



**Equal Employment  
Practices Commission**

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By E-mail and Mail  
July 29, 2015

Carl Weisbrod  
Director  
Department of City Planning  
22 Reade Street  
New York, NY 10007-1216

Re: Audit Preliminary Determination: Review, Evaluation and Monitoring of the Department of City Planning's Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

Dear Director Weisbrod:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you and your agency for the cooperation extended to our staff during the course of this audit. This letter contains the Commission's findings and preliminary determinations pursuant to our audit and analysis of your agency's employment practices and procedures for the period covering January 1, 2012 to December 31, 2014.

The New York City Charter, Chapter 36, Section 831(d)(5), empowers this Commission to audit and evaluate city agencies' employment practices, programs, policies and procedures, and their efforts to ensure fair and effective equal employment opportunity for employees and applicants seeking employment with city agencies. Section 831(d)(2) provides that this Commission may, pursuant to an audit, make a preliminary determination that any plan, program or procedure utilized by any city agency does not provide equal employment opportunity and recommend all necessary and appropriate procedures, approaches, measures, standards and programs to be utilized by agencies in these efforts.

The Department of City Planning, which may herein be referred to as "the agency," falls within the Commission's purview under Chapter 36, Section 831(a) of the New York City Charter, which delineates city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau,



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corporation, authority, or other agency of government where the majority of the board members of such agency are appointed by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury..."

The purpose of this audit and analysis is to evaluate the agency's employment practices and procedures. This Commission has adopted *Uniform Standards for EEPC Audits*<sup>1</sup> and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. These standards are founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; the New York City Human Rights Law (NYC Administrative Code, §§8-107(1)(a) and (d), 8-107.13, and 8-107.1; the New York State Civil Service Law §55-a; the Equal Employment Opportunity Commission's Instructions to Federal Agencies for EEO, Management Directive 715; the Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7), the Americans with Disabilities Act and its Accessibility Guidelines, and the equal employment opportunity requirements of the New York City Charter. Prescribed corrective actions are consistent with the aforementioned parameters. This Commission does not issue findings of discrimination pursuant to the New York City Human Rights Law.

Since this Commission is empowered to review and recommend actions which each agency should consider including in its annual plan of measures and programs to provide equal employment opportunity (Annual EEO Plan), the audited agency should incorporate required corrective actions in its current EEO Program and prospective Annual EEO Plans.

### **Scope and Methodology**

This Commission's audit methodology includes collection and analysis of the documents, records and data the agency provides in response to the *EEPC Document and Information Request Form*; responses to the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, review of the agency's *Annual EEO Plans* and *Quarterly EEO Reports* and analysis of workforce and utilization data from the *Citywide Equal Employment Database System* (CEEDS).

This Commission reviews data from CEEDS to understand the concentrations of race and gender groups within an agency's workforce. EEO Program Analysts examine imbalances between the number of employees in a particular job category and the number that would reasonably be expected when compared to their availability in the relevant labor market. Personnel transactions are reviewed in order to ascertain the agency's employment practices. Where underutilization is revealed within an agency's workforce, EEO Program Analysts assess whether the agency has undertaken reasonable measures to address it.

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<sup>1</sup> Corresponding audit/analysis standards are numbered throughout the document.



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EEO professionals (including, but not limited to, past or current EEO Officers, Deputy or Co-EEO Officers, EEO Counselors, EEO Trainers, EEO Investigators, Disability Rights Coordinators, Career Counselors, 55-a Program Coordinators) and others involved in EEO program administration such as the Principal Human Resources Professional are given a two-week deadline to complete their individual questionnaires and return any items requested. The Commission's EEO Program Analysts also conduct additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

**Description of the Agency**

The Department of City Planning (DCP) plans for the strategic growth and development of the City through ground-up planning with communities, the development of land use policies and zoning regulations applicable citywide, and its contribution to the preparation of the City's 10-year Capital Strategy. DCP promotes housing production and affordability, fosters economic development and coordinated investments in infrastructure and services, and supports resilient, sustainable communities across the five boroughs for a more equitable New York City.

**PRELIMINARY DETERMINATIONS AFTER AUDIT AND ANALYSIS**

Following are the corresponding audit standards for each subject area along with the EEPC's findings and required corrective actions, where appropriate:

**I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES:**

**Determination:** The agency is in compliance with the standards for this subject area.

1. Issue a general EEO Policy statement or memo reiterating commitment to EEO, declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information of EEO professionals, and attaching, or providing employees pertinent electronic links to, an EEO Policy/Handbook.
- ✓ The agency head issued a general Equal Employment Opportunity Policy statement reiterating commitment to EEO declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information of EEO professionals, and providing employees pertinent electronic links to, an EEO Policy/Handbook. The EEO Policy statement was posted and updated as needed on the agency's intranet. New employees were advised of the EEO policies and procedures at the New Employee Trainings and also received the information in their new employee materials.
2. Distribute/Post a paper or electronic copy of the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies* – or an agency EEO Policy that conforms to city, state and federal laws – for use by managers, supervisors, and legal, human resources and EEO professionals. Include, or attach as addenda: a policy against



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sexual harassment; uniform and responsive procedures for investigating discrimination complaints and providing reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the agency's EEO professionals, as well as federal, state and local agencies that enforce laws against discrimination.

- ✓ The agency posted on its intranet an electronic copy of the *Equal Employment Opportunity Policy: Standards and Procedures to Be Utilized by City Agencies and About EEO: What You May Not Know*, that conform to city, state and federal laws – for use by managers, supervisors, and legal, human resources and EEO professionals. It included as addenda: a policy against sexual harassment; uniform and responsive procedures for investigating discrimination complaints and providing reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for federal, state and local agencies that enforce laws against discrimination. The agency posted its Equal Employment Opportunity Policy Statement which provided current contact information for the agency's EEO professionals, on the intranet.

**II. EEO TRAINING FOR AGENCY:**

**Determination:** The agency is in non-compliance with the standards for this subject area.

3. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
- ✓ Managers and EEO Professionals attended *Everybody Matters* diversity training in April and June 2013. In 4<sup>th</sup> Quarter FY 2014, the agency randomly enrolled managers and selected staff in computer-based training (CBT) called *MicroTriggers* offered by the New York City Department of Citywide Administrative Service (DCAS), Office of Citywide Diversity and EEO. *MicroTriggers* training looks at the positive and negative ways that subtle behavior makes an impact and offers an opportunity to make conscious choices regarding behaviors and reactions to the behaviors of others.
  - The agency did not provide documentation that it established and implemented an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.  
Corrective Action Required.



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**Corrective Action #1:** Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.

**III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion):**

**Determination:** The agency is in partial compliance with the standards for this subject area.

4. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
- ✓ The agency assessed its recruitment efforts by reviewing the number of Masters' students, by race and ethnic composition, in select Planning schools in or near the New York City in 2012-2013.
  - The agency did not identify whether its recruitment efforts adversely impact any particular group. **Corrective Action Required.**

**Corrective Action #2:** Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

5. The principal EEO Professional, HR Professional, and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions; and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.



