

# **Diversity, Equity, Inclusion and Equal Employment Opportunity (DEI-EEO) Plan**

**Fiscal Year 2023**

**Department of Environmental Protection**



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## I. Commitment and Accountability Statement by the Agency Head

DEP is uniquely responsible for enriching our environment and protecting the health of all New Yorkers by providing high quality drinking water, managing wastewater and storm water, and reducing air, noise, and hazardous materials pollution. Our mission depends on our success in engagement, performance and collaboration in our workforce, namely thorough benchmarks for recruiting, developing, and retaining diverse talent, and promoting an inclusive workplace. To ensure all employees are valued, encouraged to strive for excellence and experience support from leadership, Diversity, Equity, and Inclusion has been embedded into core values: safety, integrity, service, support, diversity, transparency, sustainability, and innovation. Our commitment to these values is unwavering because we know that varied perspectives allow us to generate more innovative ideas and solutions that help us serve the city better and under-score the very essence of how we do business.

As Agency Head, I will continue to partner with our Office of Equal Employment Opportunity (EEO) & Diversity to fulfill our mission by working to ensure that our workplace is free from unlawful discrimination and harassment; to disseminate timely and relevant messaging that underscores my commitment to EEO, diversity equity, and inclusion; and to share my expectation that the entire DEP workforce will work towards manifesting this commitment. Thus, DEP's EEO Officer/Assistant Commissioner for the Office of EEO & Diversity, Danielle Barrett, will serve as the primary resource for the entire DEP workforce by providing best practices and direction in addressing EEO matters and promoting Diversity, Equity, and Inclusion strategic initiatives. I will also involve the EEO Officer in critical human resources decisions, including recruitment and selection strategies, workforce projections, succession planning, promotion of training/career development opportunities, and strategic planning. Additionally, DEP's EEO Training and Compliance Manager, Tanika Thomas, will support Ms. Barrett and DEP's workforce by providing crucial training interrelated with EEO, and Diversity, Equity, and Inclusion as well as ensuring EEO Compliance with all required applicable policies, directives, and mandates as well as disseminate and post legal notices and policies as required. Their contact information will be prominently available to all employees.

DEP's Executive and Senior leaders, as well as all managers/supervisors and frontline staff, will foster a workplace culture built on equity, fairness, and respect for all. We will continue to align employment best practices with an enhanced talent pipeline, increased opportunities for employee engagement and inclusion, greater access to opportunities for career building and development, and measures for succession planning and legacy building to develop and sustain strategic initiatives. Furthermore, I will hold the top leadership of our agency, as well as 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. All agency staff must be compliant with the City's EEO Policy and the implementation of this Diversity and EEO Plan. During this Fiscal Year, the agency will also report to DCAS on the steps undertaken to comply with all legal mandates and the provisions of the various Executive Orders and laws prohibiting employment discrimination in New York City.

As we strive to achieve the greatest possible cultural diversity among our workforce, promote equity in all its aspects, and create an inclusive culture of openness, tolerance, and cooperation in our workplaces, we will also focus on growing our consciousness to examine and eliminate the structural obstacles to equal treatment. Our collective capacity for reflection and belonging is critically important as we foster recognition of diversity, equity, and inclusion as important elements of our city's rich cultural tapestry.

This statement is the same as last year.

This statement will be disseminated to all employees in the agency.

## II. Recognition and Accomplishments

In the past year, our agency accomplished the following as part of our commitment to DEI and EEO:

1. DEP's employee appreciation program, Always Creating Excellence (A.C.E.) Awards, was implemented in January 2016. The A.C.E. Awards ceremony is held quarterly to recognize individual employees and work teams in the categories of Leadership, Environmental Health & Safety, Customer Services, Innovation (Early Careers, Technology, Sustainability and Operations, Administration/Support and Engineering), and the Commissioner's Award.
2. DEP's Employee Recognition Day, held annually, recognizes individual employees for milestone for years of City Service and perfect attendance, acknowledging individual dedication to
3. DEP's Weekly Pipeline presents Kudos Corner which highlights employees committed to the agency's core values of safety, integrity, service, support, diversity, transparency, sustainability, and innovation. Many acknowledgements include heroic and life preservation acts, deeds of Good Samaritan, and Award wins in leading industries.
4. The Office of EEO & Diversity presents the Reflections on Diversity and Inclusion (RDI) series, a virtual workforce engagement series geared at facilitating further healthy dialogue across DEP on trending diversity and inclusion topics. In efforts for transparency and visible leadership buy-in, the Office of EEO & Diversity has engaged senior leadership

to participate in roundtable discussions, respond to RDI topics, and engage our workforce through RDI video messages.

