



Dwayne C. Sampson, Chair
Deanna Hoskins, Vice Chair
Robert L. Cohen, M.D.
Felipe Franco
Jacqueline Miriam Pitts
Joseph Ramos
Jacqueline Sherman
Jude Torchenaud

Jasmine Georges-Yilla
Executive Director

**BOARD OF CORRECTION
CITY OF NEW YORK**

2 LAFAYETTE STREET, SUITE 1221
NEW YORK, NY 10007
212 669-7900 (Office)

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

Fiscal Year 2024

Board of Correction



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I. Commitment and Accountability Statement by the Agency Head

On behalf of the Board of Correction, I hereby declare my commitment as the Agency Head to support and enforce the rights and protections afforded by the New York City EEO Policy, the City and State Human Rights Law, and all other relevant laws, for all employees, applicants for employment, external contractors, consultants, and agency partners, and members of the public served by our Agency.

I will strive to achieve the greatest possible diversity among our workforce, to create an inclusive culture of openness, tolerance, and cooperation in our workplaces, to promote equity in all its aspects, and to examine and eliminate the structural obstacles to equal treatment in the recruitment, selection, development, advancement, and retention of our diverse workforce reflective of our City's population.

I will involve my entire leadership team in our efforts to enhance and promote the values of equity, inclusion, and respect for all. All executives, managers and supervisors in our agency will be responsible for ensuring a safe, equitable and inclusive work environment for all our employees, and for delivering equitable, fair, and effective services to the public we serve.

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. We shall support the diversity, equity, and inclusion initiatives at the agency by observing EEO mandates and working with dedication to attain agency goals in this area. All agency staff must be compliant with the City's EEO Policy and the implementation of this Diversity and EEO Plan.

I will 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.

We will 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, and on the progress in implementing this Plan.

The Agency EEO Officer Danielle Ortega (DOrtega@boc.nyc.gov / (212) 266-4395) will serve as the primary resource for managers and supervisors by providing best practices and direction in addressing EEO issues. Their contact information will be prominently available to all employees.

During this Fiscal Year 2024, I will announce this Commitment Statement to our employees, to affirm the principles of diversity, inclusion, and equal employment opportunity, and to communicate our dedication to equity and all values that drive us toward this goal.

☒ 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. Created promotional opportunities from within the agency, encouraging the career growth of employees.
2. Provided professional development opportunities for all staff using the DCAS Citywide Training Center and other external training providers.
3. Successfully trained Board staff on mandatory training as outlined in FY2023 EEO Plan.
4. Revamped and implemented bias training for all hiring managers and staff involved in hiring. In addition to DCAS unconscious bias training, the agency hosts a hiring committee orientation for hiring managers and staff involved with hiring
5. Distributed agency EEO plan, City EEO policy, and other EEO-related policies to staff via agencywide emails and ensured materials are available to be accessed by all staff. Distributed information about civil service information sessions via agency wide emails.

III. Workforce Review and Analysis

Please provide the total agency headcount as of 6/30/2023

Total Headcount: 28

Pursuant to Local Law 27 (2023), for the period spanning July 1, 2022 to June 30, 2023, the agency has analyzed its compensation data and conducted (1) an examination of where pay disparity exists and salaries vary within the same title when compared by years of service and (2) a comparison of pay of women and racial or ethnic minority group members.

The Board of Correction follows civil service rules in terms of hiring and setting salaries based on civil service titles and collective bargaining agreements. The agency just completed a payroll review that confirmed that the Board is compensating 96% of staff (27 employees) according to collective bargaining agreements. The Board will conduct an audit for the remaining 4% of staff (1 employee).

