



The City of New York
Department of Investigation

MARK G. PETERS
COMMISSIONER

80 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

DEPARTMENT OF INVESTIGATION
DIVERSITY AND EQUAL EMPLOYMENT OPPORTUNITY PLAN
FISCAL YEAR 2017

I. Introductory and Commitment Statement by the Agency Head:

The New York City Department of Investigation ("DOI") is committed to creating a diverse and inclusive workforce and providing increased opportunities for all employees. DOI is an equal opportunity employer and, in accordance with the Citywide Equal Employment Opportunity Policy, prohibits discriminatory treatment of, and employment actions against, City employees, contractors, interns, and applicants for employment based on actual or perceived race, color, national origin, alienage, citizenship 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 different from that 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 (in accordance with state and local law), marital status, partnership status, caregiver status, genetic information or predisposing genetic characteristic, sexual orientation, status as a victim or witness of domestic violence, sex offenses or stalking, unemployment status, and consumer credit history.

DOI employees have a responsibility to be respectful of all our co-workers and members of the public. Recognizing that the people of our agency are one of our greatest assets, we are committed to the recruitment, development, and retention of a diverse and inclusive workforce reflective of our City's population. We expect all managers and supervisors to promote a work environment that values equity, inclusion, and respect for all.

Attached you will find a list of the agency's EEO Officer, EEO Counselors, the Disability Rights Coordinator, Disability Services Coordinator and the Career Counselor which is also posted on the agency's intranet. Also attached is a copy of the EEO Policy, including the 2016 addendum. Our EEO staff is available to provide input on personnel matters in addressing EEO and diversity issues, and to investigate EEO complaints. Our EEO staff works closely with DCAS's Office of Citywide Diversity and Equal Employment Opportunity.

For any assistance or information on these or other EEO issues, you should contact Chantal Senatus, EEO Officer or any other member of the EEO staff; Shayvonne Nathaniel, Disability Rights Coordinator and 55-a Coordinator/Career Counselor.

II. Recognition and Accomplishments:

On June 17, 2016, DOI held its 6th annual Employee Appreciation Picnic and Softball Tournament. The half-day event included food, games, and opportunities for employees to interact with other DOI employees, as well as senior management.

As Commissioner, I meet with the agency's units for appreciation breakfasts to recognize accomplishments and create an open forum for discussion. During the breakfast, employees' contributions to their units are acknowledged. Moreover, challenge coins are presented to employees who have demonstrated excellence in the furtherance of the agency's mission.

III. Accountability Statement:

DOI maintains a copy of the City's EEO Policy and the booklet "About EEO: What You May Not Know" on its intranet, which is accessible by all DOI employees, including interns and temporary workers.

In February 2017, I will issue a Diversity and Inclusion Commitment Statement via email to affirm the principles of diversity, inclusion, and equal employment opportunity. The memorandum will encourage managers and supervisors to value and foster fairness, equity, respect and promote diversity through DOI at all levels. The managers will be reminded to continue to work with the EEO staff and Human Resources Unit to integrate equal opportunity principles and practices into personnel decisions, including hiring, promotions, evaluations and transfers.

The EEO Officer and staff will implement the objectives and actions of this plan, as well as work to create a diversity and inclusion strategy, which is separate from the agency's strategic plan, based upon guidance provided by DCAS Citywide Diversity and EEO. We will continue discussions throughout the year coinciding with the issuance of our quarterly workforce reports and will take steps to review the goals we achieved at the end of the year. The EEO Officer will also report to DCAS on the steps undertaken to comply with Mayoral Executive Order No. 16 of 2016. The agency has, and will continue to comply with, the NYC Administrative Law provisions and Mayoral Executive Orders put into place, including those regarding language access, website accessibility and translation, and disability services. The EEO Officer will serve as a resource for agency managers and supervisors by providing us with best practices and providing direction in addressing any identified EEO issues.

IV. Proactive Strategies to Enhance Diversity, EEO and Inclusion

Insert three primary goals of your strategy for FY 2017 focused on enhancing diversity, equal employment opportunity, and the overall value of inclusion at your agency.

1. Continue to conduct diversity recruiting, and in particular, target minority professional and academic organizations in order to increase the pool of qualified, diverse candidates. We will

also continue to maintain regular contact with a variety of minority professional associations for diverse applicants with wide-ranging experiences, including applicants to replace retiring employees.