### III. Workforce Review and Analysis

Please provide the total agency headcount as of 6/30/2022

**Total Headcount:** 5649 [This figure is available on the total line for your agency in the FY2022 Q4 EBEPR210 CEEDS report]

1. *In FY '23 The Office of EEO & Diversity will partner with Human Resources to issue agencywide announcements advising employee to update ESS with the most accurate information for employee information. This notification will also encourage employees to complete the self-identification form and advise employees that they have the option to add a preferred name in ESS.*

In FY 2023, 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 Employee Self Service (by email; strongly recommended every year)
  - Agency's intranet site
  - On-boarding of new employees
  - Employees unable to complete the self-identification form using ESS will be provided an opportunity to submit paper form to the EEO Office.
  - In FY 2023, the agency will inform and remind employees of the option to add preferred name in ESS.
2. *DEP continues to seek new innovative ways to promote diversity and inclusion in recruitment strategies in the civil service environment while assessing data regarding agency underutilization in various titles: Environmental Police Officer, Sewage Treatment Worker, Watershed Maintainer and Construction Laborer.*

*The Office of EEO & Diversity is currently working with Senior Advisors of the Commissioner's team to expand strategies to attract, advance and retain talent.*

**[Note:** If necessary, the agency can reach out to DCAS CEI for guidance on interpreting their underutilization reports. However, it is the agency’s responsibility to use that data to inform its recruitment plans and efforts to reduce/eliminate underutilization.]

- The agency conducts regular reviews of the CEEDS workforce reports and the summary dashboard sent to the EEO Officer by DCAS’ Citywide Equity and Inclusion (CEI) 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.

**Agency Head**

Quarterly  Semi-Annually  Annually  Other \_\_\_\_\_

**Human Resources**

Quarterly  Semi-Annually  Annually  Other \_\_\_\_\_

**General Counsel**

Quarterly  Semi-Annually  Annually  Other \_\_\_\_\_

**Other (Commissioner Senior Advisor)**

Quarterly  Semi-Annually  Annually  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).

## **iv. EEO, Diversity, Inclusion, and Equity Initiatives for FY 2023**

### **1. Goals and strategies to enhance DEI and EEO in areas of Workforce, Workplace, Community, and Race Relations.**

**❖ Workforce:**

- [Workforce goals should be directed at the composition of your workforce, recruitment, retention, promotion, and professional development.]**
- The Office of EEO & Diversity is currently working with Senior Advisors of the Commissioner’s team to expand strategies to attract, advance and retain talent.

❖ **Workplace:**

- **[Workplace goals have to do with inclusion, workplace culture, and employee activities.]**

DEP's Office of EEO&D has created a 2-year Strategic Initiatives & Training Plan based on a holistic needs assessment and restructuring model, so as to identify and prioritize its core deliverables, more efficiently engage human capital and other resources, identify areas for vendor/contractor partnerships, and set a timetable for implementing action plans/objectives.

❖ **Community:**

- **[Community goals should be directed at the external environment of your agency: the public and entities served by the agency.]**
- DEP will encourage current and recent students to consider City Government as choice employers and expose students to the civil service process to increase college applicants. DEP will educate the community on career choices at DEP and job opportunities to increase community awareness. DEP will encourage and actively seek veterans to apply and be considered for applicable positions to increase awareness and applicants. DEP will also engage people with disabilities as well as educate staff on the benefits that people with disabilities provides to increase awareness and applicants. Lastly, DEP will highlight "green" jobs, jobs in underrepresented titles, entry level positions, and EPO positions to increase awareness and applicants.
- The Office of EEO & Diversity will partner with the Mayor's Office of People with Disabilities to expand accessibility to DEP services and facilities were applicable, particularly in DEP's borough offices that service the public. This Office will also further promote awareness of the agency's Disability Service Facilitator.
- DEP will continue to identify new resources within the community, such as organizations like City Tutors, to further advance diversity and inclusion goals. DEP is scheduled to host our first Mentor/Mentee session with City Tutors. City Tutor is a great program that offers free tutoring, mentoring services, and career development services for a wide range of ages.