The Board reviewed compensation data and examined the data for the existence of pay disparity and salary variations within the same title when compared by years of service. The Board limited its review to civil service titles with two or more employees serving within the title. For titles with a stated hiring and incumbent rate, pay reflects the Board's adherence to rates set within collective bargaining agreements. In these cases, employees with less than two years of active service have salaries under the incumbent rate. The starting salary for new city employees, the hiring rate, is set 8% lower than the incumbent rate in the collective bargaining agreements. Employees over and at two years of active service earn the incumbent rate, with employees with more years of active service generally earning pay comparable to their peers. These titles include Correctional Standards Review Specialists, Community Coordinators, and City Research Scientists. Other titles reflect the Board's creation of new managerial positions at the same point in time, where a group of staff varying in length of active service were promoted to a new title together. When comparing pay of women and racial or ethnic minority group members by length of service you see the same observations as comparing years of service alone.

In FY 2024, the Board will continue to review pay, active staff, and job posting salary ranges to identify where pay disparities exist and where salaries vary within the same title. The Board will identify strategies to address disparities as budgetarily feasible. On a monthly basis, the Deputy Executive Director of Administration/EEO Officer will review the Board's personnel actions (hires and separations), pending salary changes, and staff compensation data. On a quarterly basis the DED reviews the agency's workforce reports and the under-representation or over-representation of employees in specific job groups.

The Board has also gathered the required FY 2023 information below:

- Number of new full-time and part-time employees retained by such agency in FY 2023: 7 full-time and 0 part-time.
 - Number of employees promoted at such agency, their level of promotion, old and new titles, and their change in pay during FY 2023:
 - Number of employees promoted 1
 - Old civil service/ new civil service: Deputy Executive Director (Board of Correction) M3 / Deputy Executive Director (Board of Correction) M3
 - Sum of change in annual salary: \$20,000
 - Number of employees terminated by such agency and their pay at the time of termination;
 - Number of employees terminated: 0
 - Number of employees that left such agency and the pay received by such employees:
 - Number of employees separated: 2
 - Sum of separated employee annual salary: \$350,000
1. In FY 2024, 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 2024, the agency will inform and remind employees of the option to add preferred name in ESS.
2. The Board's Deputy Executive Director of Administration/EEO Officer (DED/EEO) will conduct quarterly reviews of the CEEDS workforce reports and the summary dashboard. The DED/EEO will review the material and provide the Executive Director a summary of the trends and an assessment of the reports' findings. The DED/EEO will make recommendations to address underutilization and/or areas of concern. Findings will be used to inform the agency's recruitment plans.
- The DED/EEO will review the agency's specific reports to determine changes and trends in the Board's workforce composition, salary, hires, and separations. They will use the information to make recommendations for long-term planning and short-term issue resolution.

- ☒ The agency conducts regular reviews of the CEEDS workforce reports, and the summary dashboard sent to the DED/EEO 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 (____ specify)

☐ 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 2024

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

❖ Workforce:

The Board strives to achieve the greatest possible diversity among our workforce, to create an inclusive culture of openness, tolerance, and cooperation in our workplaces, to promote equity in all its aspects, and to examine and eliminate the structural obstacles to equal treatment in the recruitment, selection, development, advancement, and retention of our diverse workforce reflective of our City's population. The DED/EEO will identify best practices around targeted recruitment, identify professional development for existing employees, and improve staff knowledge of civil service and civil service exams.

❖ Workplace:

The Board will make efforts to support the diversity, equity, and inclusion initiatives at the agency by observing EEO mandates and working with dedication to attain agency goals in this area.

❖ **Community:**

The Board will make efforts to include our community members, the public, and those served by our agency in our public meetings. The agency will undertake initiatives to promote public comment and testimony during the Board's public meetings.

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

The Board will look for opportunities to enhance equity, inclusion and race relations in our agency programs and activities. Specifically, the Board will examine and eliminate the structural obstacles to equal treatment in the recruitment, selection, development, advancement, and retention of our diverse workforce reflective of our City's population.

2. Planned Programs, Initiatives, Actions

The Board will continue to identify offerings and/or best practices aimed toward enhancement and expansion of the three foundations of Diversity and EEO strategy: Workforce, Workplace, and Community.

