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**NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS (DCA)**  
**DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY PLAN**  
**FISCAL YEAR 2020**

**I. Introductory, Commitment and Accountability Statement by the Agency Head**

Our agency's mission is to protect and enhance the economic lives of New Yorkers to create thriving communities. Every single staff member makes it possible for us to accomplish that mission. The dedication of our staff has allowed us to expand our services and we are grateful for all the work that you do. DCA will continue to uphold your rights under the City's Equal Employment Opportunity ("EEO") Policy. As an equal opportunity employer, we are committed to retaining a diverse and inclusive workforce that is reflective of our City's population.

When we value our differences, we can build stronger teams and drive the best performance. We stand by the principles of EEO which prohibit discriminatory treatment, including harassment and adverse employment actions against City employees, applicants for employment, interns, and WEP workers based on actual or perceived race, color, national origin, immigration or citizenship status, credit history, caregiver status, religion or creed, gender (including "gender identity," which refers to a person's actual or perceived sex, and includes self-image, appearance, behavior or expression, whether or not it differs from what is traditionally associated with the legal sex assigned to the person at birth), disability, age (18 and over), military status, prior record of arrest or conviction, marital status, predisposing genetic characteristic, sexual orientation, partnership status, status as a victim of domestic violence, sex offenses and stalking, or unemployment status.

Decisions and practices based on an individual's protected status (e.g., race, religion, age and the other categories listed above) that unlawfully affect employment or the compensation, terms, conditions or privileges of an individual's employment or potential employment with DCA are prohibited by this policy. All agency staff are accountable for complying with the City's EEO Policy. I expect all managers and supervisors to actively promote a safe, equitable, and inclusive work environment for all New York City employees

and to adhere to the values of equity, inclusion, and respect for all. I will hold the EEO Officer, all EEO professionals, human resources professionals, legal professionals, managers and supervisors accountable for ensuring that the agency does not discriminate against employees or applicants for employment. We will also support the diversity and inclusion initiatives at the agency by observing EEO regulations and actively working toward attaining agency goals in this area. I encourage everyone to contact the EEO Officer with any questions, inquiries, concerns or complaints regarding the EEO Policy.

☐ **This statement is the same as last year.**

## **II. Recognition and Accomplishments**

In the past year our agency accomplished the following as part of our commitment to Equal Employment Opportunity, Diversity and Inclusion:

1. Days of Action, citywide events
2. Customer Service Week
3. Revised/updated the EEO information available to staff
4. Recruited additional EEO counselors, ensured they got training or will get it
5. Made EEO information more accessible on our agency intranet page
6. Reinforced the policy multiple times throughout the year in our digital communications

The agency recognizes employees, supervisors, managers, and agency units demonstrating superior accomplishment in diversity and equal employment opportunity through the following:

- ☐ Diversity & EEO Awards\*
- ☐ Diversity and EEO Appreciation Events\*
- ☒ Public Notices
- ☒ Positive Comments in Performance Appraisals
- ☐ Other: \_\_\_\_\_

*\*Please specify under "Additional Comments"*

- ☒ The agency will continue to recognize employees, supervisors, managers, and agency units demonstrating superior accomplishment in diversity and equal employment opportunity in FY 2020.

***Additional Comments:***

Our EEO team will brainstorm on ideas on how to further promote diversity.

**III. Workforce Review and Analysis**

1. Describe steps taken to encourage all employees at your agency to update self-ID information regarding race/ethnicity, gender, and veteran status through either NYCAPS Employee Self Service (ESS) or other means.

In FY 2020, the agency will remind and encourage its employees to update self-ID information regarding race/ethnicity, gender, and veteran status through any of the following means:

- ☒ NYCAPS ESS (by email annually)
- ☒ Agency's intranet site
- ☐ Newsletters
- ☒ On-boarding
- ☐ Manager/supervisor observation, if employee refuses to self-ID

*Additional Comments:*

2. Describe the review process of the CEEDS workforce composition, utilization, new hires and promotions data presented in your quarterly agency workforce dashboard and/or internal workforce reporting. Describe how your agency's EEO Officer, Personnel Officer and General Counsel work together to review demographic trends. These reports must be reviewed regularly with the Agency Head.

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

Reviewed with	Frequency
Human Resources	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually <input type="checkbox"/> Other _____
General Counsel	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually <input type="checkbox"/> Other _____
Agency Head	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually <input type="checkbox"/> Other _____
Other (____specify)	<input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input type="checkbox"/> Annually <input type="checkbox"/> Other _____

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

☒ The agency reaches out to DCAS to serve as a resource in identifying strategies and best practices to address barriers to entry as well as to receive guidance concerning the interpretation of underutilization reports.

*Additional Comments:*

#### **IV. EEO, Diversity, Inclusion, and Equity Initiatives for FY 2020**

##### **1. Proactive Strategies to Enhance Diversity, EEO and Inclusion**

**State below the central goals of your strategy for FY 2020 focused on enhancing diversity, equal employment opportunity, and the overall value of inclusion at your agency. Include initiatives that your agency will implement in FY 2020.**

- 1. Workforce:** Ensuring supervisors have conversations regarding EEO on a yearly basis with their employees.
- 2. Workplace:** Ensuring employees know who is on the EEO team and increase the team's visibility in other work locations.
- 3. Community:** Continuing to take steps to foster cultural competency in agency interactions with the public.

2. Describe the new and continuing initiatives devoted to innovative enhancement and expansion of the three strategic pillars of Diversity and EEO strategy: **WORKFORCE**, **WORKPLACE**, and **COMMUNITY**.

**A. WORKFORCE:**

**NOTE:** Please address the specific recruitment, selection and promotion strategies, sources and procedures in Sections V and VI.

The agency will address underutilization in FY 2020 by:

- ☐ Enhancing internal and external applicant pools to address the underutilization.
- ☒ Using the quarterly workforce dashboard and identifying specific job groups where underutilization exists to guide recruitment efforts.