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✓ During July 2014 (1<sup>st</sup> Quarter, FY2015) the agency's principal EEO Professional briefed Senior Staff via a presentation on workforce diversity. This was done in advance of a hiring initiative. The presentation included a series of charts which examined the *New York City Total Pop 16+ and Over By Race/Hispanic Origin; DCP: Total FY 2014 4th Q Workforce; DCP: City Planner Staff Titles; DCP: Administrator and Managerial Titles; and Selected Planning Schools in or near New York City: Masters Student (US Citizens) Race/Ethnic Composition in 2012-2013.*

6. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group during the audit period. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

➤ The agency did not assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group during the audit period. In addition, data from the *2nd Quarter, 2015 CEEDS Report- Work Force Compared with Internal and External Pools* (the last quarter of the audit period) indicates underutilization of protected classes in six job groups. **Corrective Action Required.**

**Corrective Action #3:** Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

7. 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.

➤ The *2nd Quarter, 2015 CEEDS Report - Work Force Compared with Internal and External Pools* (the last quarter of the audit period) indicates underutilization of protected classes in six job groups which may include discretionary titles (see appendix 1). **Corrective Action Required.**

**Corrective Action #4:** 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.



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8. 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.

- The 2nd Quarter, 2015 *CEEDS Report - Work Force Compared with Internal and External Pools* (the last quarter of the audit period) indicates underutilization of protected classes in six job groups which may include *civil service* titles (see appendix 1). **Corrective Action Required.**

**Corrective Action #5:** 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.

9. Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).

- The agency did not ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide). **Corrective Action Required.**

**Corrective Action #6:** Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).



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10. Promote employees' awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.

- ✓ The agency established a plan intended to help supervisors guide employees in discussions about career development and identify learning and development opportunities that will help employees achieve their career goals. The agency's Career Counselor and Learning and Development Officer were available to assist supervisors to have these discussions with their employees and provide support as necessary.

11. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.

- ✓ Copies of job advertisements included the statement, "The Department of City Planning is an Equal Opportunity Employer".

12. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position, 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*. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.

- ✓ The agency used and maintained an *Interviewed Candidates* log and Memoranda which included the *applicants'/candidates' position, applicants'/candidates' names, perceived ethnicity, perceived gender, and results*.

- The agency's applicant/candidate log or tracking system did not include information such as *disability or veteran status, interview date, interviewers' names, reason selected/not selected (or disposition)* of each applicant, and *recruitment source*.  
**Corrective Action Required.**

**Corrective Action #7:** Use and maintain an applicant/candidate log or tracking system which, at minimum, includes in addition to the above, *disability or veteran status, interview date, interviewers' names, reason selected/not selected (or disposition)* of each applicant, and recruitment source.

NOTE: An Applicant number may be used in lieu of the applicant's/ candidate's name.

**IV. CAREER COUNSELING:**

**Determination:** The agency is in non-compliance with the standards for this subject area.

13. Designate a professional (may be referred to as the Career Counselor) with appropriate training, knowledge and familiarity with career opportunities in City government to





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provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

- ✓ The agency's Annual EEO Plan FY2015 indicated the name of the designated Career Counselor.
  - The agency did not provide documentation that employees were reminded annually of the identity/type of guidance available from the Career Counselor. Corrective Action Required.

Corrective Action #8: Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.

14. The Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; and informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.

- ✓ The agency ensured that all employees had access to information regarding performance evaluation standards.
  - The agency did not provide documentation that the Human Resources Professional distributed the identity of the agency Career Counselor and ensured that all employees had access to information regarding job responsibilities, examinations, training opportunities and job postings; informed the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities. Corrective Action Required.

Corrective Action #9: Ensure and maintain documentation that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.



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**V. EEO AND REASONABLE ACCOMMODATIONS FOR EMPLOYEES/  
APPLICANTS FOR EMPLOYMENT WITH DISABILITIES:**

**Determination:** The agency is in partial-compliance with the standards for this subject area.

15. Ensure that information regarding employee rights and obligations, and the complaint, investigation and reasonable accommodation procedures is made available in appropriate alternative formats (i.e., large print, audio tape and/or Braille) upon request to employees and applicants for employment with disabilities.

NOTE: The agency reported that no requests for alternative formats were made during the audit period; no further analysis was conducted in this area.

16. Document reasonable accommodation requests and their outcomes.

NOTE: The agency reported that no requests for reasonable accommodations were made during the audit period; no further analysis was conducted in this area.

**VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:**

**Determination:** The agency is in partial-compliance with the standards for this subject area.

17. Appoint a principal EEO Professional to implement EEO policies and standards within the agency. The principal EEO Professional is trained and knowledgeable regarding city, federal and state EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.

- ✓ The agency appointed a Pre-Certification Manager as the principal EEO Professional in January 2003, who currently maintains this designation. The principal EEO Professional completed training and received Certificates of Completion in *Influence Skills for EEO Officers* (2010), *Citywide Diversity and Equal Employment Opportunity Computer Based Training* (2011), and *Everybody Matters, Diversity & Inclusion Computer Based Training* (2014). The principal EEO Professional also attended *Basic Mediation Skills for EEO Professionals* (2011) offered by the Administrative Judicial Institute at OATH and *Preparing for Layoffs and Conducting Adverse Impact Analysis* workshop (2011) offered by the New York City Law Department and DCAS.

18. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

- ✓ The principal EEO Professional received the assistance of two co-EEO Officers in handling responsibilities. The agency's Quarterly Reports indicated that one EEO co-Officer attended *Everyone Matters* diversity training for EEO Officers (April 2013); the other EEO co-Officer attended *Everyone Matters* diversity training session for managers (June



2013) and *EEOC ADA Reasonable Accommodation Training* at the Equal Employment Opportunity Commission offices (May 2013). In addition, the agency's 55-a Coordinator attended the Webinar "*Improving the Employment Outlook for People With Disabilities*" at DCAS Training Center (April 2013).

- The agency did not provide documentation of the aforementioned training for EEO Professionals. Corrective Action Required.

Corrective Action #10: Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

19. The principal EEO Professional reports directly to the agency head (or an approved direct report other than the General Counsel) in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities.

- ✓ The agency's Annual EEO Plan of the Fiscal Year 2012 indicated a direct reporting relationship between the principal EEO Professional and agency head.

- The aforementioned reporting relationship was not indicated in the agency's organizational chart. Corrective Action Required.

Corrective Action #11: Indicate the reporting relationship between the principal EEO Professional and agency head (or a direct report other than the General Counsel) in the agency's organizational chart, EEO Policy and Annual EEO Plan.

20. To ensure the integrity and continuity of the EEO Program, maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

- The agency did not provide documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program. Corrective Action Required.