A. Workforce

As of the FY2023 Q4 quarterly workforce report the Board did not have job groups experiencing underutilization of women and minorities. The Board will continue to review its quarterly reports and dashboards to identify changes to its underutilization of women and minorities. In FY 2024, the DED/EEO will identify best practices around targeted recruitment, identify professional development for existing employees, and improve staff knowledge of civil service and civil service exams.

To support its workforce goals, the Board will:

- Review available workforce data for trends, changes, and areas of improvement, particularly in areas of underutilization, retention, pay and personnel actions.
- Create professional development and training paths for specific job categories with a specific focus on front line staff.
- Review hiring processes and identify areas for potential change.
- Assess agency separation and retention trends.

B. Workplace

The Board will continue its efforts to create inclusive workplace culture, enhance equity, and initiatives undertaken to address race relations in the agency. The agency will host or provide access to learning events on race, equity, and inclusion. The agency will keep staff informed of their rights and protections under the New York City EEO Policy by ensuring

EEO materials are available on the agency's SharePoint and ensuring mandatory training is provided to all staff.

In FY 2024, the agency will complete the following in support of our workplace goals:

- Support employees with recognition events and cultural months. Will work to acknowledge holidays of all cultures.
- Assess and modify agency policies and procedures.
- Facilitate feedback at all staff meetings and other venues.
- Make development and EEO materials and resources accessible to staff and ensure regular updates of central resource repository.

As budget and staffing allows, the agency encourages employee creation of resource groups, particularly in DEI.

- ☒ Promote employee involvement by supporting Employee Resource Groups (ERGs).
List below the names of existing ERGs: N/A
- ☐ 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

In FY 2024 the Board will continue to create paths to participation and community voice in the Board's public meetings. The Board already allows for public participation virtually and in-person. Members of the public are invited to attend the meeting and testify in person, or sign-up to provide virtual public comment. The public can submit written testimony via email, which the Board will make available on our website.

In FY 2024, the Board will create a pathway for members of the public to suggest questions from the public to the Department of Correction and Correctional Health Services regarding the meeting agenda topics. Questions must be on meeting agenda topics and will be separate from written comments.

In addition, the agency will do the following in FY2024:

- ☒ 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

The Board is driven to maintain a diverse and inclusive workforce. The agency starts FY 2024 in a position of having diversity in its specific job groups. The Board will use workforce and underutilization reports to inform of changes in the agency's workforce and to guide its recruitment efforts and prevent underutilization. In FY 2024, the Board will look internally to review current policies, procedures and practices related to recruitment as well as training hiring managers to ensure adherence to DEI efforts.

B. Recruitment for Civil Service Exams

In FY 2024, the Board of Correction has in use 13 civil service titles of which 10 titles are non-competitive. The three competitive titles (10050-Computer Systems Manager, 10252 – Secretary, and 13632 – Computer Specialist (Software)) are each allocated one position. Of the three positions with competitive titles, two have active staff. The Board is working to identify recruitment strategies for the single vacant competitive position.

The Board does not have any planned recruitment events for FY 2024 that will be held to promote open-competitive civil service examinations. The Board will continue to notify its staff of promotional and open-competitive civil service examinations and civil service orientation programs throughout the year.

| Event Date | Event Name | Borough |
|------------|------------|---------|
| N/A | N/A | N/A |
| | | |

List planned expenditures for FY 2024 related to recruiting candidates for open-competitive and promotion civil service exams.

| Borough | Approximate Dollar Amount (\$) |
|---------|--------------------------------|
| Bronx | N/A |

| | |
|---------------|-----|
| Brooklyn | N/A |
| Manhattan | N/A |
| Queens | N/A |
| Staten Island | N/A |

C. Recruitment Sources

During the period of FY 2023 the Board did not have major job groups experiencing underutilization of women and minorities in its overall workforce composition. In FY 2024 the Board will continue to monitor its workforce composition to ensure underutilization does not develop. To ensure the Board continues to reflect diversity in its work force, the Board will identify at least five diverse recruitment sources to use alongside the City's NYC Jobs / Applicant Tracking System portal. The Board will identify recruitment sources with the goal of securing sources that have a citywide audience that reflects the Citywide workforce distribution. The Board will recruit as feasible given vacancies and City hiring and promotion policies.