The agency will implement the following strategies to address the impending retirement of employees and possible loss or gap in talent:

- ☒ Job analysis and skills audit.
- ☒ Conduct workforce planning and forecasting.
  - ☒ Use the DCAS Retirement Predictor Tools to address the impending retirement of employees and possible loss or gap in talent.
  - ☒ Integrate succession planning in the agency activities to develop a pipeline, facilitate a seamless transition and continuity of service.
  - ☒ Ensure that there will be a diverse applicant pool for the anticipated vacancies.
  - ☒ Evaluate best sources for diverse candidates
  - ☒ Encourage agency employees to take promotional civil service examinations by:
    - ☒ Sending e-mails with schedule of exams
    - ☒ Providing link to specific DCAS exams
    - ☒ Posting schedules and exam announcements at the agency intranet
  - ☐ Other (specify): \_\_\_\_\_

The agency will implement the following initiatives to develop and retain employees:

- ☒ Institute coaching, mentoring and cross training programs.
- ☐ Identify best practices to retain mature employees.

- ☒ Implement initiatives to improve the development and training of employees.
- ☐ Promote employee involvement by supporting Employee Resource Groups
- ☐ Conduct Diversity and Inclusion Training

*Additional Initiatives, Programs, or Comments:*

*The EEO team will brainstorm on ideas on how to further promote diversity.*

**B. WORKPLACE:**

- ☒ The agency will take initiatives to create an inclusive work environment that values differences, and to maintain focus on retaining talent across all levels.
- ☒ In FY 2019, the agency conducted the following survey(s) to improve the recruitment, hiring, inclusion, retention and advancement of people in underrepresented groups:
  - ☐ Engagement /Job Satisfaction/ Employee Morale Survey(s)
  - ☒ Citywide Onboarding survey
  - ☐ Citywide Exit Survey for Non-Represented Employees
  - ☒ Exit interview or surveys developed by the agency
- ☒ The agency will adopt in FY 2020 the following initiatives based on the analysis of the results of the survey(s):
  1. Have supervisors recommend LinkedIn training courses to their staff members.
  2. Encouraging employees to engage in trainings found in LinkedIn Learning to have all the necessary tools to succeed.
  3. Recommend courses that highlight diversity and inclusion.

*Additional Initiatives, Programs, or Comments:*

**C. COMMUNITY:**

In FY 2020, the agency will:

- ☒ Continue or plan to promote diversity and EEO community outreach in providing government services
- ☒ Promote participation with minority and women owned business enterprises (MWBES).
- ☐ Conduct a customer satisfaction survey.
- ☒ Identify best practices for establishing a brand of inclusive customer service.
- ☒ Undertake initiatives to improve community relations, community awareness, and to engage communities being served in recruitment efforts, service development and delivery.

*Additional Initiatives, Programs or Comments:*

Divisions within the agency such as the Office of Financial Empowerment, the Office of Labor Policy and Standards, the Enforcement division along with the Communications and Marketing and External Affairs divisions all have a focus on expanding the communities' knowledge of the services our agency provides. Resources such as free financial counseling, investigations into employers' labor violations, teaching small business owners what our inspectors look for during inspections, along with many other services are provided to New Yorkers in our continuous effort to increase public equity. Campaigns, outreach events, collaborating with other city agencies and participating in Days of Actions all help with increasing public awareness so that we can expand the number of people we serve.

## **V. Recruitment**

### **A. Recruitment Efforts**

1. Summary of Recruitment Efforts – Include steps that will be taken to give notice to all employees of discretionary job postings within the agency as well as proactive efforts/strategies planned to market positions externally.

The agency will implement the following recruitment strategies and initiatives in FY 2020:

- ☒ Review policies, procedures, and practices related to targeted outreach and recruitment.
- ☐ Review underutilization in job groups to inform recruitment efforts.
- ☒ Direct resources to bolster efforts aimed at increasing the effectiveness of diversity recruitment.

- ☐ Put in place an operating, up-to-date, accessible website, mobile application and social media presence related to careers. ☐ Currently in operation.
- ☒ Assess agency job postings to ensure appropriate diversity, inclusion, and equal opportunity employer messaging.
- ☒ Share job vacancy notices with the Mayor's Office for People with Disabilities at [nycatwork@mopd.nyc.gov](mailto:nycatwork@mopd.nyc.gov), (212) 788-2830 and ACCES VR by sending the job vacancy notices to Maureen Anderson at [Maureen.Anderson@nysed.gov](mailto:Maureen.Anderson@nysed.gov), (212) 630-2329 so they can share it with their clients.
- ☒ Reach out to the DCAS Office of Citywide Recruitment (OCR) as a resource at [citywiderecruitment@dcas.nyc.gov](mailto:citywiderecruitment@dcas.nyc.gov).
- ☒ If your agency is an eHire agency, post ALL vacancies on NYC Careers.
- ☒ Ensure that agency personnel involved in both the discretionary and the civil service hiring process have received:
  - ☐ structured interviewing training
  - ☐ unconscious bias training
- ☒ Use the NYCAPS eHire Applicant Interview Log to determine whether recruitment efforts and recruitment sources yield a diverse pool of qualified candidates.
- ☐ Assess recruitment efforts to determine whether such efforts adversely impact any particular group.

