



# Local Law 101 of 2018: 2020 Workplace Climate Survey Report



**NYC**  
**DCAS**  
Citywide Administrative  
Services



## Introduction, Overview and Methodology

This report was prepared pursuant to Local Law 101 (LL101) of 2018, the Stop Sexual Harassment in NYC Act, which mandates that the Department of Citywide Administrative Services “develop a climate survey to assess the general awareness and knowledge of the City’s Equal Employment Opportunity (EEO) Policy, including but not limited to sexual harassment policies and prevention [...].”

To fulfill this mandate, the Department of Citywide Administrative Services (DCAS) conducted a citywide workplace climate survey in 2018 and administered a slightly more enhanced citywide workplace climate survey during the period from October 2020 to January 2021.<sup>1</sup> The surveys aimed to gauge employees’ awareness of their rights, responsibilities, and protections related to workplace discrimination, harassment, and retaliation, including the resources that are available to address these issues. The results also serve in the planning and development of enhanced resources, trainings, programs, and initiatives.

The 10-minute survey was conducted primarily online; however, agencies were also encouraged to offer paper surveys where necessary, to reach and engage field staff who may have limited access to computers. Participation in the survey was voluntary and anonymous. All questions about the demographic characteristics of respondents were optional and useful only assessing, in an aggregate fashion, whether groups who identified with certain characteristics availed themselves of this opportunity for input by responding to the Workplace Climate Survey.

This report outlines the results from the *2020 Workplace Climate Survey* (“2020 Survey”) and highlights changes in the key metrics since the first climate survey was issued in 2018. The survey measured changes in the following key metrics that were highlighted in the 2018 Survey which serves as a benchmark:

- employee familiarity with the EEO policy and the complaint process,
- workplace discrimination (experienced and/or witnessed), and
- supervisor/managerial knowledge of EEO policy and procedures.

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<sup>1</sup> Due to the unprecedented challenges and hardships created by the COVID-19 pandemic, the implementation of the 2020 Workplace Climate Survey was delayed from launching by July 31, 2020, the date specified in LL101.



## Survey Results, Analysis, and Key Observations

Analysis of the results indicate that the City's workforce is very aware of the City's EEO Policy, including, but not limited to, sexual harassment policies and prevention.

### Comparison of Key Metrics

- Consistent with the 2018 Survey findings, an overwhelming majority of the workforce indicated they are aware of the EEO Policy and were trained within the last two years on EEO Awareness and Diversity and Inclusion.<sup>2</sup> Specifically, the following is noteworthy:
  - o Familiarity with the EEO Policy improved by nearly 4%, from 92.4% in 2018 to 96.1% in 2020. **(Table A)**
  - o The knowledge of where and how to file an EEO complaint decreased slightly (84% in 2018 vs. 81% in 2020) **(Table B)**. The slight decrease in knowledge could be attributed to the temporary remote working conditions implemented in 2020 through part of 2021, due to the ongoing COVID-19 pandemic. This change in workplace setting temporarily reduced the visibility of agency EEO Offices.
  - o In comparison to the 2018 Survey results, employees' knowledge of what happens to an EEO complaint after it has been filed increased by nearly 8% (57.4% in 2018 vs. 65.8% in 2020) **(Table C)**. The first climate survey yielded recommendations to agencies to increase efforts in training and developing communications about what the EEO process is after filing a complaint of discrimination. Furthermore, DCAS's Office of Citywide Equity and Inclusion (OCEI) introduced a *DCAS EEO Complaint Process at a Glance* document, for agencies to circulate and publish throughout multiple channels such as agency websites and employee onboarding materials.
- Most employees continue to indicate they have not personally experienced or witnessed any form of discrimination in the workplace.<sup>3</sup>
  - o Across most of the protected categories, there were marginal changes in the percentages of the workforce who indicated not having personally experienced or witnessed any discrimination **(Table D and Table E)**.

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<sup>2</sup> In the last two years, nearly all employees have received some type of training on Sexual Harassment Prevention (96%); Diversity and Inclusion/Everybody Matters (88%); and EEO Policy and Protections (EEO Awareness) (89%).