❖ **Equity, Inclusion and Race Relations Initiatives:**

- The Office of EEO & Diversity will develop and implement strategic goals based on the recent Climate Survey shared with the agency. The Climate Survey provided information regarding general awareness and knowledge of the EEO policy including but not limited to employee experience and knowledge of reporting matters to the EEO Office.

- The Office of EEO & Diversity is collaborating with training coordinators to enhance a training plan to ensure all employees received trainings such as Everybody Matters, LBGTQ: Power of Inclusion, and Sexual Harassment Prevention on an annually basis. While two of these training mandates call for a biennial cycle, DEP is enhancing awareness in implementing an annual cycle.

## 2. Planned Programs, Initiatives, Actions

### A. Workforce

The Commissioner's Office has established a multi-faceted workforce morale improvement plan based on a root cause analysis. Utilizing workforce data, including a recent employee morale survey, DEP has created a robust strategic plan based on 5 primary pillars through which to improve employee morale: i) *Support Work-life Balance* by ensuring all employees have flexibility to handle occasional personal issues that arise during the business day; ii) *Enhance Professional Development Opportunities* to keep and grow all employees; iii) *Promote Employee Recognition* by rewarding high performing employees; iv) *Improve Facilities* to create a more welcoming and satisfying work environment; and v) *Strengthen workplace culture* to foster respect, understanding, and belonging in the workplace.

These 5 core objectives were further mapped to strategic initiatives, evaluated based on their application to field/office/managerial personnel, and bureau sponsors/ambassadors were appointed to drive each initiative, as well as provide updates/report-outs on implementation progress.

Regarding the core pillar – *Strengthen workplace culture*, the following strategic initiatives were identified for implementation, all of which are either ongoing or planned for launch: a) rollout/deployment of combination sensitivity and cultural competency training, toolkits and other resources; b) increase workplace engagement on diversity and inclusion topics; and c) relaunch of initiatives that were previously paused because of the COVID-19 pandemic, including agency-wide conversations on crucial diversity and inclusion themes.

DEP will partner with the Commissioner on Gender Equity (CGE) to leverage resources and tools to expand recruitment, advancement, and retention strategies identified in existing gaps in practices and policies.

**[Note: Please address the specific recruitment, selection and promotion strategies, sources, and procedures in Sections V and VI, below.]**



[The actions listed below require internal agency collaboration and are not limited to the EEO Office.]

## **B. Workplace**

- DEP will advance its Reflections on Diversity and Inclusion series to create, develop, and operationalizing tools and resources identified in roundtable discussions and events.
- The Office of EEO & Diversity will work training coordinators to increase training participation with DCAS' CTC including but not limited to hiring managers, employees in public-facing roles, EEO Liaisons, and Bureau Administrators. This office will also continue to provide managers/supervisors and relevant agency personnel with the appropriate leadership competencies, across all facets of their tasks and responsibilities including.
- The Office of EEO & Diversity will explore external resources to develop and implement training for executive and senior leaders in the areas of cultural competencies and equity and inclusion.
- The Office of EEO & Diversity will explore external resources such the Mayor's Office of Equity to leverage tools to identify and address existing gaps in practices and policies.
- DEP has established two training courses, Managing for Excellence (MFE) and Supervision in Action (SIA): Mastering the Basics, for supervisors and managers. DEP is in the processing of enhancing both trainings to reflect current trends and data. These courses are geared towards reinforcing fundamental management strategies and techniques that will help motivate and inspire, create accountability, and improve morale across the agency. Each course also includes an EEO and D/I module, underscoring the value of these topics to overall leadership competencies. Based on feedback and program success measurements, DEP launched a new version of SIA training for the workforce. Previously, we offered individual training segments for various units including but not limited to Employee Support, LR&D, EEO and WPV. To further enhance the training, the presentations for these individual segments were converted to a computer-based training in conjunction with a panel of representative from the units listed above. A full day panel presentation is conducted to review real scenarios to highlight the responsibility of each unit and when necessitated collaboration.

- Promote employee involvement by supporting Employee Resource Groups (ERGs).

List below the names of existing ERGs:

1. Panel for Sustainable Infrastructure

2. Toastmasters
3. Veteran's Affair Group
4. Emerging Leaders Network

- Agency will create a Diversity Council to leverage equity and inclusion programs
- Agency Diversity Council is in existence and active
- Agency will sponsor focus groups, Town Halls and learning events on race, equity, and inclusion
- Agency will inform employees of their rights and protections under the New York City EEO Policy
- Agency will ensure that its workplaces post anti-hate or anti-discrimination posters

## C. Community

- The Office of EEO & Diversity will partner with the Mayor's Office of People with Disabilities to expand accessibility to DEP services and facilities where applicable, particularly in DEP's borough offices that service the public. This Office will also further promote awareness of the agency's Disability Service Facilitator.
- DEP will continue to identify new resources within the community, such as organizations like City Tutors, to further advance diversity and inclusion goals. DEP is scheduled to host our first Mentor/Mentee session with City Tutors. City Tutor is a great program that offers free tutoring, mentoring services, and career development services for a wide range of ages.