*Additional Strategies, Initiatives and Comments:*

Diverse Recruitment Source(s)	What sort of return do you expect to see from the effort? Indicate if this source yielded increased and diverse applicant pool. Were there successful hires from this source?
<ol style="list-style-type: none"> <li>Internal, agency-wide email announcement of all Job Vacancy Notices, physical postings on Human Capital bulletin board, prior to or simultaneous with posting to public.</li> <li>NYC Careers, popular employment websites,</li> </ol>	<ol style="list-style-type: none"> <li>Provide opportunities for promotion of current employees.                             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Previous hires from this source</li> </ul> </li> <li>General public announcement, designed to reach a broad spectrum of applicants. The majority of job applicants learn about the job postings through this site</li> </ol>



<p>3. College and university career websites and job banks</p> <p>4. Bar Associations, including:          American Bar Association          Asian American Bar Association of New York          Association of Black Women Attorneys          Bronx Bar Association          Hispanic National Bar Association of NY          Metropolitan Black Bar Association          Nassau County Bar Association          New Rochelle Bar Association          New York City Bar Association          New York State Bar Association          NY Women's Bar Association          Queens County Bar Association          South Asian Bar Association of New York</p> <p>5. Other city agencies:          Mayor's Office of Immigrant Affairs          MWBE Program          Mayor's Office of Veteran's Affairs          ACS LGBTQ Support          Mayor's Office for People with Disabilities</p>	<p><input checked="" type="checkbox"/> Previous hires from this source</p> <p>3. Public announcement designed to reach applicants with appropriate qualifications.</p> <p><input checked="" type="checkbox"/> Previous hires from this source</p> <p>4. Designed to reach female and minority applicants</p> <p><input type="checkbox"/> Previous hires from this source</p> <p>5. DCA will look into emailing job postings to a contact at these agencies. We anticipate more applicants from the groups that these agencies serve.</p> <p><input type="checkbox"/> Previous hires from this source</p>
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## **B. Internships/Fellowships**

Indicate the type of internship/fellowship opportunities available at your agency. Please provide the number of student interns/fellows employed in FY 2019 and their demographic profiles. Indicate your plans to provide internship/fellowship opportunities in FY 2020.

The agency provided the following internship opportunities in FY 2019:			
Type of Internship\Fellowship	Total	Race/Ethnicity *[#s] * Use self-ID data	Gender * [#s] * Use self-ID data
1. Urban Fellows			M __ F__ Non-Binary __ Other __ Unknown __

## DCA FY 2020 DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY PLAN

2. Public Service Corps			M __ F__ Non-Binary __ Other __ Unknown __
3. College Interns	11	Asian (3) Black or African American (4) Hispanic or Latino (1) Two or More Races (1) Blank (2)	Unknown <u>11</u>
4. Ladders for Leaders Interns	21	Asian (12) Black or African American (2) Hispanic or Latino (1) Two or More Races (2) White (4)	Unknown <u>21</u>
5. Thurgood Marshall Law Internship Program	1	White (1)	Unknown <u>1</u>
6. Summer Graduate Interns			M __ F__ Non-Binary __ Other __ Unknown __
7. Tobacco Aides	27	Black or African American (7) Hispanic or Latino (13) Hispanic or Latino & White (1) Two or More Races (3) White (1)	Unknown <u>27</u>
8. Volunteer Attorney	1	White (1)	Unknown <u>1</u>

**\* Self-ID data is obtained by EEO Office from NYCAPS.**

- ☒ The agency will utilize the internship/fellowship programs to improve a pipeline of candidates from underutilized groups for entry-level positions, including in mission-critical occupations.
- ☒ The agency has hired former interns/fellows.
- ☒ The agency plans to provide internship/fellowship opportunities in FY 2020.

*Additional Comments:*

We will create a form for interns to be able to self-identify their gender.

**C. 55-a Program**

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

1. Please discuss plans to utilize the 55-a Program to hire and retain qualified individuals with disabilities.

We would like to host disability trainings as well as have members from DCAS come here to promote the 55-a Program. This is an effort to have management have a clear understanding of the program so that we can increase 55-a hiring in the agency.

2. Indicate the goals of your 55-a Program Coordinator for FY 2020. Also include your agency plans to do the following: participate in career and job fairs; use internship, work-study, co-op, and other programs to attract a pool of diverse 55-a program applicants; and promote and encourage 55-a program participants to take civil service examinations.

☒ The agency uses the 55-a Program to hire and retain qualified individuals with disabilities and plans to utilize the 55-a Program to hire and retain qualified individuals with disabilities in FY 2020.

Currently, there are 0 [number] 55-a participants.

There are 0 [number] participants who have been in the program less than 2 years.

Last year, a total of 0 [number] new applications for the program were received and 0 participants left the program due to [state reasons] N/A.

If there have been no new participants in the program for less than two years, please indicate initiatives taken to hire new 55-a employees.

☒ The agency will review and process new applications for the 55-a program in light of DCAS' policy guidance which states that decisions on 55-a program admissions should take into account the following three criteria:

- a) the severity of the candidate's physical and/or mental disability;
- b) the candidate's previous and/or current encounter with significant barriers to finding employment due to the disability;
- c) the candidate's encounter of obstacles that can prevent him/her from taking civil service examinations due to the disability.

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

☒ The agency plans to participate in career and job fairs and use internship, work-study, co-op, and other programs to attract a pool of diverse 55-a program applicants.

The goals of the 55-a Coordinator for FY 2020 are:

- 1. Ensure new employees and applicants are aware of the program
- 2. Inform hiring managers of the program and clarify any concerns
- 3. Bring onboard at least one 55-a participant

☐ These goals are the same as last year.

*Additional Goals, Initiatives, and Comments:*

We share all of our job vacancies with the NYC Mayor's Office of People with Disabilities.

## VI. Selection (Hiring and Promotion)

1. For FY 2020, if your agency is fiscally able to hire new employees and/or backfill open positions, please discuss the planned duties for your career counselor specific to advising employees of opportunities for promotion as well as overall career development.