<sup>3</sup> It should be noted that this question was modified in the *2020 Workplace Climate Survey* to update the list of protected categories, e.g., discrimination based on caregiver status, credit history, pay/salary history. While benchmark data is not available for these categories, the data from the 2020 Survey will be used to measure future changes.

- The majority of the respondents continue to indicate their workplace is safe from any EEO violations (61.5% in 2018 vs. 65.9% in 2020) **(Table F)**.
- Moreover, employees express the view that their workplace takes violations of the EEO Policy seriously and takes actions to prevent violations of the EEO Policy.
  - o Similarly, the percentage of respondents who agree that their “agency takes actions to prevent violations of the EEO policy, including discrimination or sexual harassment” improved noticeably, from 63.7% in 2018 to 71.5% in 2020 **(Table J)**.
  - o The percentage of respondents who agree that “discrimination or sexual harassment is taken seriously and investigated” in their agency increased by more than 10%, from 59.7% in 2018 to 71.1% in 2020 **(Table K)**.

## Recommendations and Action Items

The citywide Workplace Climate Survey is part of a long-term strategy to enhance the prevention of discrimination and sexual harassment, and to strengthen enforcement of the NYC EEO Policy. The positive results reveal that the combination of training employees on EEO topics, including the EEO Policy, and the complaint investigation process which contributes to reducing the overall risk of employees experiencing EEO violations. Nonetheless, agencies are recommended to continue:

- Investing in targeted initiatives and training to increase the general visibility of their agency EEO Office and provide its knowledge and resources to the workforce.
- Building transparency to enhance employee knowledge and familiarity with the EEO complaint process after filing a complaint.

In addition to recommendations made to agencies, DCAS will:

- Continue to enhance Diversity and Inclusion training offerings available to all employees, to cover additional topic areas and illustrative scenarios.
- Offer new citywide training on bystander intervention, microaggressions and workplace civility.
- Provide training to Human Resources and EEO Officers on strategies and best practices for recruiting and hiring diverse and inclusive talent.
- Continuously update existing EEO related guidance as needed and communicate the changes to agencies so they ensure updated documents are posted in a location that is accessible to all employees.
- Continue to provide the latest industry best practice guidance to agency EEO Officers.

## APPENDIX: DATA TABLES

### Response Comparison between 2018 and 2020 Workplace Climate Surveys<sup>4</sup>

**Table A**

Are you familiar with and/or have knowledge of the NYC Equal Employment Opportunity (EEO) Policy?	Citywide	
	2018 (%)	2020 (%)
No	7.6	3.9
Yes	92.4	96.1

**Table B**

Do you know how and where to file a formal complaint about a violation of the EEO Policy, such as an allegation of discrimination, including, but not limited to, sexual harassment?	Citywide	
	2018 (%)	2020 (%)
No	16.0	18.7
Yes	84.0	81.3

**Table C**

Do you know what happens to an EEO complaint after it has been filed?	Citywide	
	2018 (%)	2020 (%)
No	42.6	34.2
Yes	57.4	65.8

<sup>4</sup> N/A indicates the data is unavailable because the question was not posed in the first survey issued in 2018.