2. Provide management and professional trainings to DOI staff to enhance equal opportunity in career advancement. DOI has dedicated an Associate Commissioner to coordinate all agency trainings. The Associate Commissioner will also provide skill development opportunities and mentoring for current employees in order to foster succession planning.
3. Identify best practices for establishing a means of inclusive customer services and create opportunities for community outreach in line with the agency's mission and values. Additionally, the agency, in creating and disseminating Requests for Proposals, will be cognizant of the requirements under the City's MWBE programs.

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.

1. Post all positions internally and notify employees of open positions. 2. Provide current employees who applied for the vacancy and met the minimum qualification requirements with the opportunity to interview for the job.

3. Post positions on websites including CityJobs, the City's public website, and city/industry specific websites.

4. Participate in job fairs and provide postings to minority organizations and other diverse populations. We also employ college students as interns in order to provide them with a greater understanding of the agency and to promote future employment.

5. Use the workforce dashboard and CEEDS data to review the workforce demographics and identify areas where underutilization exists.

Diverse Recruitment Source(s)	What sort of return do you expect to see from the effort?
1. Cityjobs	1. We are hopeful that our efforts will allow us to reach a larger diverse population and thereby result in an

	increasingly diverse workforce. We are also working on ways to track our efforts more closely.
2. College and Universities including: John Jay College, Cardozo, New York Law School, Baruch, Pace University, Monroe College, and St. John's University	2. Same as above
3. Mayor's Office for People with Disabilities	3. Same as above
4. Minority organizations and associations including: Asian American Bar Association, The LGBT Bar Association of Greater New York, National Latino Officers Association, National Association of Black Accountants, and 100 Black in Law Enforcement Who Care.	4. Same as above
5. Specialized Disciplines including: the Association of Inspectors General, National Association of African Americans in Human Resources, Discover Policing, City & State, and the New York Law Journal	5. Same as above
6. LinkedIn	6. Same as above
7. Indeed	7. Same as above

2. Indicate the type of internship opportunities available at your agency. Please provide the number of student interns employed in FY 2016 and their demographic profiles. Indicate your plans to provide internship opportunities in FY 2017.

DOI currently provides investigative and legal internships. In FY 2016 (Fall 2015, Spring 2016 and Summer 2016), there were a total of 46 DOI interns: 26 female, 20 male, 11 African American, 5 Asian, 5 Hispanic, 21 White and 4 Other/Unidentified.

DOI maintains a small number of interns throughout the academic year. We will continue our summer internship program for investigative and legal positions, and seek to recruit a diverse, qualified group from various schools.

B. 55-a Program

1. Please discuss plans to utilize the 55-a Program to hire and retain qualified individuals with disabilities. Indicate the goals of your 55-a program coordinator for FY 2017. Include also 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.

In past years, DOI has participated in the Disability Mentoring Day sponsored by the Mayor's Office for People with Disabilities ("MOPD"). We will continue to participate in career fairs and expand our outreach to organizations that serve the disabled population.

Our 55-a Coordinator's goals are to create a greater awareness of the 55-a program through continued communications on the DOI intranet and agency bulletin boards; inform job seekers at job fairs of the 55-a Program; and remind appropriate recruiters of the availability of the 55-a program.

Based on DCAS' June 7, 2016 -55-a memorandum, DOI will also evaluate the requests of longtime provisional employees for § 55-a designation to serve non-competitively in a competitive title position. DOI will examine whether request are made solely to avoid the consequences of CSL § 65(3) and will inform provisional staff that 55-a certification should not be used as a substitute for passing a civil service exam, where possible.

The agency only has one employee in the 55a-program, at this time.

VI. Selection (Hiring and Promotion)

Please answer the following questions:

1. For FY 2017, 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.

As in FY 2016, the DOI Career Counselor will advise employees of current and anticipated promotional opportunities in an employee's stated area of interest. The career counselor will work with employees to develop long term career objectives and attempt to correlate employee's interests amongst the various work units within DOI. The career counselor will advise employees

of the preferred skill sets associated with different specializations and assist with the development of a plan to improve and expand on an employee's skill set if warranted.

Employees will be informed of civil service exam requirements associated with preferred line of work and will be encouraged to use the NYC.GOV website to keep abreast of career and training opportunities. DOI will continue to provide and fund training opportunities for employees who seek career advancement.