In FY 2023, 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
- Expand language services for the public

## V. Recruitment

### A. Recruitment Efforts

We will continue to work with ODHR to identify new apprentice programs where applicable, new career pipeline opportunities with colleges, new opportunities vis college internships with local colleges, and increase training and education for supervisors and manager in diversity trainings.

With analysis of the underutilization reports, DEP has identified a pipeline to enhance recruitment for Watershed Maintainers, a position performed in our upstate locations. The agency is proposing to hire ten (15) City Seasonal Aides at \$15.45 ph. for the **Bureau of Water Supply (BWS)** Technical Internship Program. BWS is introducing their technical internship/apprentice program in partnership with New York State Department of Labor and State University of New York at Ulster (SUNY Ulster). This will open opportunities to increase our outreach & diversity efforts, help with recruitment/retention and succession planning. The first cohort was scheduled to start June 2022, however due to constraints with the State, we are looking to onboard employees April 2023. They will take classes at SUNY Ulster to help them meet the requirement to obtain their water operator's license. SUNY Ulster's training programs satisfy the necessary requirements dictated by the NYS Department of Health for Grades A, B, C, and D Water Treatment Plant Operators, as well as the education needed to work in a Wastewater Treatment facility. SUNY Ulster is an approved training provider by the Department of Environmental Conservation.

SUNY Ulster will also provide continuing education training for certified Water/Wastewater operators. BWS will provide on-the-job training. In order to meet the education and experience requirements for the title Watershed Maintainer, this program is scheduled to run for two (2) years. Requirements for DEP to implement this program also includes a diversity plan as a core element mandated by The Federal government.

### B. Recruitment Sources

1. College Fairs encourage current and recent students to consider City Government as choice employers; expose students to the civil service process; and increase college applicants.
2. Community Job Fair educate the community on career choices at DEP and job opportunities and increase community awareness.
3. Veterans Job Fair encourage and actively seek veterans to apply and be considered for applicable positions and increase awareness and applicants.

4. CUNY LEADS for the Disable engages people with disabilities in the community as well as educate staff on the benefits that the disabled community provides. Increase awareness and applicants.

5. Specialized Recruitment Events highlight green jobs, entry level, and EPO positions. Increase awareness and applicants.

### C. Internships/Fellowships

The agency provided the following internship opportunities in FY 2022:

Type of Internship\Fellowship	Total	Race/Ethnicity *[#s] * Use self-ID data	Gender * [#s] * Use self-ID data
1. Urban Fellows		N/A	M __ F__ Non-Binary __ Other __ Unknown __
2. Public Service Corps	/A	N/A	M __ F__ Non-Binary __ Other __ Unknown __
3. Summer College Interns		<u>Asian</u> F-10 <u>M-14</u> <u>Black</u> F-10 <u>M-06</u> <u>Hispanic</u> F-03 <u>M-07</u> <u>White</u> E-12 <u>M-12</u>	M _39_ F_35_ Non-Binary __ Other __ Unknown __
4. Summer Graduate Interns		<u>Asian</u> F-2 <u>M-3</u> <u>Black</u> F-1 <u>M-1</u> <u>Hispanic</u> F-3 <u>M-1</u> <u>White</u> F-2 <u>M-2</u>	M _7_ F_7_ Non-Binary _1_ Other __ Unknown __
5. Other (Unpaid Interns): Unpaid Interns from NSF 2 <sup>nd</sup> year law students and CUNY Federal Work Study students		Asian F3 M0 Black F1 M1 Hispanic F0 M1 White	M _2_ F_4_ Non-Binary __ Other __ Unknown __

## D. 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 and pass 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.

- Presently, the agency employs   26   [number] 55-a participants.
- There are   1   [number] participants who have been in the program less than 2 years.
- In the last fiscal year, a total of   1   [number] new applications for the program were received and   1   participants left the program due to [state reasons]   Retirement  .

