



**The City of New York**  
**Financial Information Services Agency**

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MICHAEL R. BLOOMBERG, *Mayor*  
 JOHN C. LIU, *Comptroller*

December 31, 2013

Charise L. Hendricks, PHR  
 Executive Director  
 Equal Employment Practices Commission  
 253 Broadway  
 Suite 602  
 New York, NY 10007

Re: Final Determination Pursuant to the Audit of the Financial Information Services Agency (FISA) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2011 through June 30, 2013.

Dear Ms. Hendricks,

The Financial Information Services Agency has reviewed the corrective actions detailed in the Final Determination forwarded by letter dated December 19, 2013 resulting from the above-cited audit. The following presents the corrective actions, the agency response, the EEPC response, and includes updated agency management responses to the corrective actions where required.

**Corrective Action #1**

If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities; and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

**Agency Response:**

*FISA has recently increased its outreach efforts to reach out to underrepresented groups. We are in the process of adding additional groups that are included in the DCAS guide issued in September, as well as identifying other groups on our own. It should be noted that the technical nature of job openings and the lack of entry level titles will continue to impact the numbers.*

EEPC Response:

The EEPC accepts the agency's response to corrective action #1. Implementation of this corrective action will be monitored.

**Corrective Action #2**

If women, minorities, or other protected groups are underrepresented in civil service (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable.) Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

Agency Response:

*FISA has reviewed the job vacancy specifications and competencies and found them to be current. FISA plans to contact a number of the additional groups that DCAS has identified, as well as identifying other groups on our own, and will do what it can within the confines of the civil service process. It should be noted that the technical nature of job openings and the lack of entry level titles will continue to impact the numbers.*

EEPC Response:

The EEPC accepts the agency's response to corrective action #2. Implementation of this corrective action will be monitored.

**Corrective Action #3**

Ensure that the selection process avoids the appearance of bias, by delegating the responsibility for recording this information to an individual other than the hiring manager.

Agency Response:

FISA believes that the internal processes currently in place which include quarterly hiring reviews and annual reviews by Internal Audit, address this issue. Further, there is no evidence that any data has been recorded incorrectly. Given all of the circumstances, we believe it is both more practical and more effective to focus on results, as we are doing. It is unclear to us how this suggested change would improve those results.

EEPC Response:

The required corrective action is that the agency delegate the responsibility of recording and maintaining applicants'/ candidates' names, identification number, ethnicity, gender, disability or veteran status, interview date, interviewers' names, result, reason selected/not selected (or disposition) of each applicant, and recruitment source to an individual other than the hiring manager. Implementation of this corrective action will be monitored.

**Updated Agency Response:**

*FISA believes it is following the process outlined by DCAS and implemented in the NYCAPS system.*

**Corrective Action #4**

Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.

**Agency Response:**

*FISA will redistribute the identity of the Career Counselor to all employees and remind them of the services provided. In addition, this information will also reemphasize at biannual meetings with staff. We do believe however, that FISA employees who do not know the identity of the Career Counselor, do know how to obtain the name if these services are needed.*

**EEPC Response:**

The EEPC accepts the agency's response to corrective action #4. Implementation of this corrective action will be monitored.

**Corrective Action #5**

Re-distribute the identity and responsibilities of the Disability Rights Coordinator to ensure that employees are aware of this information.

**Agency Response:**

*FISA will redistribute the identity of the Disability Rights Coordinator to all employees and remind them of the services provided. In addition, this information will also reemphasized at biannual meetings with staff. We do believe, however, that FISA employees who do not know the identity of the Disability Rights Coordinator, do know how to obtain the name if these services are needed.*

**EEPC Response:**

The EEPC accepts the agency's response to corrective action #5. Implementation of this corrective action will be monitored.

**Corrective Action #6**

Establish and implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

**Agency Response:**

*FISA currently reviews managers on an ongoing basis. EEO issues are dealt with proactively and escalated quickly. FISA will institute a formal evaluation of managerial performance of EEO.*

**EEPC Response:**

The required corrective action is that the agency institute a formal annual evaluation program for managers. It is this Commission's position that every head of a city agency must establish and administer a formal performance evaluation program for managerial and non-managerial employees to be used during the probationary period and for promotions, assignments, incentives and training. Use of an annual performance evaluation system justifies an agency's actions regarding terms and conditions of employment (e.g. reasons for promotion, assignments, incentives, training and termination, etc.). Implementation of this corrective action will be monitored.

**Updated Agency Response:**

*FISA believes its managerial review process is sufficient.*

**Corrective Action #7**

Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

**Agency Response:**

*FISA currently reviews managers on an ongoing basis. EEO issues are dealt with proactively and escalated quickly. FISA will institute a formal evaluation of managerial performance of EEO.*

**EEPC Response:**

The EEPC accepts the agency's response to corrective action #7. It is this Commission's position that including an EEO rating as a component of the annual performance evaluation ensures managerial accountability and adherence to EEO policies and practices. Managers and supervisors are responsible for effectively implementing EEO-related policies and performing managerial or supervisory responsibilities in a non-discriminatory manner (i.e. making employment decisions based on merit and equal consideration and treating employees in an equitable and impartial manner). Implementation of this corrective action will be monitored

**Conclusion**

The Financial Information Services Agency has 7 corrective actions which require monitoring.

As the EEPC concludes its audit of your agency's EEO Program, Chapter 36 Section 832.c of the New York City Charter, as amended, requires: 1) the agency provides a written response within 30 days from the date of this letter and 2) the EEPC assign a 6-month compliance period to monitor your agency's efforts to eliminate remaining required corrective actions. Your agency's compliance-monitoring period is scheduled for: January 2014 to June 2014.

If you have any questions on these comments, please direct them to Richard McCarrick at (212) 857-1534.

Sincerely,

  
Rose-Ellen Myers  
First Deputy Executive Director

cc: E. Fitzpatrick  
A. Edley  
S. Spindel  
R. McCarrick