Corrective Action #12: Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.



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**VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION – SUPERVISORS/MANAGERS:**

Determination: The agency is in partial-compliance with the standards for this subject area.

21. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.
- ✓ The agency established and administered an electronic *Performance Management Process (PMP)* for managerial/non-managerial performance evaluations. Information regarding the process, timeline, and the new PMP managerial/non-managerial performance evaluation forms were posted on the agency's intranet. The agency provided a sample of the completed managerial/non-managerial *Performance Evaluations* for calendar year 2014. Managerial evaluations were administered using the PMP for Managerial Titles Form.
22. 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).
- ✓ Section 9 of the PMP for Managerial Titles included an EEO component which communicated the expectation that each manager, *"Assures that staff is appropriately and efficiently utilized, and dealt with in a fair and equitable manner consistent with EEO guidelines."* Ratable behaviors or actions were defined as *"including, but not limited to, the following: Defines/ clarifies expectations, tasks, and standards for staff and others as required; provides ongoing, effective and support to staff to optimize performance and achieve desired results; and annually evaluates staff performance according to the agency guidelines and standards (including consistently conducting scheduled progress conferences throughout the year) and completes all forms and submits to HR as required."*

**VIII. REPORTING STANDARD FOR AGENCY HEAD:**

Determination: The agency is in partial-compliance with the standards for this subject area.

23. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.
- ✓ The agency submitted to the EEPC Annual Plans for the FY 2012, 2013 and 2015 of measures and programs to provide equal employment opportunity, and quarterly reports for FY 2012, 2013, 2014, and 2015 on efforts to implement the corresponding Annual Plans.



- The agency did not submit to the EEPC an Annual Plan for the FY2014. Corrective Action Required.

Corrective Action #13: Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

After implementation of the EEPC's corrective actions, if any:

24. The agency head distributes a memorandum informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

Final Action: Distribute a memorandum signed by the agency head informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

**Conclusion**

The agency has 13 required corrective action(s) at this time.

Pursuant to Chapter 36 of the New York City Charter, your agency has the *option* to respond to this *preliminary determination*, but must respond to our Final Determination if corrective action is required.

*Optional Response to preliminary determination:* If submitted, your optional response should indicate, with attached documentation, what steps your agency has taken or will take to implement the prescribed corrective actions, and must be received in our office within 14 days from the date of this letter. No extensions will be granted for the *option* to respond to the *preliminary determination*.

*(Optional Conference)* During the Optional Conference, we will discuss the immediate steps your agency should take and address questions regarding your agency's implementation of the prescribed corrective action(s).

*(No Response Option)* If your agency does not respond to this preliminary determination within 14 days, it will become the EEPC's Final Determination.

*Mandatory Response to Final Determination:* Following this preliminary determination, the EEPC will issue a Final Determination where we may modify or eliminate the corrective actions based on verified information; identify remaining action which requires further monitoring in order to ensure implementation; and assign a mandatory compliance-



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monitoring period of up to 6 months for this purpose. Pursuant to Chapter 36 of the New York City Charter your agency must respond to our Final Determination within 30 days. Your response to the Final Determination will initiate the compliance monitoring period.

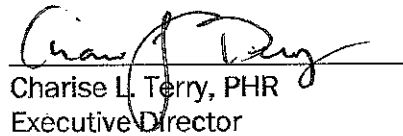
In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,

A handwritten signature in black ink, appearing to read "Elona Shehu", written over a horizontal line.

Elona Shehu, EEO Program Analyst

Approved by,

A handwritten signature in black ink, appearing to read "Charise L. Terry", written over a horizontal line.

Charise L. Terry, PHR  
Executive Director

c: Sarah Whitham, principal EEO Professional

Appendix - 1

**Department of City Planning**

**Workforce Compared with Internal and External Pools**

End of Audit Period

RUN DATE: 01/05/15  
 RUN TIME: 8:19:55  
 FY2015 Q2

AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 001 ADMINISTRATORS

USING BINOMIAL TEST

NEW YORK CITY DEPARTMENT OF PERSONNEL  
 CH E D S Y S T E M  
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
 AT THE AGENCY/JOBGROUP LEVEL  
 PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS  
 PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

PAGE: 108  
 PROGRAM: EBPp961  
 EXTRACT DATE: 12/31/14

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL &	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	7	8	15	.5092	7.64	-0.64	-0.33	0.371	
ETH	BLACK	3	12	15	.1745	2.62	0.38	0.22	0.397	
ETH	HISPANIC	2	13	15	.1543	2.31	-0.31	-0.22	0.411	
ETH	ASTAN / PAC ISL	2	13	15	.1123	1.68	0.32	0.26	0.398	
ETH	NATIVE AMERICAN	0	15	15	.0068	0.10	-0.10	-0.32	0.374	N-05&RUL
ETH	ETH UNKNOWN	1	14	15	.0247	0.37	0.63	1.05	0.148	
GEN	MALE	7	8	15	.5906	8.86	-1.86	-0.98	0.164	U-80&RUL
GEN	FEMALE	8	7	15	.3841	5.76	2.24	1.19	0.117	
GEN	GENDER UNKNOWN	0	15	15	.0046	0.07	-0.07	-0.26	0.396	N-05&RUL



RUN DATE: 01/05/15  
 RUN TIME: 8:19:55  
 FY2015 Q2

AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 002 MANAGERS

NEW YORK CITY DEPARTMENT OF PERSONNEL  
 CEEDS WITH INTERNAL & EXTERNAL POOLS  
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 109  
 PROGRAM: EBP961  
 EXTRACT DATE: 12/31/14  
 PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS  
 PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	37	9	46	.5133	23.61	13.39	3.95	0.01	O
ETH	BLACK	4	42	46	.1889	8.69	-4.69	-1.77	0.039	U-80%RUL
ETH	HISPANIC	4	42	46	.1297	5.97	-1.97	-0.86	0.194	N-05%RUL
ETH	ASIAN / PAC ISL	1	45	46	.1017	4.68	-3.68	-1.79	0.036	U-80%RUL
ETH	NATIVE AMERICAN	0	46	46	.0018	0.08	-0.08	-0.29	0.387	N-05%RUL
ETH	ETH UNKNOWN	0	46	46	.0402	1.85	-1.85	-1.39	0.083	N-05%RUL
GEN	MALE	24	22	46	.5345	24.59	-0.59	-0.17	0.431	
GEN	FEMALE	22	24	46	.4206	19.35	-2.65	0.79	0.214	
GEN	GENDER UNKNOWN	0	46	46	.0197	0.91	-0.91	-0.96	0.168	N-05%RUL