DEP will continue to utilize the 55-a program to help people with disabilities overcome institutional or structural barriers to accessing City employment, and to support diverse hiring. The 55-a coordinator will continue to disseminate information to the agency via email, training, post information on our weekly newsletter, and postings. We will continue to participate in career and job fairs to attract a pool of diverse 55-a applicants. The Office of EEO & D will train EEO Liaisons and provide learning sessions for the workforce.

- Agency uses mostly non-competitive titles which are not eligible for the 55-a Program.
- Agency does not use the 55-a Program and has no participating employees.

## VI. Selection (Hiring and Promotion)

[Note: This section must be prepared in consultation with the Agency Personnel Officer.]

### A. Career Counselors

As we continue to navigate these unique times, we have used existing resources to provide opportunities to in-service employees. DEP continues to routinely post job vacancies and updates on civil service exam and civil service list expiration dates. DEP will also continue to promote the Career Counseling during New hire Orientation and on DEP's intranet, The Source.

### B. New Hires and Promotions

[Describe planned actions to review and assess the current new hire and promotional procedures for selection, especially for mid- and high-level discretionary positions. Actions

may include monitoring the representativeness and fairness of the selection and appointment process, vacancy posting protocols, training of hiring managers, procedures for interviewing applicants, the role of the EEO Officer in the selection and promotion actions, the use of the NYCAPS Applicant Interview Log Report, and efforts to identify and eliminate structural barriers to employment.]

### C. EEO Role in Hiring and Selection Process

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

In FY 2023, the agency EEO Officer will do the following:

- Ensure that all vacancy announcements include the revised NYC EEO I Anti-Discrimination Statement.
- Review vacancy postings to ensure elimination of language that has the potential for gender and age stereotyping and other unlawful discrimination. (It is recommended to use gender-neutral terms and pronouns and language that is age-inclusive).
- Actively monitor agency job postings and ensure recruitment strategy aligns with the diversity goals of the agency.
- Provide consultation regarding creation/review of objective criteria for evaluating candidates for hire or promotion and applying those criteria consistently to all candidates.
- 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.
- Assist the hiring manager if a reasonable accommodation is requested during the interview.
- Observe interviews, when necessary, especially for underutilized job titles and/or mid- and high-level discretionary positions.
- Advise Human Resources to use candidate evaluation form for uniform assessment and equity.
- 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 based on available self-ID data.
- Review hiring package to evaluate that the selection process was conducted in accordance with EEO best practices.
- Other: \_\_\_\_\_

### D. Layoffs

- ☒ 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 2023.
- ☒ The agency will analyze the impact of layoffs or terminations on racial, gender, age groups, and people with disabilities.
- ☒ 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., All Staff, Front-line Employees, Managers, Supervisors, etc.)	Goal Number of Participants	Projected Dates
1. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (e-learning)	All employees – Biennially (Cycle 1 must be completed by March 31, 2023.)	5,000	Rolling launch dates and considering provide on an annual basis
2. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (classroom/live webinar)	All employees – Biennially (Cycle 1 must be completed by March 31, 2023.)	400 Field employees	Rolling launch dates and considering provide on an annual basis
3. Sexual Harassment Prevention (e-learning)	All employees – Annually (Cycle 5 runs between September 1, 2022 – August 31, 2023)	5000	Rolling launch dates
4. Sexual Harassment Prevention (classroom/live webinar)	All employees – Annually (Cycle 5 runs between September 1, 2022 – August 31, 2023)	400 Field employees	Rolling launch dates
5. IgbTq – Power of Inclusion (e-learning)	Managers, Supervisors, and Front-line employees  All other employees	5000	Rolling launch dates and considering provide on an annual basis
6. IgbTq – Power of Inclusion (classroom/live webinar)	Managers, Supervisors, and Front-line employees  All other employees	400 Field employees	Rolling launch dates and considering provide on an annual basis
7. Disability Awareness and Etiquette		200	Based on CTC catalog



8. Structured Interviewing and Unconscious Bias (classroom/live webinar)		200	Based on CTC catalog
9. Other (specify) Reasonable Accommodation	EEO Liaisons	32	September 2022 and ongoing training
10. Other (specify) 11. Complaint Investigations	EEO Liaisons	32	October 2022 and ongoing training

### VIII. Reasonable Accommodation

The agency will provide reasonable accommodations to persons with disabilities, for religious observations and practices, and for victims of domestic violence, sex offenses or stalking, and pregnancy, childbirth and related medical conditions, unless providing such accommodations will create an undue hardship. The agency's Disability Rights Coordinator, receives all requests for reasonable accommodations and in consultation with the EEO Officer, communicates directly with appropriate management regarding each request. If management is unable to accommodate the individual, the Disability Rights Coordinator consults with Human Resources and Bureau Administrators to determine alternative options including but not limited to available vacant positions for which the individual is qualified.