Further, DOI's Career Counselor will encourage employees to communicate with their supervisors to attain periodic feedback on job performance and to develop a plan to improve upon overall performance.

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

DOI posts open job positions, including mid- and high-level positions, on nyc.gov as well as the publications noted above. As part of outreach, the EEO Officer and human resources personnel contact members of minority professional organizations to inform them of open positions and to solicit a diverse, qualified applicant pool. In addition, DOI often contacts the Mayor's Office of Appointments to help identify talented candidates and, when necessary, for additional networks to find qualified candidates.

The DOI Human Resources Unit publicly posts job announcements for senior staff positions. The unit and the applicable manager review resumes to ensure candidates meet the job qualifications. DOI Executive Staff conducts interviews, and questioning is designed to assess the candidate's substantive knowledge, management skills and other relevant skills. The Commissioner subsequently interviews candidates considered for mid- and high level positions. The Commissioner and members of the senior executive staff review applications and conduct interviews for high-level positions. In order to expand the applicant pool for open positions, DOI encourages employees to refer friends or colleagues who meet the job requirements.

DOI is mindful of demographics and takes measures to prevent underutilization. Specifically, the agency regularly monitors diversity within senior management and considers diversity when seeking candidates for mid- and high-level positions.

The agency's protocol for in title promotions/salary increases includes providing a justification for the promotion/salary increase as part of the Personnel Action Request package. The recommending supervisor must make clear what sets this employee apart from others in the same title so as to justify selecting that employee for the benefit. These recommendations are reviewed by Executive Staff as part of the approval process.

The agency head and senior executive staff will continue to monitor recruitment, hiring/selection, promotion, compensation, separation, and demotion, on a quarterly basis. We will promote inclusive agency practices, policies, programs enhancing our progress in establishing a diverse workforce and pipeline across all levels of our agency.

3. For FY 2017, 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.?

DOI reviews the education and work experience of the candidates and the interviewers complete interview questionnaires. The agency currently has a structured panel interviewing procedure. DOI will continue to utilize those procedures and improve upon them by creating additional standard questions for the interviews.

DOI, in the past, participated in Disability Mentoring Day in order to meet and possibly hire qualified individuals with disabilities. DOI will consult with the Mayor's Office for People with Disabilities in order to more broadly circulate our postings.

DOI will also continue to provide mentoring to new investigators to aid in their transition and acclimation to the agency, in addition to foster succession planning. Also, DOI will provide increased practical and managerial training opportunities.

4. What steps will your agency take in FY 2017 to review your positions filled through a civil service list?

- A. Detail planned actions specific to review of title specification, job description, interview procedures, and selection procedures.
- B. Discuss your current protocol for use of the interview log to identify applicants by gender and race/ethnicity.
- C. Discuss all planned steps taken to identify barriers to entry for positions and actions under consideration to address such barriers.
- 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.

DOI continues to review civil service positions to ensure that the employee's civil service titles are consistent with their job specifications.

In addition, as part of the interview process each panel interviewer completes an interview guide form in which he/she indicates the candidate's gender and race by "observation only." DOI also uses E-Hire as a comprehensive method to input and track the interview process, which includes self-identification. The EEO Officer has viewing rights in e-Hire and will regularly monitor the applicant log and pool for demographic representation.

We continue to review the quarterly CEEDS reports, which help us understand the workforce composition by race/ethnicity and gender. If certain job groups are determined to be underutilized, we will continue to expand our recruitment efforts to ensure that groups that are underrepresented are made aware of vacancies at the agency.

We will also continue our efforts to select a diverse and inclusive group of individuals and we will continue to monitor the agency's progress meeting its EEO goals. We have and will continue to broaden job outreach efforts to minority and disability related organizations.

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

The EEO Officers consults with the Human Resources unit to maintain an updated listing of sources for diverse applicants, including schools and professional associations. We continuously revise and edit our listing based upon participation from the school/organization and candidates yielded due to DOI's outreach.

During a review of our quarterly CDEEO data, we examine the demographics for newly hired employees and the way in that data has impacted the overall agency demographics. If there is any underutilization observed, then the agency makes a concerted effort to reach out to organizations and other partners to increase a diverse applicant pool for future hiring. The EEO Officer identifies underutilized demographics for open positions.

The EEO Officer reviews interview questionnaires and applicant logs. Moreover, the EEO Officer actively monitors agency job postings for diverse, qualified applicants.