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 FY2015 Q2

AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 003 MNGMT SPECS

NEW YORK CITY DEPARTMENT OF PERSONNEL  
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 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
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USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	3	15	18	.4094	7.37	-4.37	-2.09	0.018	U
ETH	BLACK	6	12	18	.2938	5.32	0.68	0.35	0.364	
ETH	HISPANIC	3	15	18	.1295	2.33	0.67	0.47	0.319	
ETH	ASIAN / PAC ISL	6	12	18	.1301	2.34	3.66	2.56	<.01	O
ETH	NATIVE AMERICAN	0	18	18	.0022	0.04	-0.04	-0.20	0.421	N-05&RUL
ETH	ETH UNKNOWN	0	18	18	.0207	0.37	-0.37	-0.62	0.269	N-05&RUL
GEN	MALE	6	12	18	.5718	10.29	-4.29	-2.04	0.020	U
GEN	FEMALE	12	6	18	.4032	7.26	4.74	2.28	0.011	O
GEN	GENDER UNKNOWN	0	18	18	.0126	0.23	-0.23	-0.48	0.316	N-05&RUL

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 FY2015 Q2

AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 004 SCIENCE PROFNS

NEW YORK CITY DEPARTMENT OF PERSONNEL  
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EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	11	13	24	.4568	10.96	0.04	0.02	0.494	U-80%RUL
ETH	BLACK	1	23	24	.1762	4.23	-3.23	-1.73	0.042	U-80%RUL
ETH	HISPANIC	3	21	24	.1023	2.46	0.54	0.37	0.357	N-05%RUL
ETH	ASTAN / PAC ISL	9	15	24	.2258	5.42	3.58	1.75	0.040	N-05%RUL
ETH	NATIVE AMERICAN	0	24	24	.0024	0.06	-0.06	-0.24	0.405	N-05%RUL
ETH	ETH UNKNOWN	0	24	24	.0315	0.76	-0.76	-0.88	0.188	N-05%RUL
GEN	MALE	12	12	24	.6586	15.81	-3.81	-1.64	0.051	U-80%RUL
GEN	FEMALE	12	12	24	.3131	7.51	4.49	1.97	0.024	U-80%RUL
GEN	GENDER UNKNOWN	0	24	24	.0201	0.48	-0.48	-0.70	0.241	N-05%RUL

USING BINOMIAL TEST

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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 006 SOCIAL SCI

NEW YORK CITY DEPARTMENT OF PERSONNEL  
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EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	85	44	129	.6146	79.28	-5.72	1.03	0.151	U-80&RUL
ETH	BLACK	14	115	129	.1667	21.50	-7.50	-1.77	0.038	N-05&RUL
ETH	HISPANIC	6	123	129	.0913	11.78	-5.78	-1.77	0.039	N-05&RUL
ETH	ASTAN / PAC ISL	23	106	129	.0957	12.35	-0.65	-0.19	<.01	O
ETH	NATIVE AMERICAN	0	129	129	.0024	0.31	-0.31	-0.56	0.289	N-05&RUL
ETH	ETH UNKNOWN	1	128	129	.0251	3.24	-2.24	-1.26	0.104	N-05&RUL
GENN	MALE	66	63	129	.4873	62.86	3.14	0.55	0.290	
GENN	FEMALE	63	66	129	.4930	63.60	-0.60	-0.11	0.458	
GENN	GENDER UNKNOWN	0	129	129	.0163	2.10	-2.10	-1.46	0.072	N-05&RUL

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AGENCY:  
 JOB GROUP:

030 DEPARTMENT OF CITY PLANNING  
 008 LAWYERS

USING BINOMIAL TEST

NEW YORK CITY DEPARTMENT OF PERSONNEL  
 C E D S Y S T E M  
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
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EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	4	0	4	.5889	2.36	1.64	1.67	0.047	N - N<=8
ETH	BLACK	0	4	4	.1310	0.52	-0.52	-0.78	0.219	N - N<=8
ETH	HISPANIC	0	4	4	.1020	0.41	-0.41	-0.67	0.250	N - N<=8
ETH	ASIAN / PAC ISL	0	4	4	.0721	0.29	-0.29	-0.56	0.289	N - N<=8
ETH	NATIVE AMERICAN	0	4	4	.0011	0.00	-0.00	-0.07	0.474	N - N<=8
ETH	ETH UNKNOWN	0	4	4	.0200	0.08	-0.08	-0.29	0.388	N - N<=8
GEN	MALE	3	1	4	.4396	1.76	1.24	1.25	0.106	N - N<=8
GEN	FEMALE	1	3	4	.4738	1.90	-0.90	-0.90	0.185	N - N<=8
GEN	UNKNOW	0	4	4	.0010	0.00	-0.00	-0.06	0.475	N - N<=8

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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 009 PUBLIC REL

USING BINOMIAL TEST

NEW YORK CITY DEPARTMENT OF PERSONNEL  
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 PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL. %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	1	0	1	.5650	0.57	0.44	0.88	0.190	N - N<=8
ETH	BLACK	0	1	1	.1549	0.15	-0.15	-0.43	0.334	N - N<=8
ETH	HISPANIC	0	1	1	.1170	0.12	-0.12	-0.36	0.358	N - N<=8
ETH	ASIAN / PAC ISL	0	1	1	.0851	0.09	-0.09	-0.30	0.380	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0012	0.00	-0.00	-0.03	0.486	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0322	0.03	-0.03	-0.18	0.428	N - N<=8
GEN	MALE	0	1	1	.5803	0.58	-0.58	-1.18	0.120	N - N<=8
GEN	FEMALE	1	0	1	.3401	0.34	0.66	1.39	0.082	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0220	0.02	-0.02	-0.15	0.440	N - N<=8

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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 010 TECHNICIANS

NEW YORK CITY DEPARTMENT OF PERSONNEL  
 CHIEF DIVERSITY & EXTERNAL POOLS  
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EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	6	7	13	.3514	4.57	-1.43	0.83	0.203	
ETH	BLACK	1	12	13	.3293	4.28	-3.28	-1.94	0.026	U-80%RUL
ETH	HISPANIC	4	9	13	.1923	2.50	1.50	1.06	0.146	
ETH	ASIAN / PAC ISL	2	11	13	.1005	1.31	0.69	0.64	0.261	
ETH	NATIVE AMERICAN	0	13	13	.0027	0.04	-0.04	-0.19	0.426	N-05%RUL
ETH	ETH UNKNOWN	0	13	13	.0182	0.24	-0.24	-0.49	0.312	N-05%RUL
GEN	MALE	7	6	13	.6181	8.04	-1.04	-0.59	0.277	
GEN	FEMALE	6	7	13	.3662	4.76	1.24	0.71	0.238	
GEN	UNKNOWN	0	13	13	.0098	0.13	-0.13	-0.36	0.360	N-05%RUL

USING BINOMIAL TEST

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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 012 CLERICAL SUPS