D. Internships/Fellowships

In Q1 FY 2024, the Board engaged summer interns via the Department of Youth and Community Development's (DYCD) Ladders for Leaders (L4L) and Summer Youth Employment Program (SYEP). From July 10, 2023, to August 19, 2023, the Board hosted 7 interns, 6 from Ladders for Leaders and 1 from SYEP.

The Board plans to host summer interns from the DYCD programs again in July and August 2024.

The agency provided the following internship opportunities in FY 2023:

| Type of Internship\Fellowship | Total | Race/Ethnicity *[#s] * Use self-ID data | Gender * [#s] * Use self-ID data |
|-------------------------------------|-------|--|---|
| 1. Urban Fellows | 0 | N/A | M __ F__ Non-Binary __ Other __ Unknown __ |
| 2. Public Service Corps | 0 | N/A | M __ F__ Non-Binary __ Other __ Unknown __ |
| 3. Summer College Interns | 0 | N/A | M __ F__ Non-Binary __ Other __ Unknown __ |
| 4. Summer Graduate Interns | 0 | N/A | M __ F__ Non-Binary __ Other __ Unknown __ |
| 5. Other (specify): Summer Youth | 2 | Unknown | M __ F__ Non-Binary __ Other __ Unknown __ X |

E. 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 0 [number] 55-a participants.
- There are 0 participants who have been in the program less than 2 years.
- In the last fiscal year, a total of 0 [number] new applications for the program were received and 0 participants left the program.

☒ 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)

A. Career Counselors

In FY 2024, the Board will do the following as budget allows:

- Make known the availability of civil service exams and civil service information sessions, as available.
- Identify required skills and relevant training courses by agency business title group.
- Ensure agency-wide communication of opportunities for promotion.
- Distribute professional development opportunities in agency wide communication.
- Provide regular opportunities for staff to attend external learning opportunities and professional association events, as feasible.

B. New Hires and Promotions

In FY 2024, the Board will review and assess its current new hire and promotional procedures for selection, especially for mid- and high-level positions. At present, the Board anticipates filling its vacancies, as budget allows. The Board will continue its review of its hiring committee process and ensuring employees involved in hiring are properly trained. The Board will review its separation to posting, posting to hire, and new hire orientation workflows to ensure standardization of protocols and to identify and eliminate structural barriers to employment. The review will include a look at these workflows for hiring actions that result in external and internal candidates (promotions).

The Board will ensure staff with human resources responsibilities are trained in practice and the technology used to enact hiring actions.

C. EEO Role in Hiring and Selection Process

The DED/EEO is integral to the hiring process. The DED/EEO provides guidance to hiring managers during the hiring process. The officer ensures that staff involved in hiring are trained on the use of uniform, job-related techniques (such as training on structured interviewing) and training to consider EEO laws/policies (such as training on unconscious bias, diversity, and inclusion, etc.) to identify, interview, and select the most capable candidates.

In FY 2024, 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

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?

During periods of layoffs, terminations, and demotions due to legitimate business/operational reasons, the Board of Correction will do the following:

- ☒ 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 2024.
- ☒ 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 2 must be completed by March 31, 2025.) | 25 | 2/1/24 – 3/31/24 |
| 2. Everybody Matters: EEO and Diversity & Inclusion Training for NYC Employees (classroom/live webinar) | All employees – Biennially (Cycle 2 must be completed by March 31, 2025.) | N/A | N/A |
| 3. Sexual Harassment Prevention (e-learning) | All employees – Annually (Cycle 6 runs between September 1, 2023 – August 31, 2024) | 25 | 4/1/24 - 5/30/24 |
| 4. Sexual Harassment Prevention (classroom/live webinar) | All employees – Annually (Cycle 6 runs between September 1, 2023 – August 31, 2024) | N/A | N/A |
| 5. IgbTq – Power of Inclusion (e-learning) | Managers, Supervisors, and Front-line employees (must be completed by March 31, 2024) All other employees | 25 | 12/1/23- 1/31/24 |
| 6. IgbTq – Power of Inclusion (classroom/live webinar) | Managers, Supervisors, and Front-line employees (must be completed by March 31, 2024) All other employees | N/A | N/A |
| 7. Disability Awareness and Etiquette | | 25 | 6/1/24 – 6/30/24 |
| 8. Structured Interviewing and Unconscious Bias (classroom/live webinar) | | 15 | 11/1/23 – 1/31/24 |

VIII. Reasonable Accommodation

The Board will conduct the following practices for analyzing statistics regarding volume, trends, and speed of disposition of EEO complaints and reasonable accommodation requests and appeals:

- ☒ 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 designee¹ : _____
- ☐ 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.

¹ 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 6 – September 1, 2023 – August 31, 2024) 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 2: April 1, 2023 – March 31, 2025) as indicated in the Section VII Training above.

D. Local Law 27 (2023): Access to Workplace Facilities

- ☒ Employees have access to gender appropriate bathrooms and lactation rooms.
- ☒ Employees are provided with information on how to request workplace accommodations and has access to respective facilities, including access for individuals with disabilities.

Local Law 27 requires listing a summary of schedule and workplace accommodations that are provided by our agency. The Board has provided the following accommodations to our workforce in FY2023:

- ☐ Reassignment
- ☐ Modification of Work Schedule
- ☐ Flexible leave
- ☒ Modification or Purchase of Furniture and Equipment
- ☒ Modification of Workplace Practice, Policy and/or Procedure
- ☒ Grooming/Attire

E. Local Law 27 (2023): Diversity and Inclusion Training for FY 2024

- ☒ List of diversity and inclusion training for FY 2024 is included in section VII of this annual plan.

F. 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 current Cycle 4 runs from April 1, 2022, to March 31, 2024.

- ☒ 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.

X. Audits and Corrective Measures

In January 2023, the New York City Equal Employment Practices Commission (EEPC) initiated a review, evaluation, and monitoring of the Board's employment practices with a focus on underutilization for the audit period spanning July 1, 2020 to December 31, 2022. As part of its Final Determination, EEPC has assigned a compliance monitoring period of October 1, 2023 to January 31, 2024, during which the Board will address its remaining corrective action. A copy of the audit findings is attached (see Attachment A).

The following actions have occurred:

- ☐ 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] 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 2024 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.
- ☒ Within the last two years the agency was involved in an audit conducted by the EEPC or another government agency specific to our EEO practices.
- ☒ The agency will continue/be required to implement corrective actions during the year that this plan is in effect.
- ☒ The agency received a Certificate of Compliance from the auditing agency.

XI. Agency Head Signature

Jasmine Georges-Yilla
Print Name of Agency Head

Jasmine Georges-Yilla
Signature of Agency Head

May 20, 2024
Date

Appendix A: Contact Information for Agency EEO Personnel

Agency EEO Office mailing address:

| | Title/Function | Name | Email | Telephone |
|-----|---|-----------------|--|----------------|
| 1. | Agency EEO Officer | Danielle Ortega | DOrtega@boc.nyc.gov | (212) 266-4395 |
| 2. | Agency Deputy EEO Officer | | | |
| 3. | Agency (Chief) Diversity & Inclusion Officer | Danielle Ortega | | |
| 4. | Chief Diversity Officer/Chief MWBE Officer per E.O. 59 | Danielle Ortega | | |
| 5. | ADA Coordinator | Danielle Ortega | | |
| 6. | Disability Rights Coordinator | Danielle Ortega | | |
| 7. | Disability Services Facilitator | Danielle Ortega | | |
| 8. | 55-a Coordinator | Danielle Ortega | | |
| 9. | EEO Investigator(s) | | | |
| 10. | Career Counselor(s) | Danielle Ortega | | |
| 11. | EEO Training Liaison(s) | Danielle Ortega | | |
| 12. | EEO Counselor(s) | | | |
| 13. | Other (specify) | | | |

Appendix B: Local Law 28 (2023) – Diverse Recruitment and Retention

Agency Name: Board of Correction

Local Law 28 of (2023) is a Local Law to amend the New York City charter and the administrative code of the City of New York, in relation to the evaluation and expansion of diverse recruitment and retention within the municipal government.