In FY 2020, the agency's Career Counselor will perform the following tasks:

- ☒ Review policies, procedures, and practices related to hiring (including vacancy announcements, use of certification lists, and the selection process for mission critical occupations).
- ☒ Promote employee awareness of opportunities for promotion and transfer within the agency.
- ☒ Inform employees on promotional and transfer opportunities.
- ☒ Arrange agency wide notification of promotional and transfer opportunities.
- ☒ Encourage the use of training and development programs to improve skills, performance and career opportunities.
  - ☒ Provide information to staff on both internal and external Professional Development training sources.
  - ☒ Explain the civil service process to staff and what it means to become a permanent civil servant.
  - ☒ Provide technical assistance in filing for upcoming civil service exams.
- ☒ Provide agency staff with citywide vacancy announcements, civil service exams notices and other career development information.
- ☒ Continue to facilitate the use of training to improve skills and access to career opportunities of all employees in its Leadership Program and via referrals to DCAS.
- ☒ Assist employees and Job Training Program participants (if applicable) assess and develop career paths.
- ☐ Provide resources and support for:
  - ☒ Targeted job searches
  - ☒ Development job search strategies
  - ☒ Resume preparation
  - ☒ Review of effective interview techniques
  - ☒ Review of techniques to promote career growth and deal with change
  - ☒ Internship exploration

*Additional Initiatives and Comments:*

2. What are your current new hire and promotional procedures for selection, especially for mid- and high-level discretionary positions?

In FY 2020, the agency will do the following:

- ☒ Review and develop a protocol for in-title promotions and salary increases.
- ☒ Promote employee awareness of opportunities for promotion and transfer within the agency.
- ☒ Assess the criteria for selecting persons for mid-level to high level positions.
- ☒ Publicly post announcements for all positions, including senior level positions.
- ☐ Actively reach out to networks of underrepresented groups as part of its outreach.
- ☒ Reach out to the Mayor's Office of Appointments for help to identify diverse pools of talent and additional networks for finding qualified candidates.
- ☒ Ensure that hiring managers are trained in structured interviewing techniques to avoid unintentional biases in the hiring process.
- ☐ 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.
- ☒ If adverse impact is discovered, the agency head will determine whether the criteria being utilized are job-related. If the criteria are not job-related, the agency will discontinue using that method.
- ☐ Compare the demographics of current employees to the placements.
- ☒ Revise the promotion request form to include the various reasons why a promotion may be necessary.
- ☒ Review the demographics race\ethnicity and gender for those who received the promotion\salary raises.
- ☒ Submit the resumes for the second- and third-choices for the position.

- ☐ Review the demographics of the senior leadership regularly (by Agency Head).
- ☐ Review on a quarterly basis the demographics of those who received promotion and share the information with the Commissioner and Human Resources (by EEO Officer).

*Additional Comments:*

3. For FY 2020, indicate how your agency will review the methods by which candidates are selected for new hiring and promotion. Identify the steps that are taken to ensure that selection process is objective and job related. For instance, have you explored/implemented structured interviewing and/or training, panel interviews, etc.?

During FY 2020, the agency will do the following:

- ☐ Review policies, procedures, and practices related to hiring (including vacancy announcements, use of certification lists, and the selection process for mission critical occupations) for possible barriers that have a negative impact on minority employees and applicants.
- ☒ Use a collaborative effort between EEO, HR and managers where necessary, develop action plans to eliminate identified barriers.
- ☐ Develop specific, job-related qualification standards for each position that reflect the duties, functions, and competencies of the position and minimize the potential for gender stereotyping and other unlawful discrimination. Make sure these standards are consistently applied when choosing among candidates.
- ☐ Establish written objective criteria for evaluating candidates for hire or promotion and applying those criteria consistently to all candidates.
- ☒ In conducting job interviews, ensure nondiscriminatory treatment by conducting a structured interview, where the same questions are asked of all applicants for a particular job or category of job and inquiring about matters directly related to the position in question.
- ☐ Use a diverse panel of interviewers to conduct the interview.
- ☐ Have the EEO Officer review the interview questions.
- ☒ Have the EEO Officer observe interviews, where possible.

- ☒ Use the NYCAPS eHire applicant tracking system for external and internal applicants.
- ☒ Make adjustments to agency outreach and recruitment efforts where necessary.
- ☐ Monitor the results of action plans for any changes in the agency workforce including increases or decreases in applications of qualified applicants and selection rates.

*Additional Comments:*

4. For FY 2020, what steps will your agency take to review the positions filled through a civil service list?

- A. Detail planned actions specific to review of title specification, job description, interview procedures, and selection procedures.
- ☐ Reach out to DCAS' Classification at 212-386-0344 to ensure that the job description and specification is current.
  - ☐ Review and develop specific, job-related qualification standards for each position that reflect the duties, functions, and competencies of the position and minimize the potential for gender stereotyping and other unlawful discrimination.
  - ☒ Use structured interview, where the same questions are asked of all applicants for a particular job or category of job and inquiring about matters directly related to the position in question.
- B. Discuss your current protocol for use of the NYCAPS Applicant Interview Log reports to identify applicants by gender and race/ethnicity.
- ☐ The agency does not use the NYCAPS Applicant Interview Log Report.
  - ☐ The agency will schedule orientation with NYCAPS Central.
  - ☒ The agency will use the Applicant Interview Log Report to track applicant sources and identify the best sources of applicants.
- C. Discuss all planned steps taken to identify barriers to entry for positions and actions under consideration to address such barriers.
- ☐ Identify at least two or three people from diverse gender and racial\ethnic backgrounds to review received applications and conduct the interviews.



D. When identifying groups of subject matter experts to assist the DCAS test development team, please describe efforts that will be taken to select a diverse and inclusive group of individuals.

- ☒ The agency will identify a diverse group of subject matter experts (e.g. race, gender, age, assignments location, etc.) when requested by DCAS.
- ☒ The agency will use objective job-related criteria to identify the subject matter experts who will participate in test development.
- ☐ The agency will make an effort to ensure different staff members are given the opportunity to participate in test development.