NEW YORK CITY DEPARTMENT OF PERSONNEL  
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EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL.
ETH	WHITE	6	10	16	.2238	3.58	2.42	1.45	0.073	U-80%RUL
ETH	BLACK	6	10	16	.5619	8.99	-2.99	-1.51	0.066	
ETH	HISPANIC	3	13	16	.1348	2.16	0.84	0.62	0.269	
ETH	ASTAN / PAC ISL	1	15	16	.0511	0.82	-0.18	0.21	0.418	
ETH	NATIVE AMERICAN	0	16	16	.0038	0.06	-0.06	-0.25	0.402	N-05%RUL
ETH	ETH UNKNOWN	0	16	16	.0245	0.39	-0.39	-0.63	0.263	N-05%RUL
GEN	MALE	0	16	16	.2093	3.35	-3.35	-2.06	0.020	U
GEN	FEMALE	16	0	16	.7769	12.43	3.57	2.14	0.016	O
GEN	GENDER UNKNOWN	0	16	16	.0138	0.22	-0.22	-0.47	0.318	N-05%RUL



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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 013 CLERICAL

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 CEEDS WITH INTERNAL & EXTERNAL POOLS  
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
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 PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL %	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	1	8	9	.1867	1.68	-0.68	-0.58	0.280	U-80&RUL
ETH	BLACK	5	4	9	.3347	4.81	0.19	0.13	0.450	U-80&RUL
ETH	HISPANIC	3	6	9	.1509	1.36	1.64	1.53	0.063	U-80&RUL
ETH	ASTAN / PAC ISL	0	9	9	.0716	0.64	-0.64	-0.83	0.202	N-05&RUL
ETH	NATIVE AMERICAN	0	9	9	.0039	0.04	-0.04	-0.19	0.426	N-05&RUL
ETH	ETH UNKNOWN	0	9	9	.0478	0.43	-0.43	-0.67	0.251	N-05&RUL
GEN	MALE	2	7	9	.2820	2.54	-0.54	-0.40	0.345	U-80&RUL
GEN	FEMALE	7	2	9	.6776	6.10	0.90	0.84	0.260	N-05&RUL
GEN	GENDR	0	9	9	.0359	0.32	-0.32	-0.58	0.281	N-05&RUL

USING BINOMIAL TEST

RUN DATE: 01/05/15  
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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 027 TRANSPORTATION

USING BINOMIAL TEST

NEW YORK CITY DEPARTMENT OF PERSONNEL  
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 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
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 PROBABILITY CUT-OFF FOR IMBALANCE: 0.05

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL &	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	0	1	1	.1897	0.119	-0.19	-0.48	0.314	N - N<=8
ETH	BLACK	1	0	1	.4871	0.49	0.51	1.03	0.152	N - N<=8
ETH	HISPANIC	0	1	1	.1720	0.117	-0.17	-0.46	0.324	N - N<=8
ETH	ASTAN / PAC ISL	0	1	1	.0381	0.04	-0.04	-0.20	0.421	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0037	0.00	-0.00	-0.06	0.476	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.1083	0.11	-0.11	-0.35	0.364	N - N<=8
GEN	MALE	1	0	1	.7529	0.75	0.25	0.57	0.283	N - N<=8
GEN	FEMALE	0	1	1	.1439	0.14	-0.14	-0.41	0.341	N - N<=8
GEN	UNKNOWN	0	1	1	.1023	0.10	-0.10	-0.34	0.368	N - N<=8

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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 JOB GROUP: 031 PARA PROFESSION

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USING BINOMIAL TEST

EEO VAR	EEO VAL	FOCAL GROUP	OTHER THAN FOCAL GROUP	TOTAL	AVAIL &	EXPECTED #	DIFFERENCE	Z-SCORE	PROBABILITY	IMBAL
ETH	WHITE	1	0	1	.3243	0.32	0.68	1.44	0.074	N - N<=8
ETH	BLACK	0	1	1	.2673	0.27	-0.27	-0.60	0.273	N - N<=8
ETH	HISPANIC	0	1	1	.2449	0.24	-0.24	-0.57	0.285	N - N<=8
ETH	ASIAN / PAC ISL	0	1	1	.0964	0.10	-0.10	-0.33	0.372	N - N<=8
ETH	NATIVE AMERICAN	0	1	1	.0025	0.00	-0.00	-0.05	0.480	N - N<=8
ETH	ETH UNKNOWN	0	1	1	.0269	0.03	-0.03	-0.17	0.434	N - N<=8
GEN	MALE	1	0	1	.3798	0.38	0.62	1.28	0.101	N - N<=8
GEN	FEMALE	0	1	1	.5812	0.58	-0.58	-1.18	0.119	N - N<=8
GEN	GENDER UNKNOWN	0	1	1	.0011	0.00	-0.00	-0.03	0.487	N - N<=8



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AGENCY: 030 DEPARTMENT OF CITY PLANNING  
 EEO VARIABLE: GEN GENDER

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JOB GROUP	INCOMB TOTAL	MALE		FEMALE		GENDER U	
		OBSRV	EXPT I	OBSRV	EXPT I	OBSRV	EXPT I
001 ADMINISTRATORS	15	7	9	8	6	0	0
002 MANAGERS	46	24	25	22	19	0	1
003 MNGMT SPECS	18	6	10	12	7	0	0
004 SCIENCE PROFNS	24	12	16	12	8	0	0
006 SOCIAL SCI	129	66	63	63	64	0	2
008 LAWYERS	4	3	1	1	2	0	0
009 PUBLIC REL.	1	0	1	1	0	0	0
010 TECHNICIANS	13	7	8	6	5	0	0
012 CLERICAL SUPS	13	0	3	16	12	0	0
013 CLERICAL	9	2	3	7	6	0	0
027 TRANSPORTATION	1	1	0	0	0	0	0
031 PARA PROFESSION	1	1	0	0	1	0	0



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

Carl Weisbrod, *Director*  
Department of City Planning

**VIA EMAIL & HAND DELIVERY**

August 13, 2015

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

Dear Ms. Terry:

In response to the Audit Preliminary Determination of the Department of City Planning's Employment Practices and Procedures from January 1, 2012 through December 31, 2014, please find our response below to the noted areas of partial and non-compliance, where corrective actions were indicated. Our response includes the enclosed attachments.

First, I want to again reiterate that our agency, under Carl Weisbrod's leadership, is committed to proactively maintaining and promoting an environment of diversity and inclusion and ensuring that our agency is representative of the communities we serve.