Pursuant to Local Law 28 (2023), each agency shall collect and submit the following information for the prior fiscal year to the Department of Citywide Administrative Services by **August 31, 2023**, and annually thereafter.

The Board of Correction presently uses 13 civil service titles of which 10 are non-competitive. The three competitive titles (10050-Computer Systems Manager, 10252 – Secretary, and 13632 – Computer Specialist (Software) are each allocated one position. The agency does not conduct training programs for its competitive titles, see table below.

| N/A | Totals |
|---|---------------|
| # of applicants enrolled in such program | N/A |
| # of applicants who completed the program | N/A |
| # of applicants who passed and graduated from the program | N/A |
| # of applicants who passed but did not graduate from the program | N/A |
| # of applicants who did not pass or graduate from the program | N/A |
| # of applicants who accepted any appointment offered based on graduation from the program | N/A |

The agency did not have expenditures related to recruiting candidates for open-competitive civil service examinations and promotion civil service examinations in FY 2023. The agency notified employees of upcoming “Civil Service 101” sessions by email.

| Borough | Approximate Dollar Amount Spent (\$) |
|----------------|---|
| Bronx | \$0 |
| Brooklyn | \$0 |
| Manhattan | \$0 |
| Queens | \$0 |
| Staten Island | \$0 |

The Board did not host or attend recruiting events to promote open-competitive civil service examinations in FY2023. The Board did not have any vacant positions w/ competitive titles in FY2023.

| Event Date | Event Name | Borough |
|-------------------|-------------------|----------------|
| | | |
| | | |

The Board did not develop any preparatory materials for applicants or potential applicants for open-competitive civil service examinations or promotion civil service examinations. The Board did not have applicable vacancies in FY 2023.



Aldrin Rafael Bonilla
Chair/Commissioner

Elaine S. Reiss, Esq.
Vice-Chair/Commissioner

Minosca Alcantara, Ed.D.
Ngozi Okaro, Esq.
Nicole Yearwood, MPA
Commissioners

Jeanne M. Victor
Executive Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676. 2724 fax

BY EMAIL

November 2, 2023

Jasmine Georges-Yilla
Executive Director
Board of Correction
2 Lafayette, Suite 1221
New York, NY 10007

Re: Resolution #2023AP/269-073-(2023)C43
DETERMINATION: Compliance

Dear Executive Director Georges-Yilla:

On behalf of the members of the Equal Employment Practices Commission (EEPC), I write to inform you that pursuant to New York City Charter Chapter 36, Section 832(c), the EEPC's Board of Commissioners has approved the attached *Determination of Compliance*.

As you are aware, the EEPC is required to audit, evaluate, and monitor your agency at least once every four (4) years to ensure the Board of Correction's compliance with federal, state, and local laws and regulations, best practices, and policies and procedures that increase equal employment opportunity for minority and women employees and applicants. The Board of Correction's successful completion of the EEPC's *Employment Practices Audit (Focus on Underutilization)* demonstrates its commitment to implementing employment policies and practices that encourage and maintain a workplace free from unlawful discrimination and promote equality of opportunity.

Thank you and Principal EEO Professional Danielle Ortega for the cooperation extended to the EEPC during the course of our audit of your agency's employment and EEO-related practices. We look forward to working with you and the Board of Correction to ensure equal employment opportunity in the City of New York.

Sincerely,

A handwritten signature in blue ink, appearing to read "Aldrin Rafael Bonilla".