*Additional Comments:*

5. Briefly detail which stages of selection involve your EEO Officer (pre- and post-selection).

In FY 2020, the agency EEO Officer will do the following:

**PRE-SELECTION:**

- ☒ Collaborate with the Director of Human Resources to ensure that an updated listing of sources for diverse applicants, including schools and professional organizations, is maintained.
- ☒ Actively monitor agency job postings.
- ☒ In collaboration with the Director of Human Resources, review interview questions to ensure that they are EEO-compliant, job-related, and required by business necessity.
- ☒ Provide feedback to the hiring manager after the EEO Officer's assessment.
- ☒ Assist the hiring manager if a reasonable accommodation is requested during the interview.
- ☒ May observe interviews when necessary, especially for underutilized job titles and/or mid- and high-level discretionary positions.

☐ Other: \_\_\_\_\_

**POST-SELECTION:**

☒ Periodically review candidate evaluation forms and conduct a job applicant analysis via the NYCAPS eHire Applicant Interview Log reports to advise Human Resources of any demographic trends and/or EEO concerns.

☐ Review hiring package for review and approval.

☐ Other: \_\_\_\_\_

*Additional Comments:*

9. During periods of layoffs, terminations and demotions due to legitimate business/operational reasons, what is your protocol for analyzing the impact of such actions based upon gender, race and age? It is most useful to conduct this analysis prior to finalizing the list of titles that will be impacted. Ensure that the agency Counsel and the Law Department are involved in the review.

☐ The agency will use the DCAS Layoff Procedure as guidance, should there be any layoffs, terminations and demotions due to legitimate business/operational reasons in FY 2020.

☒ The agency will analyze the impact of layoffs or terminations on racial, gender and age groups.

☐ Where layoffs or terminations would have a disproportionate impact on any of these groups, the agency will document that the targeted titles or programs were selected based on objective criteria and justified by business necessity.

☐ The Agency Personnel Officer, EEO Officer and General Counsel will be involved in making layoff or termination decisions. It should be noted that layoffs must be conducted by seniority in compliance with civil service law (for competitive titles) and union contract (for non-competitive and labor class titles).

## **VII. Training**

Training Topic	Type of Audience (e.g. Front-Line Staff, Managers, Supervisors, etc.)	Target Number of Participants	Targeted Dates
1. EEO Awareness (e-learning)			

2. EEO Awareness (classroom)	All Staff	All New Hires	Within 30 days of start date
3. Everybody Matters (D&I) (classroom)			
4. Everybody Matters (D&I) (e-learning)	All staff	412	Ongoing completion. Completion is required for all new hires.
5. Sexual Harassment Prevention (e-learning)	All staff	412	Ongoing completion. Completion is required for all new hires.
6. Sexual Harassment Prevention (classroom)			
7. Disability Etiquette			
8. Structured Interviewing and Unconscious Bias (classroom)			
9. Other (specify)			

**VIII. Reasonable Accommodation**

Please indicate the actions your agency will take to ensure that the process of reviewing reasonable accommodation requests is compliant with the EEO Policy as well as the applicable federal, state, and local laws. Additionally, please detail any best practices currently implemented in this area. Lastly, please describe your current appeal protocol.

- ☐ Managers, supervisors, human resources personnel and discipline personnel are required to report to the EEO Office any reasonable accommodation requests and needs that are received, observed, learned about or suspected, so that the EEO Office may facilitate discussions, research appropriate accommodations, and assist with the resolution of the matter.

☒ The agency provides reasonable accommodation for disability, religion, victims of domestic violence, sex offense and stalking, pregnancy, childbirth or a related medical condition.

☒ The agency grants or denies request 30 days after submission or as soon as possible.

- ☒ The agency head or designee<sup>1</sup> must review and grant or deny the appeal fifteen (15) days after submission of appeal. If NOT the agency head, please provide the name and title of the designee: Sandra Abeles, First Deputy Commissioner
- ☒ The agency follows the City's Reasonable Accommodation Procedure.
- ☒ The agency will input the Reasonable Accommodation activity on the DCAS Citywide Complaint and Reasonable Accommodation Tracking System and update the information as they occur.
- ☒ The agency analyzes the reasonable accommodation data made at the agency.

Describe procedures and speed of resolution, including the protocol for deciding appeals of Reasonable Accommodation decisions. Does the agency analyze statistics with regard to volume, trends, and speed of disposition of EEO complaints and reasonable accommodation requests and appeals?

By day 10 we should confirm receipt of the request and engage in the interactive process with the requestor. By day 30 or as soon as possible once we have all the supporting information requested, the Reasonable Accommodation Coordinator should grant or deny the request and communicate the decision to the requestor. Prior reasonable accommodations are tracked and reviewed to ensure that there are no discrepancies.

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

### **A. Executive Order 16: Training on Transgender Diversity and Inclusion**

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

- ☒ The agency plans to train all new employees within 30 days of start date.
- ☐ All the front-line supervisors, managers and employees were re-trained during FY 2019.

<sup>1</sup> EEO Officer and General Counsel should **NOT** be appointed as agency head designee. Note conflict of interest, i.e., that in the case of an external challenge to the denial of a reasonable accommodation, the agency's GC would be tasked with defending the agency against a decision in which that office was a decision maker on appeal. Refer to the revised Guidelines indicating that neither the EEO Officer nor GC may serve as the agency head's designee found at: <http://extranet.dcas.nycnet/eeo/diversityeeo/media/19647/reasonable-accommodation-procedural-guidelines-lc-12116.pdf> (p17).

## DCA FY 2020 DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY PLAN

- ☒ All managers\supervisors will be re-trained by March 7, 2021.
- ☒ All front-line employees will be re-trained by March 7, 2020.

Training Topic	Type of Audience	Target Number of Participants	Targeted Dates
lgbTq – Power of Inclusion (classroom)	Supervisors		
	Front Line Staff		
lgbTq – Power of Inclusion (e-learning)	Supervisors	120	
	Front Line Staff	248	

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

*Additional Comments:*

### B. Executive Order 21 (2016): Prohibition on Inquiry regarding Job Applicant's Pay History

- ☒ The agency has reviewed its practices (including application and interview forms) with regards to prohibition on inquiry regarding pay history.
- ☒ All personnel involved in job interviews will be required to go through Structured Interviewing and Unconscious Bias Training.