During this process, the Disability Rights Coordinator is in constant communication with the applicant as part of the cooperative dialogue. Usually if the agency is unable to provide the accommodation the applicant requests, the Disability Rights Coordinator in conjunction with the manager is able to find another reasonable alternative accommodation.

The appeal officer reviews any appeals of denials of reasonable accommodation requests and will render a decision on appeals within 15 days of receipt of any such appeals. The agency will continue to analyze statistics with regard to volume, trends, and speed of disposition for reasonable accommodation requests and appeals. The agency will also ensure the confidentiality of medical records submitted with reasonable accommodation requests. Such information must be collected and maintained on separate forms, and in separate medical files, apart from other personnel data. Managers and supervisors may be informed of an employee's necessary work restrictions and any accommodations required. DEP will continue to maintain a record of all reasonable accommodation requests and provide information requested by Citywide Diversity and EEO.

- 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.

- Absent of any undue hardship, 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 follows the City's Reasonable Accommodation Procedure.
- The agency grants or denies request 30 days after submission or as soon as possible.
- The Agency Head or designee must review and grant or deny an appeal fifteen (15) days after submission of appeal.
- If the review and decision on appeal is not done by the Agency Head.  
Provide the name and title of the designee<sup>1</sup> : Mitch Paluszek, Assistant Commissioner ODHR  
[succeeded by Zoe Ann Campbell, Deputy Commissioner ODHR]\_\_\_\_\_
- The designee reports directly to the Agency Head.
- The agency will input the Reasonable Accommodation activity on the DCAS Citywide Complaint and Reasonable Accommodation (CAD) Database and update the information as needed.

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<sup>1</sup> EEO Officer and General Counsel should **NOT** be appointed as agency head designee for review of appeals to reasonable accommodation decisions. Refer to the revised guidelines below. Note the conflict of interest; in the event of an external challenge to the denial of a reasonable accommodation, the agency's General Counsel would be tasked with defending the agency against a decision in which that office was a decision maker on appeal.

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

### A. 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.
- The agency will train all current employees on Sexual Harassment Prevention (Cycle 5 – September 1, 2022 – August 31, 2023) as indicated in the Section VII Training above.

### B. Local Law 97 (2018): Annual Sexual Harassment and Complaint Reporting

- The agency will ensure that sexual harassment complaints, and all other EEO complaints, are investigated and closed within 90 days.
- The agency will input sexual harassment complaint data, as well as all other types of complaints, on the DCAS Citywide Complaint and Reasonable Accommodation (CAD) Database, contemporaneously update the information, and affirm the data in a timely manner when requested by DCAS.

### C. Local Law 121 (2020): Age Discrimination Training

- The agency plans to train all new employees on Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees within 30 days of start date.
- The agency will train all current employees on Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (Cycle 1: April 1, 2021 – March 31, 2023) as indicated in the Section VII Training above.

### D. 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, this 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 managers, supervisors, and front-line employees will be re-trained every two years, no later than the third quarter of the Fiscal Year, as indicated in Section VII Training above.
- ☒ In addition, all other employees will be trained or re-trained every two years, as indicated in Section VII Training above.
- ☒ 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.

#### **E. Local Law 101 (2018): Climate Survey**

[Using the template provided in Appendix B, submit a detailed action plan that address concerns and issues raised in the 2020 Workplace Climate Survey.]

**[Note: DCAS is mandated to submit a report on Action Plans to the Mayor and the Speaker of the Council by December 31, 2022].**

The agency, in collaboration with DCAS, has conducted a climate survey in 2020 and:

- ☒ Analyzed the 2020 Climate Survey data provided by DCAS.
- ☒ Will review or has reviewed the results of the survey with agency head and senior leadership.
- ☒ Developed an action plan in consultation with agency head and senior leadership [template included in the appendix] outlining the initiatives and actions that will be adopted by the agency in response to the 2020 Workplace Climate Survey data.