6. 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.

DOI has not experienced periods of layoffs and does not anticipate doing so. While the agency analyzes the impact of terminations and demotions on DOI's demographics, the analysis does not outweigh the legitimate business/operations reason for such decision. The Commissioner and other members of the senior executive staff are abreast of the most recent demographics, as well as any shifts that should be addressed. The agency will continue to review the diversity impact of its business and operational employment decisions on a case by case basis, in consultation with the DOI General Counsel and the Law Department, if necessary.

VII. Workforce 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 or other means.

The EEO Officer will notify the staff to use NYCAPS Employee Self-Service (ESS) to report and update their self-ID information. The email notification also indicates the purpose and usefulness of such information.

2. For FY 2017, are you planning review of the CEEDS workforce composition, utilization, new hires and promotions reports presented by your EEO Officer in consultation with the Personnel Officer and your General Counsel?

Yes or No

Suggested Guidance: If there is any underutilization, the agency addresses the issue in subsequent employment actions, such as hiring and promotions. DOI actively recruits a diverse pool of candidates

through relationships with minority professional organizations, as well as diverse campus groups at local colleges and universities.

VIII. Training:

Please detail planned training for FY 2017 that relates to diversity and inclusion, career development and/or leadership training and interviewing. Please provide a list of dates (where possible) for planned EEO training for new employees during FY 2017 and the timeframe for providing EEO training to newly promoted supervisors/managers using the available computer based training. Additionally, please describe your efforts to conduct EEO training once every two years for your workforce.

Training Topic	Type of Audience (Line, HR, Managers and Supervisors, combination, etc.)	Target Number of Participants	Targeted Dates
1. Diversity and Inclusion CBT	New DOI Staff on-boarded since last given; New Hires	200; N/A	March 2017; Open
2. Executive Order 16 of 2016 training (DCAS <i>LGBT: Are You Ready for the "T"?</i> or comparable training)	All DOI public-facing managers All DOI public facing staff	20 60	March 2017; March 2018
3. EEO Training/CBT	New Hires and Staff Members	N/A	Open

IX. 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.

The agency stays abreast of the EEO policy and NYC Human Rights Law and all other applicable rules and regulations regarding reasonable accommodations for disability, religion, victims of domestic violence, sex offense and stalking, pregnancy, childbirth and pregnancy related medical conditions. The EEO staff communicates with the requestor and supervisor to assess the reasonable accommodation request to make a determination whether the accommodation is needed, and if needed, whether the accommodation would be effective, and if effective, whether providing the reasonable accommodation would impose an undue hardship on the agency.

If a requested reasonable accommodation is deemed ineffective and the employee remains unable to perform his/her essential functions, then the agency considers whether there would be an alternative and effective reasonable accommodation that would not pose an undue hardship. The EEO staff ascertains from the supervisor how the employee's situation is impacting the day-to-day function of the unit. If the reasonable accommodation request is equipment-related and supported by medical documentation and gives the employee the ability to perform his/her required tasks and the agency

can afford it, the supervisor must sign and approve the procurement requisition for the purchase of the equipment.

If the reasonable accommodation involves a request for a personnel action, such as leave, modified or part-time schedules, modified workplace, or reassignment, the Americans with Disabilities Act ("ADA") and the Family and Medical Leave Act ("FMLA") is reviewed along with the requirements of the employee's current position, the needs of the agency and the impact on the agency. Where there does not appear to be alternative accommodations or other options available to the agency, the HR Director and a member of the General Counsel's office is consulted, if they have not already been.

After all possibilities have been explored, reviewed and carefully examined by the EEO staff and possibly the supervisor, HR and Budget Director, and a member of the General Counsel's office, the employee receives a written notification of the request denial. Included in that letter is notice to the employee that he/she may file an appeal with the Commissioner.

Within ten (10) business days of the receipt of an appeal, the Commissioner or his designee, First Deputy Commissioner Lesley Brovner, reviews and evaluates the reasonableness of the employee's request, consults with the employee and EEO Officer and other representatives that the Commissioner deems necessary, and/or consults with Office of Citywide EEO or the Law Department. Within 15 business days of the receipt of the appeal, the Commissioner issues a written determination on the request for the reasonable accommodation and, if granted, the EEO Officer monitors implementation of the reasonable accommodation.