*Additional Comments:*

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

- ☒ The agency plans to train all new employees on Sexual Harassment Prevention within 30 days of start date. Current employees will be trained annually.

Training Topic	Type of Audience	Target # of participants	Targeted Dates
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## DCA FY 2020 DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY PLAN

1. Sexual Harassment Prevention (classroom)			
2. Sexual Harassment Prevention (e-learning)	All employees and interns	412	10/15/2019

*Additional Comments:*

**D. Local Law 93 (2018): Risk Assessment Survey & Initiatives to reduce/minimize risk of sexual harassment.**

Please provide a summary of agency initiatives to address the risk of sexual harassment and devise responsive strategies to minimize such risk. Please refer to the risk assessment survey conducted in 2018 and indicate if the initiatives were completed or are continuing.

	Initiative(s)	Who is Responsible for implementing the initiative(s)?	Timeframe\Timeline
<b>Risk 1 Homogenous Workplace</b>	DCA has included sexual harassment prevention training in our Disciplinary Advocate's presentation to new hires. DCA will also make sexual harassment an express violation of our Code of Conduct once we received the appropriate language from the Law Dept.	Mary Lynne Frey, DAO	<u>Ongoing</u> <input checked="" type="checkbox"/> The code of conduct is being updated and is estimated to be completed by the end of the fiscal year  <u>Completed</u> <input type="checkbox"/>

<b>Risk 2 Cultural and Language Differences in the workplace</b>	DCA has made EEO materials more accessible by ensuring that they are readily available on the agency intranet.	Diana Morales, EEO	<u>Ongoing</u> <input type="checkbox"/>  <u>Completed</u> <input checked="" type="checkbox"/>
<b>Risk 3 Workplaces with Significant Power Disparities</b>	Commissioner Salas reinforced the values of tolerance at the annual agency meeting.	Steven Ettannani, prior EEO	<u>Ongoing</u> <input type="checkbox"/>  <u>Completed</u> <input checked="" type="checkbox"/>
<b>Risk 4 Isolated Workplaces</b>	DCA incorporated sexual harassment training for its Enforcement division.	Sandra Abeles, FDC	<u>Ongoing</u> <input type="checkbox"/>  <u>Completed</u> <input checked="" type="checkbox"/>
<b>Risk 5 Decentralized Workplaces</b>	DCA staff in borough offices will receive an email reinforcing the policy on sexual harassment prevention.	Diana Morales, EEO	<u>Ongoing</u> <input checked="" type="checkbox"/>  <u>Completed</u> <input type="checkbox"/>
<b>Other Findings</b>	All employees will receive the policy on sexual harassment prevention.	Tampra Chapman, APO	<u>Ongoing</u> <input type="checkbox"/>  <u>Completed</u> <input checked="" type="checkbox"/>

**E. Local Law 97 (2018): Annual Sexual Harassment Reporting**

- ☒ The agency will input sexual harassment complaint data on the DCAS Citywide Complaint Tracking System, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.
- ☒ The agency will input **all types of complaints** in the complaint data on the DCAS Citywide Complaint Tracking System, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.
- ☒ The agency will ensure that complaints are closed within 90 days.

*Additional Comments:*

**F. Local Law 101 (2018): Climate Survey**

Describe how additional insights gained from the analysis of the citywide Climate Survey will influence your agency workforce/workplace/community initiatives.

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

☒ analyzed results of the response data sent by DCAS.

☐ implemented the following initiatives to address concerns raised in the Climate Survey:

The EEO Team will meet to come up with initiatives to address the concerns raised.

☒ The agency will provide a report to DCAS on the above initiatives by January 31, 2020.

[NOTE: DCAS is mandated to submit a report on Action Plan to the Mayor and the Speaker of the Council].

*Additional Comments:*

DCA submitted an updated action plan on 4/3/20 which is included in the Addendum to this plan on page 28 below.



**X. Audits and Corrective Measures:**

Please choose the statement that applies to your agency.

☐ The agency is NOT involved in an audit conducted by NYC EEPD or another governmental agency specific to our EEO practices.

☒ The agency is currently being audited or preparing responses to an audit conducted by the EEPD specific to our EEO practices. Upon forwarding our responses to the recommendations issued by the EEPD, the agency will submit to OCEI an amendment letter, which shall amend the agency plan for FY 2020 to include and implement EEPD recommendations that will be implemented during the fiscal year.

☐ The agency is subject to any other oversight or review by a federal, state or city civil rights agency [please specify \_\_\_\_\_].

Attach a copy of the document setting out the oversight parameters and the agency's most recent report to the oversight agency.

☐ The agency was involved in an audit conducted by the EEPD or [ \_\_\_\_\_ **another governmental agency – please specify**] specific to our EEO practices. This agency will continue/be required to implement measures during the year that this plan is in effect (please attach a copy of the audit findings.)

**NOTE: Final Agency Head's signature and date should be set only after you receive DCAS' approval of the plan.**

Lorelei Salas

\_\_\_\_\_  
Print Name of Agency Head



\_\_\_\_\_  
Signature of Agency Head

6/08/2020

\_\_\_\_\_  
Date

**APPENDIX**  
Contact Information

Please provide contact information (name, title, office address, telephone number and e-mail address) for the following individuals at your agency:

1. Agency EEO Officer
2. Agency Chief Diversity & Inclusion Officer [if designated]
3. ADA Coordinator
4. Disability Rights Coordinator
5. Disability Services Facilitator
6. 55-a Coordinator
7. Career Counselor(s)
8. Training Liaison(s)

Diana Morales, Agency EEO Officer, ADA & Disability Rights Coordinator, Training Liaison  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004  
(212)436-0376  
[dmorales@dca.nyc.gov](mailto:dmorales@dca.nyc.gov)