**II. EEO TRAINING FOR AGENCY**

**Correction Action #1**

EEO Training Plan for New & Existing Employees (Attachment #1)

**III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion)**

**Corrective Action #2**

First, City Planning has been updating our selection processes. Specifically, we will require managers to submit Candidate Logs, which have been updated to ensure race/ethnic group is captured correctly and in compliance, as well as the addition of disability, veteran status. (Attachment #2a)

These Candidate Logs will be assessed and analyzed both individually and collectively to determine if there is adverse impact on any particular group(s). In addition, we will be leveraging the CEEDS reports

to identify where opportunities exist to address adverse impact within job groups. Regardless, we are focused on ensuring that our agency represents the diverse communities we represent and intend to proactively develop a diverse recruiting strategy to ensure job postings are reaching a diverse population of candidates. We have already begun exploring where we will test the impact of expanding our outreach for our FY 2016 new lines recruiting, which we are rolling out over the next several weeks. In addition, we have a new staff member, Monique Jones, who will be starting on August 31<sup>st</sup> and she will be working on developing the agency's Recruiting Strategy, focused on positively impacting diversity. (Attachment #2b)

Lastly, we are refreshing and updating the EEO training during New Hire Orientation. Belinda French (DCAS), EEO Officer, has graciously shared her training materials and we will be leveraging her content to ensure we are covering all required topics, at a minimum. (Attachment #2c)

### **Corrective Actions #3 & #4**

We are currently reviewing our interview processes, so that we can provide managers with better tools, including Structured Interview Guides and Candidate Evaluation Forms. We recently ran a pilot in our Planning Coordination Division for a Senior Planning Analyst role (City Planner II) and have attached sample documents for your review. These tools helped provide quantitative data for the Interviewing Panel to facilitate their decision on the most suitable candidate. Specifically, the selected candidate is a female and a minority. (Attachments #3a & 3b)

In the next few weeks, we are rolling out a new Interview Process that will incorporate similar tools – to be adjusted based on the job specifications, minimum requirements and preferred skills – as well as larger Interview Panels to fill postings with multiple, similar openings for City Planner I roles. In addition, we are planning to extend our outreach beyond planning schools we have worked with in the past to target minority, female and other underrepresented groups of candidates. We will test these tools, recruiting sources and processes, comparing the results to past practices and will adjust as needed on an ongoing, proactive basis to ensure we are impacting our diversity recruiting efforts.

Similarly, we will apply these same proactive methods towards all open positions, but with additional effort focused around underrepresentation in specific titles, as identified in the CEEDS Reports.

Lastly, our internship programs have provided strong feeder pools for open positions within the agency in the past. We will plan to capture voluntary EEO information from our interns on a go forward basis, so that we may also identify any underutilization or overutilization of protected classes.

### **Corrective Action #5**

We will work with DCAS to review competencies, skills and abilities included in job specifications for the six job groups that indicated underutilization on the CEEDS Report, as needed. We have already connected with Jodi Bryon (DCAS), Director of Workforce Analytics, to gain a better understanding of the reports. In reviewing the 4th Quarter, 2015 CEEDS Report (Attachment #5), we noticed that underutilization has been reduced to four job groups, all of which fall under the 4/5ths rule (U-80%).

While the definition of this imbalance is not considered statistically significant, we will of course continue to focus on utilization.

It is also noteworthy that largest concentration of our staff fall under the City Planner title (Job Group 006/Social Scientists) and we anticipate that this exam will be developed during Fiscal Year 2016. As part of this process, a diverse, cross-section of our staff will participate in the examination preparation with DCAS through Job Analysis Questionnaires and Subject Matter Panels to ensure the civil service examination is focused on the right competencies, skills and abilities. Similarly, we are currently involved in assisting with the preparation of the City Planning Tech exam, where we were able to have all provisional employees in the title participate in the process.

#### **Corrective Action #6**

Human Resources Professionals within City Planning that are involved in recruiting and selection are trained in EEO and interviewing, selection and hiring skills and act as coaches to hiring managers within the agency. We have identified a need to refresh our managers on EEO and interviewing and selection and identifying the most capable candidates. While we prepare for this training, we are rolling out the aforementioned Structured Interview Guides and Candidate Evaluation Forms over the next month for all positions, which can be customized to focus on the competencies, skills and abilities required for specific roles. As mentioned earlier, these tools will ensure consistency across all interviews, as well as providing hiring managers with objective, quantitative evaluation tools and processes.

#### **Corrective Action #7**

As mentioned earlier, we have revised our selection and interview tracking process – please refer to the attached Candidate Log, which we will begin implementing immediately to replace our existing Selection Memo process. (Attachments #3a & #3b)

### **IV. CAREER COUNSELING**

#### **Corrective Action #8**

Since we have had a change in staff within the Human Resources function, we will include notification of the new Career Counselor (Dana Cohen) in the agency announcement to be sent by Director Carl Weisbrod in September that communicates the changes and upgrades within the overall agency EEO program, as well as reaffirming our commitment to Diversity & Inclusion. We will also update our new hire orientation and intranet to reflect this change and provide examples of the type of guidance available. We will also be implementing an annual process to communicate EEO information and results to the entire agency. As part of this annual communication, we will include the identity of the Career Counselor and the type of guidance available. Please note we will be updating the plan for FY 2016 with the Career Counselor's refreshed responsibilities. (Attachment #8)



### **Corrective Action #9**

As stated above, we have a communication plans that will ensure all staff is notified today of the identity of the Career Counselor, as well as inclusion in New Hire Orientation, on the intranet and part of an annual EEO communication to all staff on an ongoing basis. As part of ongoing and annual communications, we will continue to ensure that all staff are aware of job responsibilities, performance evaluations, training opportunities and job postings.

Further, we will be focusing recruiting efforts on attracting qualified candidates with disabilities. We have identified a number of recruiting sources through CDEEO and will be reaching out to the Mayor's Office for People with Disabilities, as well as Frank Palmieri (DCAS) for best practices and guidance in this area.

Lastly, we currently have only 1 55-a program participant within City Planning and both the EEO Professional (Sarah Whitham) and the Human Resources Professional (Dana Cohen) are aware.

### **V. EEO & REASONABLE ACCOMMODATIONS FOR EMPLOYEES/APPLICANTS FOR EMPLOYMENT WITH DISABILITIES**

#### **No Corrective Action Required**

Although we do not have corrective action here and no alternative formats were requested during the audit period, we will be updating the EEO section of our intranet and website, as well as all of our postings to indicate that alternative formats are available. Jocelyn Tan-Lobo provided documents with Read Out Loud capability and we will provide those instructions alongside these formats, as well as indicating that documents can be made available in large print format. (Attachments A & B)

### **VIII. REPORTING STANDARD FOR AGENCY HEAD**

#### **Corrective Action #10**

Both co-EEO Professionals (Sarah Whitham and Edwin Marshall) attended EEO Training before they assumed their responsibilities. However, Mr. Marshall was unable to locate his certificate, as he attended the original training over 10 years ago.

Although Dana Cohen assumed the Human Resources Professional role in April, she was unable to attend the EEO Training in July, due to agency-critical payroll issues. We have discussed this with Jocelyn Tan-Lobo, Executive Director of Compliance, and she has offered to provide individual training and has advised that the next EEO Training sessions are planned for Spring 2016 and Ms. Cohen will attend as soon as the training is offered again. In the meantime, Ms. Cohen will draw from her 20 years as a Human Resources Professional, leveraging the recent, extensive EEO and Diversity & Inclusion training she received at her last employer, MetLife, as well as from recent coursework.