## X. Audits and Corrective Measures

- The agency is NOT involved in an audit conducted by NYC EEPC or another governmental agency specific to our EEO practices.
- The agency is currently being audited or preparing responses to an audit conducted by the EEPC or \_\_\_\_\_ [another governmental agency – please specify] specific to our EEO practices. Upon forwarding our responses to the recommendations issued by the EEPC, the agency will submit to OCEI an amendment letter, which shall amend the agency plan for FY 2023 to include and implement EEPC 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] \_\_\_\_\_. [Please attach a copy of the document setting out the oversight parameters and the agency’s most recent report to the oversight agency.]
- Within the last two years the agency was involved in an audit conducted by the EEPC or \_\_\_\_\_ [another governmental agency – please specify] specific to our EEO practices.
- The agency will continue/be required to implement corrective actions during the year that this plan is in effect [please attach a copy of the audit findings.]
- The agency received a Certificate of Compliance from the auditing agency. [Please attach a copy of the Certificate of Compliance from the auditing agency.]

## XI. Agency Head Signature

[Note: Agency Head's signature and date should be provided for final submission only after the agency receives approval of the plan by DCAS.]

Rohit T. Aggarwala

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

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

06/01/2023

\_\_\_\_\_  
Date

## Appendix A: Contact Information for Agency EEO Personnel

[Please provide contact information (name, title, e-mail, telephone number and full office address) for the following EEO roles at your agency. If several roles are performed by the same individual enter only the name in further entries. Insert additional rows as needed.]

	<b>Title/Function</b>	<b>Name</b>	<b>Email</b>	<b>Telephone</b>
1.	<b>Agency EEO Officer</b> [indicate if 'Acting' or 'Interim']	Danielle Barrett	dbarrett@dep.nyc.gov	718-595-3432
2.	<b>Agency Deputy EEO Officer</b> [if appointed]			
3.	<b>Agency (Chief) Diversity &amp; Inclusion Officer</b> [if appointed]	Danielle Barrett	dbarrett@dep.nyc.gov	718-595-3432
4.	<b>Chief Diversity Officer/Chief MWBE Officer per E.O. 59</b>	Santo Cimino	scimino@dep.nyc.gov	718-595-3211
5.	<b>ADA Coordinator</b>	Tanika Thomas	tthomas@dep.nyc.gov	718-595-7592
6.	<b>Disability Rights Coordinator</b>	Tanika Thomas	tthomas@dep.nyc.gov	718-595-7592
7.	<b>Disability Services Facilitator</b>	Tanika Thomas	tthomas@dep.nyc.gov	718-595-7592
8.	<b>55-a Coordinator</b>	Sandra Rhabb-Cambell	scampbell@dep.nyc.gov	718-595-6558
9.	<b>EEO Investigator(s)</b>	Zachary Taylor Candice Sylvester Artur Pogorzelski	ztaylor@dep.nyc.gov <a href="mailto:csylvester@dep.nyc.gov">csylvester@dep.nyc.gov</a> apogorzelski@dep.nyc.gov	718-595-7301 718-595-3489 718-595-4142
10.	<b>Career Counselor(s)</b>	Abigail Tatylor	ataylor@dep.nyc.gov	718-595-5142
11.	<b>EEO Training Liaison(s)</b>	Tanika Thomas	tthomas@dep.nyc.gov	718-595-7592
12.	<b>EEO Counselor(s)</b>	Please see attachment		

# Appendix B: 2020 Climate Survey Action Plan

## 1. Target area and objective: Increase employees' familiarity with the EEO Policy.

### ➤ Planned actions, initiatives, programs, or policies:

- Example: The EEO Office will circulate quarterly agency wide email including EEO resources, including the revised EEO Policy.

The Office of EEO & D will circulate agency-wide emails including EEO resources, including the revised EEO Policy. This office will also include this information in Semi-annual trainings held bi-annually.

### ➤ Intended reach [Please include specific strategies for staff who may not have access to computers.]

- Example: All staff, including, senior executives, managers, interns, consultants, etc.

Agencywide, The Office of EEO&D will work with EEO liaisons to disseminate EEO resources, EEO policy and EEO personnel contact information. This office will also ensure that all employees receive EEO training along with EEO resources and policy on the first day of employment. This Office will also update and launch EEO Refresher Training for all employees.

Furthermore, Senior leaders will receive communication from the Commissioner and/or EEO Officer directly to advise of EEO policy and resources.

Roughly about 1/3 of our workforce who are not only spread throughout the five boroughs but also upstate, do not have computer access. As a result, the EEO Office has been working with division training liaisons for impacted staff to provide said information.