Juana Abreu, EEO Counselor  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004  
(212)436-0165  
[jabreu@dca.nyc.gov](mailto:jabreu@dca.nyc.gov)

Johana Bonny, EEO Counselor  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004  
(212)436-0081  
[jbonny@dca.nyc.gov](mailto:jbonny@dca.nyc.gov)

Rodger Hayes, EEO Counselor  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004  
(212)436-0241

[rhayes@dca.nyc.gov](mailto:rhayes@dca.nyc.gov)

Ginna Vargas-Otero, Disability Services Facilitator  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004  
(212)436-0199  
[gvargas@dca.nyc.gov](mailto:gvargas@dca.nyc.gov)

Margaret Mateo, 55-a Coordinator & Career Counselor  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004  
(212)436-0338  
[mmateo@dca.nyc.gov](mailto:mmateo@dca.nyc.gov)

## Climate Survey Action Plan

- DCA has updated the agency's intranet homepage to include a more visible/accessible EEO section. This section provides detailed information regarding citywide EEO and Reasonable Accommodation policies and forms. It also provides internal and external contact information for all EEO related requests and inquiries in addition to the agency's internal processes.
- The Commissioner and EEO Officer both send a number of communications throughout the year to keep DCA staff informed about updates, training mandates and resources regarding EEO.
- DCA conducts annual mandated Sexual Harassment Prevention and other EEO trainings throughout the agency as required by DCAS. The EEO Office also follows up with individual staff as necessary to ensure compliance.
- As part of DCA's recruitment process, we have published an agency recruitment manual that outlines the EEO guidelines and best hiring practices to promote a more diverse workforce and enforce equitable employment practices.
- For all new hires, the agency provides a detailed in-person overview of the citywide EEO policy and the resources/contacts.
- When made aware of potential EEO issues within agency divisions, the agency have taken the initiative to conduct impromptu, in-person trainings with division staff to ensure that they are kept aware of the agency's policies and resources.
- The Commissioner and First Deputy Commissioner have organized an internal agency task force consisting of members of various divisions to help promote employee engagement and EEO compliance.



Sasha Neha Ahuja  
Chair

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

Charise L. Terry  
Executive Director

Judith Garcia Quiñonez, Esq.  
Executive Agency Counsel/  
Director of Learning and  
Development

Jennifer Shaw, Esq.  
Executive Agency Counsel/  
Director of Compliance

253 Broadway  
Suite 602  
New York, NY 10007

212. 615. 8939 tel.  
212. 676.2724 fax

## BY MAIL AND EMAIL

September 11, 2019

Lorelei Salas  
Commissioner  
Department of Consumer and Worker Protection  
42 Broadway  
New York, NY 10004

Re: Resolution #2019AP/233-866-(2019)  
Department of Consumer and Worker Protection  
Evaluation of Sexual Harassment Prevention and Response Practices  
Audit Period: January 1, 2017 to December 31, 2018  
Determination: **FINAL**

Dear Commissioner Salas:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you for the continued cooperation extended to our staff. This document serves as a follow-up evaluation and Final Determination to the following:

Preliminary Determination Issued on: August 26, 2019  
No Response Received.

### Purpose

Chapter 35, Sections 815(a)(15) and (19) of the New York City Charter (Charter) calls for agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity (EEO) for minority group members and women.

Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5) authorize the EEPC to audit, review, evaluate, and monitor the employment practices, procedures, and programs of city agencies and other municipal entities, hereinafter "entities," and their efforts to ensure fair and effective EEO for women and minority employees and applicants. Charter Sections 831(d)(2) and 832(c) authorize the EEPC to make a determination that any plan, program, procedure, approach, measure, or standard does not provide equal employment opportunity, require appropriate corrective action, and

monitor the implementation of the corrective action prescribed. The attachment contains the EEPC's final determination regarding the audit, review, and evaluation of the Department of Consumer and Worker Protection's Sexual Harassment Prevention and Response Practices.

As the Department of Consumer and Worker Protection falls within the EEPC's purview under Charter Chapter 36, Section 831(a), the EEPC is authorized to review, evaluate, and monitor the coordination and implementation of its affirmative employment programs of EEO and related practices. As indicated in our Preliminary Determination, the EEPC has adopted uniform standards<sup>1</sup> to this end. The purpose of this Final Determination, as authorized by Charter Chapter 36, Section 832(c), is to determine the sufficiency of the Department of Consumer and Worker Protection's actions taken or planned thus far to correct areas of non-compliance identified in the EEPC's Preliminary Determination. Further, Chapter 36, Section 832(c) requires that: (1) the EEPC assign a compliance-monitoring period of up to six (6) months to monitor efforts taken to eliminate areas of non-compliance, if any; and (2) the agency respond in thirty (30) days and submit a report each month during this period on the progress of efforts taken to correct outstanding areas of non-compliance.

### **Next Steps**

**The assigned compliance-monitoring period is: October 1, 2019 to March 31, 2020. Correcting all outstanding areas of non-compliance without delay is highly encouraged and will serve to shorten this period.**

***If corrective actions remain:*** Corrective actions will be listed under the *Monitoring Required* section of the attached Final Determination. The EEPC requires that the agency head submit a signed response to this Final Determination. The signed response should indicate what steps the Department of Consumer and Worker Protection has taken, or will take, to correct outstanding areas of non-compliance during the designated compliance-monitoring period. The Department of Consumer and Worker Protection will be monitored monthly until all outstanding areas of non-compliance have been sufficiently corrected. The Department of Consumer and Worker Protection is required to submit documentation that supports the implementation of each corrective action via TeamCentral, the EEPC's Automated Compliance-Monitoring System. Instruction on how to access and navigate TeamCentral is attached.