**Corrective Action #11**

During the audit period, the co-EEO Officers reported to the Executive Director, as reflected on the organization chart. (Attachment #11)

**Corrective Action #12**

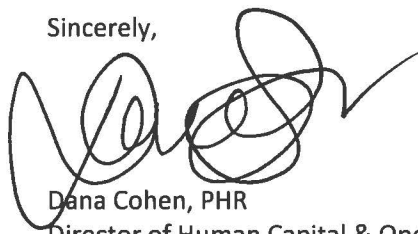
Starting at the end of this quarter, the Human Resources Professional and EEO Officer will meet with Executive Staff (Director, Executive Director, Chief Operations Officer, General Counsel) on a quarterly basis with a defined agenda to include, but not limited to, reviewing the following: CEEDS Report data (synthesized and presented in a more user-friendly format), new recruiting efforts and results/metrics, impact of outreach, etc. We will maintain a file of the agendas, minutes and follow up action items.

**Corrective Action #13**

EEPC FY 2014 Annual Plan (Attachment 13)

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Cohen', with a checkmark at the end.

Dana Cohen, PHR  
Director of Human Capital & Operations

Attachments

Cc: Carl Weisbrod  
Elona Shehu



Angela Cabrera  
Malini Cadambi Daniel  
Elaine S. Reiss, Esq.  
Arva R. Rice  
Commissioners

Charise L. Terry, PHR  
Executive Director

Judith Garcia Quiñonez, Esq.  
Executive Agency Counsel/  
Deputy Director

253 Broadway  
Suite 602  
New York, NY 10007

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

**BY MAIL AND EMAIL**

September 9, 2015

Carl Weisbrod  
Director  
Department of City Planning  
22 Reade Street  
New York, NY 10007-1216

RE: Resolution #: **2015/30**: Final Determination Pursuant to the Audit and Analysis of the Department of City Planning's Employment Practices and Procedures from January 1, 2012 to December 31, 2014

Dear Director Weisbrod:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for your August 13, 2015 response to our July 29, 2015 Preliminary Determination and for the cooperation extended to our staff during the course of this audit.

As indicated in our Preliminary Determination, this Commission has adopted uniform standards<sup>1</sup> to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. The attached Determination contains the Commission's findings and required corrective actions pertaining to the referenced audit and analysis of your agency's employment practices and procedures.

**Chapter 36, Section 832.c of the New York City Charter requires that: 1) the EEPC assign a 6-month compliance period to monitor your agency's efforts to eliminate remaining required corrective actions; and 2) the agency provide a written response within 30 days from the date of this letter indicating corrective action taken.**

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<sup>1</sup> Founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; New York City Human Rights Law (NYC Administrative Code, §§8-107.1(a) and 8-107.13(d)); New York State Civil Service Law §55-a; Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7) and the equal employment opportunity requirements of the New York City Charter.



The assigned compliance-monitoring period is: October 2015 to March 2016.

**If corrective actions remain:** Your agency's response should indicate (with attached documentation) what steps your agency has taken, or will take, to implement the corrective actions. Upon your agency's completion of the final corrective action, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit/analysis and re-emphasizes commitment to the EEO program. Once received, a *Determination of Compliance* will be issued.

**If no corrective actions remain:** Your agency is exempt from the aforementioned monitoring period. However, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit/analysis and re-emphasizes commitment to the EEO program. This will be considered your agency's final action. Upon receipt of the memo, a *Determination of Compliance* will be issued.

If there are further questions regarding this Final Determination or the compliance process, please have the Principal EEO Professional call Marie Giraud, Esq., Agency Attorney/Director of Compliance Monitoring at 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,

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

Charise L. Terry, PHR  
Executive Director

c: Sarah Whitham, Principal EEO Professional

## FINAL DETERMINATION

The Equal Employment Practices Commission's findings and required corrective actions are based on the audit methodology which includes collection and analysis of the documents, records and data the agency provides in response to the *EEPC Document and Information Request Form*; responses to the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, responses to the *EEPC Employee Survey* and the *EEPC Supervisor/Manager Survey*, review of the agency's *Annual EEO Plans* and *Quarterly EEO Reports* and analysis of workforce and utilization data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted, when appropriate.

After reviewing the agency's response, if applicable, our Final Determination is as follows:

### **Agree**

Regarding your responses<sup>2</sup> to the following EEPC required corrective actions, we *Agree* based on documentation that is attached to your reply.

### **Corrective Action #7:**

Use and maintain an applicant/candidate log or tracking system which, at minimum, includes in addition to the above, *disability or veteran status, interview date, interviewers' names, reason selected/not selected (or disposition)* of each applicant, and recruitment source.

Agency Response: We have revised our selection and interview tracking process – please refer to the attached Candidate Log, which we will begin implementing immediately to replace our existing Selection Memo process.

EEPC Response: The EEPC accepts the agency's response as documentation that corrective action #7 has been implemented.

### **Corrective Action #11:**

Indicate the reporting relationship between the principal EEO Professional and agency head (or a direct report other than the General Counsel) in the agency's organizational chart, EEO Policy and Annual EEO Plan.

Agency Response: During the audit period, the co-EEO Officers reported to the Executive Director, as reflected on the organization chart.

EEPC Response: The EEPC accepts the agency's response as documentation that corrective action #11 has been implemented.

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<sup>2</sup> Excerpts are italicized

**Corrective Action #13**

Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

Agency Response: EEPC FY 2014 Annual Plan.

EEPC Response: The EEPC accepts the agency's response as documentation that corrective action #13 has been implemented.

**Monitoring Required**

The agency's implementation of the following required corrective actions will be monitored during the assigned compliance monitoring period.

**Corrective Action #1**

Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.

Agency Response: EEO Training Plan for New & Existing Employees- Action Plan.

EEPC Response: The EEPC recognizes the agency's efforts. Documentation that the agency established and implemented an EEO plan will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #2**

Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

Agency Response: We are focused on ensuring that our agency represents the diverse communities we represent and intend to proactively develop a diverse recruiting strategy to ensure job postings are reaching a diverse population of candidates. We have already begun exploring where we will test the impact of expanding our outreach for our FY 2016 new lines recruiting, which we are rolling out over the next several weeks. In addition, we have a new staff member, Monique Jones, who will be starting on August 31st and she will be working on developing the agency's Recruiting Strategy, focused on positively impacting diversity. Lastly, we are refreshing and updating the EEO training during New Hire Orientation. Belinda

French (DCAS), EEO Officer, has graciously shared her training materials and we will be leveraging her content to ensure we are covering all required topics, at a minimum.

