in NY CAPS in order to capture the information for all applicants. [...] Additionally, [...] all postings on sites other than NYCcareers.gov and other recruiting sources will direct applicants to apply through NYCcareers.gov in order to ensure that the required information for these applicants is also being captured in the applicant log." Resp. Pgs. 8 – 9.

EEPC Response: The agency provided documentation which demonstrates that the ViDesktop used for legal applicants and NYCAPS e-Hire used for non-legal applicants captures all required demographic information as indicated in the Preliminary Determination. The EEPC accepts the agency's response and accompanying documentation that corrective action # 6 has been implemented.

Corrective Action #9

Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

Agency Response: [The agency submitted a copy of its 2016 – 2017 Annual Plan/ EEO Schedule].

EEPC Response: The EEPC accepts the agency's 2016 – 2017 Annual Plan/ EEO Schedule as documentation that Corrective Action #9 has been implemented. Prospective plans should be submitted to the EEPC on an annual basis.

Monitoring Required

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

Corrective Action #1

Ensure that 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 in order

to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

Agency Response: *"The KCDA Annual Plan [...] includes a schedule for the EEO Officer, Acting EEO Coordinator, H.R. Director and Counsel to the DA to meet to review the relevant statistical information, the annual number of EEO complaints and the agency's policies and programs to determine if there are any barriers to equal opportunity and to determine if any corrective actions are required. If necessary, the Office will consult with the Law Department, Division of Citywide Diversity and EEO or other resources for guidance."* Resp. Pg. 2.

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

Corrective Action #2

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.

Agency Response: *"[...]Job descriptions are utilized to prepare job postings. The job descriptions for all titles were reviewed by every department and revised where necessary. Once the various bureaus provided their input, the job descriptions were reviewed by H.R. staff and the revised descriptions are now used when we need to post for various jobs. This audit and the resulting revised job descriptions ensure that all criteria being used are job related. In the area of selection, once resumes are received for non-legal openings they are reviewed and those candidates with the appropriate, required credentials are brought in for interviews. The interviews are conducted by panels and each panel has at least one member of the H.R. staff present for the interview. After the interview is completed, each member of the panel is required to complete and submit to H.R. an "Interview Feedback Form" [...] H.R. staff tabulates the totals for each applicant and the candidate with the highest score is then made an offer for the position. The use of this method and formula ensures that the selection process is fair."* Resp. Pg. 2 – 4.

EEPC Response: The EEPC recognizes the agency's effort to address Corrective Action #2. An assessment which analyzes the manner in which candidates are selected will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #4

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.

Agency Response: “[...] The **Clerk** job category is made up of Office Assistants; Reporter/Stenographers; Clerical Associates and Secretaries. [...] **Clerical Supervisors** where Blacks are underutilized. This job category also consists of a civil service title; Principal Administrative Associate. [...] The third job category reflecting underutilization of minorities in the most recent CEEDS Report is **Technicians**, with underutilization of Hispanics reflected. The job titles in the Technician category are all civil service titles. [...] We will review each CEEDS Report to determine if our selection policies are having any adverse impact upon any particular groups. Additionally, in the event there is any turnover in any of the job categories which currently reflect underutilization, prior to recruiting for replacements we will analyze where there is underutilization and review the civil service competencies, skills and abilities required to ensure that all standards are job related and required by business necessity. If necessary, we will work with DCAS and the Civil Services Commission. We will then focus our recruitment efforts on minority or female oriented publications, contact organizations serving female or minority communities and participate in available job and career fairs.” Resp. Pg. 5 – 7.

EEPC Response: The EEPC recognizes the agency’s commitment to implement corrective action #4. Documentation which confirms implementation of this corrective action will be required during the compliance-monitoring period.

Corrective Action #5

Ensure that all 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).

Agency Response: “[...] [T]he Director of H.R. has already contacted DCAS in order to set up dates for structured interview training to take place in the fall. All personnel involved in recruiting and hiring will be required to attend this training” Resp. Pg. 8.

EEPC Response: The EEPC recognizes the agency’s commitment to implement corrective action #5. Documentation which demonstrates implementation of this corrective action will be reviewed during the compliance-monitoring period.

Corrective Action #7

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.

Agency Response: “Going forward, the agency will 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 Officer regarding decisions that impact the administration and operation of the EEO Program.” Resp. Pg. 9.

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #7. Documentation which demonstrates implementation of this corrective action will be reviewed during the compliance-monitoring period.

Corrective Action #8:

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).