***Final Memorandum:*** Upon the Department of Consumer and Worker Protection's implementation of the final corrective action, if any, the EEPC requires that the Department of Consumer and Worker Protection submit a final memorandum, signed by the agency head, that recognizes the EEPC's audit and reiterates commitment to equal employment practices. **Upon receipt of this final memorandum, the EEPC will issue a *Determination of Compliance*.**

***If no corrective actions remain:*** In lieu of a response to this Final Determination, the Department of Consumer and Worker Protection must submit a final memorandum (See Next Steps, Final Memorandum). Upon the EEPC's receipt of the final memorandum, the Department of Consumer and Worker Protection will be exempt from the abovementioned compliance-monitoring period.

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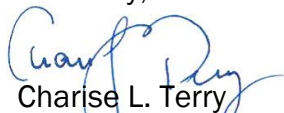
<sup>1</sup> The EEPC's uniform standards for auditing municipal entities and minimum standards for auditing community boards (collectively "Standards") are founded upon, and consistent with, federal, state, and local laws and regulations, and policies and procedures, including, but not limited to, the City of New York's *Equal Employment Opportunity Policy, Standards and Procedures to be Utilized by City Agencies 2014*; New York City Human Rights Law (NYC Administrative Code 8); New York State Human Rights Law (New York Executive Law, Article 15); New York State Civil Service Law §55-a; and the equal employment opportunity requirements of the New York City Charter.

**Conclusion**

This is the EEPD's Final Determination. Questions regarding next steps may be addressed to Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance at [jshaw@eeepc.nyc.gov](mailto:jshaw@eeepc.nyc.gov) or 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,

  
Charise L. Terry  
Executive Director

c: Steve Ettannani, principal EEO Professional, Administrative Public Information Specialist,  
DCWP

Enclosed: TeamCentral Agency Manual

### FINAL DETERMINATION

A response indicating progress of Department of Consumer and Worker Protection's efforts to correct outstanding areas of non-compliance, with supporting documentation, is due within 30 days.

The Equal Employment Practices Commission's findings and corrective actions required to remedy areas of non-compliance are based on the audit methodology, which included collection and analysis of the documents, records, and data provided; the EEPC's *Preliminary Interview Questionnaires* (PIQs) for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the *Annual EEO Plans* and *Quarterly EEO Reports* of the audited entity; and workforce data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

After reviewing the optional response<sup>2</sup> (if applicable) to the EEPC's Preliminary Determination, our Final Determination is as follows:

#### Monitoring Required

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

#### Corrective Action #1:

Include in the complaint file a completed *Complaint Intake Form*, or a written complaint that captures facts (including pertinent dates) that identify the respondent(s) with reasonable specificity and provide the essence of the circumstances which gave rise to the complaint.

#### Agency Response:

No optional response received.

#### EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

#### Corrective Action #2:

Serve the respondent with a notice of the complaint that includes the respondent's right to respond to the allegations and right to be accompanied by a representative of his/her choice. Maintain in the complaint file documentation regarding the service of notice on the respondent.

#### Agency Response:

No optional response received.

#### EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

#### Corrective Action #3:

Take thorough notes of words spoken and facts provided, during each interview. Include these notes in each complaint file.

---

<sup>2</sup> Excerpts are italicized.



Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #4:**

Issue a conclusive report within 90 days of the date the complaint was filed. Commence an investigation immediately if allegations raised sufficiently warrant an investigation.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #5:**

In rare circumstances where a complaint investigation cannot commence immediately, or where a conclusive report cannot be issued within 90 days, specify in the complaint file the reason for the delay and project a time frame for completion of the report. Notify the complainant and respondent of the delay.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #6:**

Maintain complaint files in a secure area and ensure that they can be located and reviewed by the agency head, agency general counsel, and other appropriate staff identified by the agency head.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #7:**

Establish and implement a policy whereby the agency head (or an approved direct report other than the General Counsel) reviews the principal investigator's conclusive report; issues a written/electronic determination adopting, rejecting, or modifying the recommended action; and signs each determination, via writing or electronically, to indicate it has been reviewed and adopted.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #8:**

Inform each complainant and respondent of the conclusion and outcome of their complaint investigation in writing as part of the agency's complaint procedure.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #9:**

Ensure each internal discrimination complaint file contains a written determination of its outcome and corrective action(s) taken as a result.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #10:**

Establish and utilize a complaint tracking and monitoring system that permits the agency to identify the location, status, and length of time elapsed in the complaint investigation process, the issues and bases of the complaints, the aggrieved individuals, and other information necessary to analyze complaint activity to identify trends.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action#11:**

Ensure that the principal EEO Professional, HR Professional, and General Counsel reviewed the number of sexual harassment complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to employment opportunities that may be related to sexual harassment and determine what, if any, actions are required to correct deficiencies.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #12:**

Assign the principal EEO Professional (or EEO-related designee) the responsibility to supervise the activities of EEO professionals, and ensure that: the policies against sexual harassment and complaint procedures are distributed/posted at all agency locations; employees/managers receive sexual harassment prevention training; EEO-related policies are made available in alternative formats (i.e., large print, audio recording and/or Braille) upon request; managers, supervisors and human resource professionals receive guidance on issues pertaining to sexual harassment; and allegations of sexual harassment are promptly investigated.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #13:**

Maintain documentation regarding directives or decisions between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional that impact the administration and operation of programs, policies or procedures concerning sexual harassment.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**Corrective Action #14:**

Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports on efforts to implement the Plan within 30 days following each quarter. Include a breakout of sexual harassment complaint activity in each quarterly report.

Agency Response:

No optional response received.

EEPC Response:

Implementation of this corrective action will be monitored during the compliance-monitoring period.

**FINAL ACTION:**

Upon the EEPC's determination that the entity does not require further review or monitoring: Distribute a memorandum signed by the agency head that re-emphasizes the commitment of agency administrators to the EEO program, including the prevention of sexual harassment, and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit/monitoring. This final action is required to conclude the audit and monitoring process.



The EEPC thanks you and your staff for your continued cooperation.