X. Audits and Corrective Measures:

The Department of Investigation is currently engaged in the NYC Equal Employment Practices Commissioner triennial audit process. No preliminary determination has been issued; nor has there been any requirement to implement corrective action.

Mark G. Peters

Print Name of Agency Head



Signature of Agency Head

February 10, 2017

Date

APPENDIX

DOI Equal Employment Opportunity (EEO) Officer

Chantal Senatus
Deputy General Counsel
80 Maiden Lane, 18th Floor
New York, NY 10038
(212) 825-5928
csenatus@doi.nyc.gov

DOI Equal Employment Opportunity Counselors

Lynette Wade
Confidential Investigator
83 Maiden Lane, 4th Floor
New York, NY 10038
(212) 825-2177
lwade@doi.nyc.gov

Alan Lefkof,
Director, Background Investigation Unit
80 Maiden Lane, 17th Floor
(212) 825-6810
alefkof@doi.nyc.gov

DOI Disabilities Rights Coordinator/55-a Coordinator/ADA Coordinator and Career Counselor

Shayvonne Nathaniel
80 Maiden Lane, 25th Floor
(212) 825-2484
snathaniel@doi.nyc.gov

DOI Disability Services Facilitator

Mark McGuigan
Executive Director, Facilities Management
80 Maiden Lane, 25th Floor
New York, NY 10038
(212) 825-5974
mcguigan@doi.nyc.gov

DOI Training Liaison

William Jorgenson
Associate Commissioner, Training and Outreach
80 Maiden Lane, 17th Floor
New York, NY 10038
(212) 825-5619
wjorgenson@doi.nyc.gov

NYC
**Equal Employment
Practices Commission**

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 00007

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

By Mail and Email

December 14, 2016

Mark G. Peters
Commissioner
NYC Department of Investigation
80 Maiden Lane 16th Floor
New York, NY 10038

Audit: Review, Evaluation and Monitoring of the ***Employment Practices and Procedures*** of the NYC Department of Investigation for the period January 1, 2014 to December 31, 2016

Dear Commissioner Perters:

As part of the Equal Employment Practices Commission's (EEPC or Commission) annual audit plan, I write to inform you of the initiation above referenced Audit.

Chapter 36, Section 831(d)(5) of the New York City Charter empowers this Commission to audit and evaluate the employment practices and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunities for women and minority employees and applicants seeking employment. Sections 831(d)(2) and 832(c) authorize this Commission to make a determination that any agency 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 it prescribes.

The EEPC's audit methodology begins with the distribution of links to electronic *Preliminary Interview Questionnaires* for select personnel involved in the administration of various aspects of an agency's employment and EEO programs (e.g. Principal EEO Professional, Principal HR Professional, and/or Disability Rights Coordinator). Each questionnaire includes a request for pertinent documents. In addition, your agency's *Annual EEO Plans, Quarterly EEO Reports*, and utilization data from the Citywide Equal Employment Database System (CEEDS) will be reviewed, if applicable. (CEEDS may be unavailable for certain non-mayoral agencies. In such cases, the EEPC will require that the agency submit similar statistics and analysis.) Follow-up requests, discussions, and interviews are conducted whenever appropriate.

After analysis of the responses, documents, records and data your agency provides, the EEPC will forward a preliminary determination containing an evaluation of the findings and required corrective action, if any, for improving your agency's employment practices, policies, and/or procedures. Implementation of corrective action(s) will be monitored.



**Equal Employment
Practices Commission**

The EEPC will contact your Principal EEO Professional for a list of personnel within 2 weeks of the date of this letter. In order to assist in making this process as brief as possible, please encourage your staff to complete the aforementioned *Preliminary Interview Questionnaires* and to return all requested items **within 14 calendar days of receiving the electronic link to these items.**

To arrange an optional *Audit Overview Conference*, where we will review the process and answer questions that may assist your agency in preparing the requested documents, contact our Administrator of Audits and Executive Services, Ms. Mohini Ramsukh, at 212-615-8939 or mramsukh@eeepc.nyc.gov upon receipt of this letter. Otherwise, we anticipate your agency's timely responses.

We look forward to working with you and your staff to assist in enhancing your agency's Employment Practices and Procedures.

Sincerely,

A handwritten signature in black ink, appearing to read "Charise L. Terry".

Charise L. Terry, PHR
Executive Director

c: Chantal Senatus, Principal EEO Professional
William B. Peterson, EEO Program Analyst