Aldrin Rafael Bonilla
Chair/Commissioner

Enc.

c: Danielle Ortega, Principal EEO Professional, BOC

Monitoring of Employment Practices with a Focus on Underutilization

RESOLUTION NO.

2023AP/269-073-(2023)C43

Board of Correction

Executive Director Jasmine Georges-Yilla

DETERMINATION: COMPLIANCE

SYNOPSIS

| | | | |
|--|-----------------------------------|--|--------------------|
| Corrective Action(s): | Total: 9 | | |
| Period Audit Covered: | July 1, 2020 to December 31, 2022 | | |
| Preliminary Determination Issued: | August 4, 2023 | Response Received | August 25, 2023 |
| Final Determination Issued: | September 7, 2023 | Response Received | September 25, 2023 |
| Compliance-Monitoring: | Required | October 1, 2023 to January 31, 2024 without extension | |

Whereas, pursuant to Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter), the Equal Employment Practices Commission (EEPC) is authorized to audit, review, evaluate, and monitor the employment procedures, practices and programs of city agencies and other municipal entities (hereinafter “entities”) and their efforts to ensure fair and effective equal employment opportunity (EEO) for minority group members and women who are employed or seek employment, and to recommend practices, procedures, approaches, measures, standards, and programs to be utilized by such entities in these efforts; and

Whereas, pursuant to Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5), the EEPC has adopted uniform standards for auditing agencies and municipal entities, and minimum standards for auditing community boards, to review, evaluate, and monitor entities’ practices, procedures, approaches, measures, standards, and programs for compliance with federal, state, and local laws and regulations, and policies and procedures to increase equal opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the EEPC may make a determination pursuant to Charter Section 831(d) whether any plan, program, procedure, approach, measure, or standard adopted or utilized by any municipal entity does not provide equal employment opportunity, and the EEPC’s determinations of compliance or non-compliance and prescribed corrective action are required by, or consistent with federal, state, and local laws and regulations, and policies and procedures to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, the EEPC conducted an audit, review, and evaluation of the Board of Correction’s Employment Practices with a Focus on Underutilization; and

Whereas, pursuant to the audit, review, and evaluation of the Board of Correction’s Employment Practices with a Focus on Underutilization, the EEPC issued a Preliminary Determination, dated August 4, 2023, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

1. Issue and distribute an annual EEO commitment/policy statement from the Agency Head, which includes the entity's commitment to EEO and the names and contact information of the entity's EEO professionals. Ensure all links to the policy, procedures, and related forms are operable and that all documents are current.
2. Distribute and/or post a paper or electronic copy of the City of New York Equal Employment Opportunity Policy – or an entity-specific EEO policy, which conforms to city, state, and federal EEO laws and includes: current contact information for the entity's EEO Professionals and federal, state, and local agencies that enforce laws against discrimination; uniform procedures for investigating discrimination complaints and providing reasonable accommodations; and a current list of protected classes under City and State Human Rights Laws. If posted (electronic or hard copy), ensure employees are annually informed of the location of the document(s). Ensure all links to the policy, procedures, and related forms are operable and that all documents are current.
3. Submit to the EEPC an annual entity-specific equal employment opportunity (EEO) plan, which includes a training plan, and quarterly reports on efforts to implement the plan, within 30 days following each quarter. Include a breakout of complaint activity, or affirmation of no complaints, for each quarterly report.
4. Establish and implement an EEO training plan for new and existing employees, which includes all legally required training, to ensure that all individuals who work within the entity, including managers and supervisors, receive all mandatory training, as set forth in the plan, on unlawful discriminatory practices under local, state, and federal EEO laws; EEO rights and responsibilities; discrimination complaint investigation procedures, annual sexual harassment training, biennial LGBTQ training, and biennial age discrimination training.
5. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained on the use of uniform, job-related techniques (such as training on structured interviewing) and trained to consider EEO laws/policies (such as training on unconscious bias, diversity, and inclusion, etc.) to identify, interview, and select the most capable candidates.
6. Annually inform employees of the Disability Rights Coordinator's identify and contact information.
7. Distribute and/or post a paper or electronic copy of a reasonable accommodation process, which requires: engaging in a cooperative dialogue, issuing a written notice of any decision granting, or denying an accommodation, providing the right to file an appeal of the decision, and issuing timely written determinations on appeals. If posted (electronic or hard copy), ensure employees are annually informed of the location of the document(s).
8. Ensure that the principal EEO Professional, principal Human Resources professional (or designee), and Agency Head review the entity's statistical information (e.g. workforce, hires, promotions, and separations by race/ethnicity/and gender), as part of the entity's employment practices and policies on annual basis to identify whether there are barriers to equal employment opportunities and determine what, if any, actions are required to correct deficiencies (e.g. underutilization or adverse impact). Document the data reviewed, barriers identified (if any), and the entity's strategy to address each barrier.