**Table D**

Have you personally <u>experienced</u> any of the following types of discrimination at your agency?	Citywide		Citywide	
	2018 Yes (%)	2020 Yes (%)	2018 No (%)	2020 No (%)
Age	10.5	7.5	89.5	92.5
Religion or creed	5.3	3.9	94.7	96.1
Disability	3.8	3.5	96.2	96.5
Gender, including sexual harassment [Previously asked separately as only “gender” in 2018]	11	6.9	89	93.1
Sexual harassment [Combined with gender in 2020]	9.6		90.4	
Sexual orientation	2.9	2.4	97.1	97.6
Veteran/military status	1.1	0.8	98.9	99.2
Predisposing genetic characteristics/Genetic Information	1.5	1.1	98.5	98.9
Prior record of arrest or conviction	0.9	0.7	99.1	99.3
Victim of domestic violence, sexual offenses, or stalking [previously “victim of domestic violence”]	1.1	1.9	98.9	98.1
Immigration or citizenship status	N/A	1.5	N/A	98.5
Caregiver status	N/A	3.1	N/A	96.9
Color	N/A	8.8	N/A	91.2
Credit history	N/A	0.9	N/A	99.1
Familial status	N/A	2.8	N/A	97.2
Gender identity	N/A	2.0	N/A	98.0
Marital status or partnership status [“marital status” and “partnership status” asked separately in 2018]	3.3	2.3	96.7	97.7
Partnership status [“marital status” and “partnership status” asked separately in 2018]	1.7		98.3	
National origin/ethnicity	N/A	8.7	N/A	91.3
Pay/salary history	N/A	10.6	N/A	89.4
Race [previously “race and ethnic”]	16.8	11.7	83.2	88.3
Sexual and reproductive health decisions	N/A	1.5	N/A	98.5
Pregnancy/childbirth/related conditions	N/A	2.2	N/A	97.8
Unemployment status	N/A	0.8	N/A	99.2

**Table E**

Have you <u>witnessed</u> any of the following types of discrimination at your agency?	Citywide		Citywide	
	2018 Yes (%)	2020 Yes (%)	2018 No (%)	2020 No (%)
Age	14.5	9.5	85.5	90.5
Religion or creed	9.1	5.3	90.9	94.7
Disability	6.8	4.9	93.2	95.1
Gender, including sexual harassment [previously asked separately as only “gender” in 2018]	13.2	8.2	86.8	91.8
Sexual harassment [Combined with gender in 2020]	14.1		85.9	
Sexual orientation	7.4	4.6	92.6	95.4
Veteran/military status	1.8	1.1	98.2	98.9
Predisposing genetic characteristics/genetic information	1.9	1.3	98.1	98.7
Prior record of arrest or conviction	2.3	1.6	97.7	98.4
Victim of domestic violence, sexual offenses, or stalking	1.8	2.4	98.2	97.6
Immigration or citizenship status	N/A	2.9	N/A	97.1
Caregiver status	N/A	3.5	N/A	96.5
Color	N/A	10.8	N/A	89.2
Credit history	N/A	0.9	N/A	99.1
Familial status	N/A	2.8	N/A	97.2
Gender identity	N/A	3.9	N/A	96.1
Marital status or partnership status [“marital status” and “partnership status” asked separately in 2018]	3.6	2.5	96.4	97.5
Partnership status [“marital status” and “partnership status” asked separately in 2018]	2.3		97.7	
National origin/ethnicity	N/A	9.2	N/A	90.8
Pay/salary history	N/A	9.9	N/A	90.1
Race [previously “race and ethnic”]	20.8	14.1	79.2	85.9
Sexual and reproductive health decisions	N/A	1.9	N/A	98.1
Pregnancy/childbirth/related conditions	N/A	3.7	N/A	96.3
Unemployment status	N/A	1.1	N/A	98.9



**Table F**

<b>Your workplace is safe and free of violations of the NYC EEO Policy, including discrimination or sexual harassment.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	18.9	11.9
Neither Agree nor Disagree (Neutral)	19.7	22.2
Strongly Agree or Agree	61.5	65.9

**Table G**

<b>Your rights are protected to pursue your duties in a respectful workplace.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	14.3	8.9
Neither Agree nor Disagree (Neutral)	15.1	17.0
Strongly Agree or Agree	70.6	74.0

**Table H**

<b>Your agency protects you from workplace discrimination and harassment.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	16.2	10.6
Neither Agree nor Disagree (Neutral)	16.6	21.3
Strongly Agree or Agree	67.3	68.1

**Table I**

<b>You are treated equally and fairly.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	20.6	14.1
Neither Agree nor Disagree (Neutral)	18.3	19.1
Strongly Agree or Agree	61.1	66.8

**Table J**

<b>Your agency takes actions to prevent violations of the EEO policy, including discrimination or sexual harassment.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	13.8	7.7
Neither Agree nor Disagree (Neutral)	22.5	20.8
Strongly Agree or Agree	63.7	71.5