Agency Response: *"Going forward in their annual evaluations, all non-legal and legal managers will be evaluated on EEO. [...]The legal evaluations form for managers will contain a rating for EEO. Since the performance evaluations for 2015 have been completed, this rating will be included for the 2016 performance period. [...]Non-legal managerial task and standard and corresponding revised evaluation form which include the EEO rating. [...]Investigations Division Legal Managerial Evaluation as well as the Trial Division Legal Managerial Evaluation which both include the EEO rating."* Resp. Pg. 9

EEPC Response: The EEPC recognizes the agency's commitment to implement Corrective Action #8. Documentation which demonstrates implementation of this corrective action will be reviewed during the compliance-monitoring period.

Thank you and your staff for your continued cooperation.

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

RESOLUTION #2016/903: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Office of the King's County District Attorney's Employment Practices and Procedures from January 1, 2013 through December 31, 2015.

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 Office of the King's County District Attorney's (KCDA) Employment Practices and Procedures, the Equal Employment Practices Commission (EEOC) issued a Preliminary Determination letter, dated June 17, 2016, setting forth findings and the following required corrective actions:

1. Ensure that 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 in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
2. 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.
3. 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.
4. 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.

5. Ensure that all 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).
6. 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 all applicants, 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.
7. 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.
8. 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).
9. Submit to the EEPD an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

Whereas, the agency submitted its response to the EEPD's Preliminary Determination letter, on July 1, 2016 with documentation of its actions to rectify required corrective actions nos. 3, 6 and 9; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD considered the agency's response and issued a Final Determination on July 8, 2016 which agreed and accepted documentation for implementation of the aforementioned corrective actions, and indicated that corrective action(s) nos. 1, 2, 4, 5, 7, and 8 require compliance monitoring; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPD is required to monitor the agency for a period not to exceed six months, from July 2016 through December 2016, 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

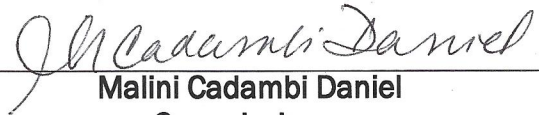
Whereas, all of the EEP's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from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

Be It Resolved, that the Commission approves issuance of this Final Determination to Kenneth Thompson, District Attorney of Kings County.

Approved unanimously on September 9, 2016.



Angela Cabrera
Commissioner



Malini Cadambi Daniel
Commissioner



Arva Rice
Commissioner

Absent

Elaine S. Reiss, Esq.
Commissioner



Kenneth P. Thompson
District Attorney

DISTRICT ATTORNEY
KINGS COUNTY
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

AUG 8 2016 PM 3:42

August 8, 2016

Charise L. Terry, PHR
Executive Director
NYC EEPC
253 Broadway
New York, NY 10006

BY HAND

Dear Ms. Terry:

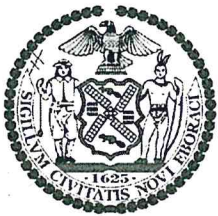
I acknowledge receipt of the Equal Employment Practices Commission (EEPC) Final Determination, dated July 8, 2016, relative to its audit of the KCDA's Employment Practices and Procedures.

The agency is committed to implementing the recommended corrective actions within the six month compliance-monitoring period. The attached document and exhibits reflect the steps the agency has taken and will take to implement the corrective actions during the designated compliance-monitoring period.

If you have any questions or concerns, please feel free to contact myself or the EEO Officer, Nancy Laxer.

Sincerely,

Kenneth P. Thompson
District Attorney




Eric Gonzalez
Acting District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

MEMORANDUM

To: All Staff

From: Eric Gonzalez, Acting District Attorney 

Re: Equal Employment Practices Commission Audit

Date: January 18, 2017

The Equal Employment Practices Commission (EEPC) recently completed an audit of the employment practices and procedures of the Kings County District Attorney's Office for the period of January 1, 2013 to December 31, 2015. The purpose of the audit was to ensure compliance with federal, state and local laws, and with regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. I am pleased to report that we are now in full compliance with the EEPC audit standards. As a result of the audit, the following changes have been made to our EEO Program:

- a. The EEO Policy was updated to include "Unemployment;" "Caregiver Status" and "Consumer Credit History" to the list of protected classes;
- b. The Office provided training and implemented structured interviewing;
- c. The Office now maintains a log for all applicants;
- d. An EEO rating was added to all managerial evaluations;
- e. The Office reviewed the competencies, skills and abilities required for job titles experiencing underutilization to ensure that all standards are updated, job-related and required by job necessity;
- f. Recruitment efforts are now focused on reducing underutilization;
- g. A schedule was implemented requiring annual meetings wherein the EEO Officer, Acting EEO Coordinator, Counsel for the District Attorney and the Director of H.R. review statistical information, the annual number of EEO complaints, and policies and procedures to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required (the first such meeting was held in December);
- h. The Office designated a legal and non-legal career counselor to ensure that all employees are aware of transfer and promotional opportunities;

- i. All meetings and other communications between the Chief of Staff and the EEO Officer regarding decisions that impact the administration and operation of the EEO Program are documented; and
- j. An annual plan of measures and programs to provide equal employment opportunities has been created.

The implementation of these recommendations reaffirms my dedication to maintaining in my Office a work environment that recognizes and appreciates the diversity of its workforce. The Kings County District Attorney's Office (KCDAO) is an equal employment opportunity employer and I am committed to maintaining its compliance with federal, state, and local laws that prohibit employment discrimination. Employment decisions in my Office will continue to be made on the basis of merit and fitness, with equality of opportunity for all without discrimination based on any of the protected classes.

Additionally, I am personally committed to providing a workplace that is free of discrimination, sexual harassment and intimidation, and I fully expect that all my staff will adhere to this same standard.

Employees with EEO concerns can speak with EEO Officer Nancy Laxer, (Room 1920, Ext. 2068); Acting EEO Coordinator Cynthia Aker (Room 1938, Ext. 2095) or any of the EEO Counselors listed on the Office INTRANet. Detailed information regarding the Office's EEO program, its policies, and procedures may be found on the Office INTRANet.

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #2016AP/903C-25: Determination of **Compliance** (Monitoring Period Required) by the Office of the King's County District Attorney with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2013 through December 31, 2015.

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 Office of the King's County District Attorney's (KCDA) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated June 17, 2016, setting forth findings and the following required corrective actions:

1. Ensure that 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 in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
2. 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.
3. 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.
4. 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.

5. Ensure that all 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).
6. 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 all applicants, 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.
7. 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.
8. 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).
9. Submit to the EEPD an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

Whereas, the KCDA submitted its response to the EEPD's Preliminary Determination letter, on July 1, 2016, with documentation of its actions to rectify required corrective actions #3, 6, and 9; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD considered the agency's response and issued a Final Determination on July 8, 2016, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions #1, 2, 4, 5, 7, and 8 remaining; and

Whereas, the KCDA submitted its response to the EEPD's final determination letter, on August 8, 2016; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD monitored the agency's implementation of the remaining corrective actions from July 2016 through December 2016 with no extension of the monitoring period; and

Whereas, at the EEPD's request pursuant to Section 815.a.(15) of the New York City Charter, the KCDA submitted a copy of the agency head's memorandum to staff, which outlined the corrective actions implemented in response to the EEPD's audit and reiterated his commitment to

the agency's EEO Program; and

Whereas, all of the EEPD'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 Office of Kings County District Attorney 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 will forward this Final Determination to the Acting District Attorney Eric Gonzalez, of the Office of the Kings County District Attorney.

Approved unanimously on January 19, 2017.



Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



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

January 19, 2017

Eric Gonzalez
Acting District Attorney
Office of the Kings County District Attorney
350 Jay Street, 19th Floor
Brooklyn, NY 11201

Re: Resolution #2016AP/903C-25: Determination of Agency Compliance

Dear District Attorney Gonzalez:

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 Office of the Kings County District Attorney. This Commission has determined that the Office of the Kings County District Attorney 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 Nancy Laxer for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,


Angela Cabrera
Commissioner

c: Nancy Laxer, Principal EEO Professional
Judith Garcia Quiñonez, Esq., Executive Agency Counsel

EEPC

EQUAL EMPLOYMENT PRACTICES COMMISSION



This

Determination of Compliance

is issued to the

Office of the King's County District Attorney

for successfully implementing 9 of 9 required corrective actions pursuant to the Equal Employment Practices Commission's
Employment Practice and Procedures Audit From January 1, 2013 to this date.

On this 19th day of January in the year 2017,

A handwritten signature in cursive script, appearing to read 'Angela Cabrera', written over a horizontal line.

Angela Cabrera
Commissioner

A handwritten signature in cursive script, appearing to read 'Judith Garcia Quiñonez', written over a horizontal line.

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

In care of Acting District Attorney, Eric Gonzalez
and Principal EEO Professional Nancy Laxer