### ➤ Who will be responsible for implementing the action?

- Example: EEO Office

The Office of EEO & D.

## 2. Target area and objective: Improve the EEO Office's visibility to the workforce.

### ➤ Planned actions, initiatives, programs, or policies:

The Office of EEO& D relaunched it's EEO Liaison program for further visibility in the agency. This office will also relaunch its diversity committee.

### ➤ Intended reach [Please include specific strategies for staff who may not have access to computers.]

Agencywide, The Office of EEO&D will work with EEO liaisons to disseminate EEO resources, EEO policy and EEO personnel contact information. This office will also ensure that all employees receive EEO training along with EEO resources and policy on



the first day of employment. This Office will also update and launch EEO Refresher Training for all employees.

Roughly about 1/3 of our workforce who are not only spread throughout the five boroughs but also upstate, do not have computer access. As a result, the EEO Office has been working with division EEO liaisons for impacted staff to provide said information.

➤ **Who will be responsible for implementing the action?**

The Office of EEO&D.

**3. Target area and objective: Improve employees' knowledge of the EEO complaint process, including where and how to file a formal complaint, and what happens after a complaint is filed.**

➤ **Planned actions, initiatives, programs, or policies:**

The Office of EEO & D will circulate agency-wide emails including EEO resources, including the revised EEO Policy. This office will also include this information in Semi-annual trainings held bi-annually.

➤ **Intended reach**

Agencywide, The Office of EEO&D will work with EEO liaisons to disseminate EEO resources, EEO policy and EEO personnel contact information. This office will also ensure that all employees receive EEO training along with EEO resources and policy on the first day of employment. This Office will also update and launch EEO Refresher Training for all employees.

Roughly about 1/3 of our workforce who are not only spread throughout the five boroughs but also upstate, do not have computer access. As a result, the EEO Office has been working with division EEO liaisons for impacted staff to provide said information.

➤ **Who will be responsible for implementing the action?**

The Office of EEO&D

**4. Target area and objective: Increase employees' understanding of protected rights and prohibition of discrimination, including sexual harassment, in the workplace.**

- **Planned actions, initiatives, programs, or policies:** [Please provide detailed description of each effort. More than one initiative is encouraged to address a target goal]

The Office of EEO & D will circulate agency-wide emails including EEO resources, including the revised EEO Policy. This office will also include this information in Semi-annual trainings held bi-annually.

- **Intended reach**

Agencywide, The Office of EEO&D will work with EEO liaisons to disseminate EEO resources, EEO policy and EEO personnel contact information. This office will also ensure that all employees receive EEO training along with EEO resources and policy on the first day of employment. This Office will also update and launch EEO Refresher Training for all employees.

Roughly about 1/3 of our workforce who are not only spread throughout the five boroughs but also upstate, do not have computer access. As a result, the EEO Office has been working with division EEO liaisons for impacted staff to provide said information.

- **Who will be responsible for implementing the action?**

The Office of EEO&D

**5. Target area and objective: Improve managers' and supervisors' awareness of measures that an employee may take to report any violations under the EEO Policy, including discrimination and sexual harassment.**

- **Planned actions, initiatives, programs, or policies:**

The Office of EEO & D is working with Workforce Training & Development to enhance trainings for supervisors and managers.

- **Intended reach** [Please include specific strategies for staff who may not have access to computers.]

Agencywide, The Office of EEO&D will work with EEO liaisons to disseminate EEO resources, EEO policy and EEO personnel contact information. The Office EEO&D also provides managers and supervisors with EEO resources via Semi-Annual training materials.

- **Who will be responsible for implementing the action?** [Indicate all offices/units responsible.]

The Office of EEO&D.

**6. Target area and objective: Improve managers' and supervisors' knowledge of whom and where to direct employees who may want to discuss a complaint (s) under the EEO Policy.**

- **Planned actions, initiatives, programs, or policies:** [Please provide detailed description of each effort. More than one initiative is encouraged to address a target goal]

The Office of EEO & D is working with Workforce Training & Development to enhance trainings for supervisors and managers.

- **Intended reach** [Please include specific strategies for staff who may not have access to computers.]

Agencywide, The Office of EEO&D will work with EEO liaisons to disseminate EEO resources, EEO policy and EEO personnel contact information. The Office EEO&D also provides managers and supervisors with EEO resources via Semi-Annual training materials.

- **Who will be responsible for implementing the action?** [Indicate all offices/units responsible.]

The Office of EEO&D