**Table K**

<b>Discrimination or sexual harassment is taken seriously and investigated.</b> <i>(Previously, "Violations of EEO policy are taken seriously and investigated.")</i>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	12.9	7.2
Neither Agree nor Disagree (Neutral)	27.4	21.7
Strongly Agree or Agree	59.7	71.1

**Table L**

<b>Adequate response is provided to those employees who have experienced and submitted claims of violations of EEO policy, including discrimination or sexual harassment.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	12.0	8.2
Neither Agree nor Disagree (Neutral)	36.9	33.1
Strongly Agree or Agree	51.2	58.7

**Table M**

<b>You are protected from workplace retaliation for reporting EEO Policy violations, including discrimination or sexual harassment.</b>	<b>Citywide</b>	
	<b>2018 (%)</b>	<b>2020 (%)</b>
Strongly Disagree or Disagree	N/A	10.5
Neither Agree nor Disagree (Neutral)	N/A	22.5
Strongly Agree or Agree	N/A	67.0

**Table N**

Your agency provides support to resolve workplace issues involving discrimination or sexual harassment.	Citywide	
	2018 (%)	2020 (%)
Strongly Disagree or Disagree	N/A	8.7
Neither Agree nor Disagree (Neutral)	N/A	22.8
Strongly Agree or Agree	N/A	68.5

**Table O**

Are you a supervisor or manager?	Citywide	
	2018 (%)	2020 (%)
No	67.6	69.2
Yes	32.4	30.8

**Table P**

Are you aware of measures that an employee may take to appropriately report any violations under the EEO Policy, including discrimination and sexual harassment? [asked of supervisors and managers only]	Citywide	
	2018 (%)	2020 (%)
No	5.7	4.6
Yes	94.3	95.4

**Table Q**

Do you know to whom and where to direct an employee who wants to discuss a complaint(s) under the EEO Policy? [asked of supervisors and managers only]	Citywide	
	2018 (%)	2020 (%)
No	5.7	6.8
Yes	94.3	93.2

## Demographics [All Questions in this Section were optional.]

**Table R**

What is your age?	Citywide	
	2018 (%)	2020 (%)
25 or under	2.7	1.4
26-29	6.0	3.9
30-39	23.6	18.3
40-49	26.3	23.2
50-59	28.2	27.1
60 or older	13.2	14.4
I choose not to disclose	N/A	11.8

**Table S**

Are you Hispanic or Latino? <sup>5</sup>	Citywide	
	2018 (%)	2020 (%)
No	80.0	65.9
Yes	20.0	16.9
I choose not to disclose	N/A	17.2



**Table T**

What is your racial background?	Citywide	
	2018 (%)	2020 (%)
American Indian or Alaskan Native	0.8	0.6
Asian	9.7	8.3
Black/African-American	28.2	29.6
Native Hawaiian or other Pacific Islander	0.6	0.3
Two or more races	15.3	8
White	45.4	28.5
I choose not to disclose	N/A	24.7

**Table U**

How do you identify? [Previously: “How do you describe your gender identity?”]	Citywide	
	2018 (%)	2020 (%)
Female or woman	59.5	58.6
Male or man	38.9	31.9
Non-binary (not female/woman or male/man)	1.5	0.4
Other – A gender not listed	N/A	0.2
Transgender	0.2	N/A
I choose not to disclose	N/A	8.9

<sup>5</sup> The changes between 2018 and 2020 responses can be attributed to participating employees having the ability to self-identify; therefore, they could have selected something different in 2020 compared to 2018 (i.e. – choosing not to disclose).

**Table V**

How do you identify? [Previously: “Which of the following do you consider yourself to be?”]	Citywide	
	2018 (%)	2020 (%)
Bisexual	1.7	2.2
Heterosexual or straight	85.5	75.8
I choose not to disclose	8.3	18.1
Gay or lesbian (Asked separately in 2018)	2.1	2.8
Lesbian (Asked separately in 2018)	1.4	
Other (e.g., questioning, asexual, undecided, self-identified, etc.)	1.1	1.1

# DCAS

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