9. Designate and ensure that an EEO or human resources professional (may be referred to as the Career Counselor) is trained to be knowledgeable and familiar with career opportunities in City government and provide career counseling to employees upon request. Document this professional's duties to advise employees of opportunities for promotion and career advancement. Remind employees of the identity/type of guidance available from the Career Counselor at least annually.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity submitted a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on September 7, 2023, which indicated that the following areas required corrective action: no(s). 5 and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from October 1, 2023 to January 31, 2024, to determine whether the entity eliminated areas of non-compliance, if any; and

Whereas, in accordance with Charter Chapter 36, Section 832(c) the entity was required to respond in 30 days, and make monthly reports thereafter for a period not to exceed six months, on the progress of its efforts to correct outstanding areas of non-compliance; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), on September 25, 2023, the entity issued a response to the EEPC's Final Determination; and

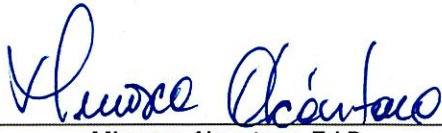
Whereas, in accordance with Charter Chapter 36, Section 832(c), the Board of Correction was monitored until October 25, 2023; and

Whereas, pursuant to Charter Chapter 35, Sections 815(a)(15) and (19), which requires agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women, the Executive Director recognized the EEPC's audit and reiterated commitment to the Board of Correction's equal employment practices. **Now Therefore**,

Be It Resolved, that the Board of Correction has satisfied the equal employment standards set by the EEPC pursuant to its authority under New York City Charter Chapters 35 and 36; and

Be It Resolved, that the EEPC's Board of Commissioners approves the issuance of this Determination of Compliance to Executive Director Jasmine Georges-Yilla of the Board of Correction.

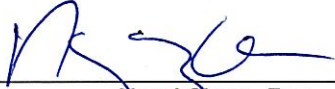
Approved unanimously on November 2, 2023.



Minosca Alcantara, Ed.D.
Commissioner/Mayoral Appointee



Elaine S. Reiss, Esq.
Vice-Chair/Commissioner/Mayoral Appointee



Ngozi Okaro, Esq.
Commissioner/City Council Appointee



Nicole Yearwood, MPA
Commissioner/City Council Appointee



Aldrin Rafael Bonilla
Chair/Commissioner/Joint Appointee

This

Determination of Compliance

is hereby issued to

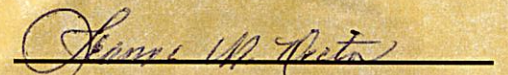
Board of Correction

*For successful implementation of 9 of 9 required corrective action(s),
thereby achieving compliance with the Equal Employment Practices Commission's
Evaluation of Employment Practices with a Focus on Underutilization
from July 1, 2020 to this date.*

On this 2nd day of November in the year 2023,



Aldrin Rafael Bonilla, Chair/Commissioner



Jeanne M. Victor, Executive Director

*In care of Executive Director Jasmine Georges-Yilla
and Principal EEO Professional Danielle Ortega*