EEPC Response: The EEPC recognizes the agency's efforts. An agency assessment of the recruitment efforts will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #3**

Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

Agency Response: We are currently reviewing our interview processes, so that we can provide managers with better tools, including Structured Interview Guides and Candidate Evaluation Forms. We recently ran a pilot in our Planning Coordination Division for a Senior Planning Analyst role. These tools helped provide quantitative data for the Interviewing Panel to facilitate their decision on the most suitable candidate. In the next few weeks, we are rolling out a new Interview Process that will incorporate similar tools – to be adjusted based on the job specifications, minimum requirements and preferred skills – as well as larger Interview Panels to fill postings with multiple, similar openings for City Planner I roles. Our internship programs have provided strong feeder pools for open positions within the agency in the past.

EEPC Response: The EEPC recognizes the agency's efforts. An agency assessment of the selection procedures will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #4**

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: We are planning to extend our outreach beyond planning schools we have worked with in the past to target minority, female and other underrepresented groups of candidates. We will test these tools, recruiting sources and processes, comparing the results to past practices and will adjust as needed on an ongoing, proactive basis to ensure we are impacting our diversity recruiting efforts. Similarly, we will apply these same proactive methods towards all open positions, but with additional effort focused around underrepresentation in specific titles, as identified in the CEEDS Reports. Lastly, our internship programs have provided strong feeder pools for open positions within the agency in the past. We will plan to capture voluntary EEO information from our interns on a go



forward basis, so that we may also identify any underutilization or overutilization of protected classes.

EEPC Response: The EEPC recognizes the agency's efforts. Implementation of this corrective action will be monitored. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #5:**

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: We will work with DCAS to review competencies, skills and abilities included in job specifications for the six job groups that indicated underutilization on the CEEDS Report, as needed. We have already connected with Jodi Bryon (DCAS), Director of Workforce Analytics, to gain a better understanding of the reports. The largest concentration of our staff fall under the City Planner title (Job Group 006/Social Scientists) and we anticipate that this exam will be developed during Fiscal Year 2016. As part of this process, a diverse, cross-section of our staff will participate in the examination preparation with DCAS through Job Analysis Questionnaires and Subject Matter Panels to ensure the civil service examination is focused on the right competencies, skills and abilities. Similarly, we are currently involved in assisting with the preparation of the City Planning Tech exam, where we were able to have all provisional employees in the title participate in the process.

EEPC Response: The EEPC recognizes the agency's efforts. Implementation of this corrective action will be monitored. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #6:**

Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).

Agency Response: Human Resources Professionals within City Planning that are involved in recruiting and selection are trained in EEO and interviewing, selection and hiring skills and act as coaches to hiring managers within the agency. We have identified a need to refresh our managers on EEO and interviewing and selection and identifying the most capable candidates. While we prepare for this training, we are rolling out the aforementioned Structured Interview Guides and Candidate Evaluation Forms over the next month for all



positions, which can be customized to focus on the competencies, skills and abilities required for specific roles.

EEPC Response: The EEPC recognizes the agency's efforts. Demonstration that the agency implemented training will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #8:**

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

Agency Response: Since we have had a change in staff within the Human Resources function, we will include notification of the new Career Counselor (Dana Cohen) in the agency announcement to be sent by Director Carl Weisbrod in September that communicates the changes and upgrades within the overall agency EEO program, as well as reaffirming our commitment to Diversity & Inclusion. We will also update our new hire orientation and intranet to reflect this change and provide examples of the type of guidance available. We will also be implementing an annual process to communicate EEO information and results to the entire agency. As part of this annual communication, we will include the identity of the Career Counselor and the type of guidance available. Please note we will be updating the plan for FY 2016 with the Career Counselor's refreshed responsibilities.

EEPC Response: The EEPC recognizes the agency's efforts. Documentation of distribution will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #9:**

Ensure and maintain documentation that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.

Agency Response: We have a communication plans that will ensure all staff is notified today of the identity of the Career Counselor, as well as inclusion in New Hire Orientation, on the intranet and part of an annual EEO communication to all staff on an ongoing basis. As part of ongoing and annual communications, we will continue to ensure that all staff are aware of job responsibilities, performance evaluations, training opportunities and job postings. Further, we will be focusing recruiting efforts on attracting qualified candidates with disabilities. We have identified a number of recruiting sources through CDEEO and will be reaching out to the Mayor's Office for People with Disabilities, as well as Frank Palmieri (DCAS) for best practices and guidance in this area. Lastly, we currently have only 1 55-a program participant within City Planning and both the EEO Professional (Sarah Whitham) and the Human Resources Professional (Dana Cohen) are aware.

EEPC Response: The EEPC recognizes the agency's efforts. Documentation of communication(s) will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #10:**

Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

Agency Response: Both co-EEO Professionals (Sarah Whitham and Edwin Marshall) attended EEO Training before they assumed their responsibilities. However, Mr. Marshall was unable to locate his certificate, as he attended the original training over 10 years ago. Although Dana Cohen assumed the Human Resources Professional role in April, she was unable to attend the EEO Training in July, due to agency-critical payroll issues. We have discussed this with Jocelyn Tan-Lobo, Executive Director of Compliance, and she has offered to provide individual training and has advised that the next EEO Training sessions are planned for Spring 2016 and Ms. Cohen will attend as soon as the training is offered again.

EEPC Response: The EEPC recognizes the agency's efforts. Documentation that EEO professionals received training will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #12:**

Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

Agency Response: Starting at the end of this quarter, the Human Resources Professional and EEO Officer will meet with Executive Staff (Director, Executive Director, Chief Operations Officer, General Counsel) on a quarterly basis with a defined agenda to include, but not limited to, reviewing the following: CEEDS Report data (synthesized and presented in a more user-friendly format), new recruiting efforts and results/metrics, impact of outreach, etc. We will maintain a file of the agendas, minutes and follow up action items.

EEPC Response: The EEPC recognizes the agency's efforts. Documentation of communication will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Thank you and your staff for your continued cooperation.

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION # 2015/30:** Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Department of City Planning's Employment Practices and Procedures from January 1, 2012 through December 31, 2014.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit of the Department of City Planning's Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated July 29, 2015, setting forth findings and the following required corrective actions:

1. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

4. 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.
5. 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.
6. Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).
7. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes in addition to the above, disability or veteran status, interview date, interviewers' names, reason selected/not selected (or disposition) of each applicant, and recruitment source.
8. Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.
9. Ensure and maintain documentation that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.
10. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.
11. Indicate the reporting relationship between the principal EEO Professional and agency head (or a direct report other than the General Counsel) in the agency's organizational chart, EEO Policy and Annual EEO Plan.
12. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

13. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on August 13, 2015, with documentation of its actions to rectify required corrective actions Nos. 7, 11 and 13; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on September 9, 2015, which agreed and accepted documentation for implementation of the aforementioned corrective actions, and indicated that corrective actions Nos. 1, 2, 3, 4, 5, 6, 8, 9, 10, and 12 require compliance monitoring; and

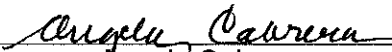
Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from October 2015 through March 2016, to determine whether it implemented remaining required corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and


Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

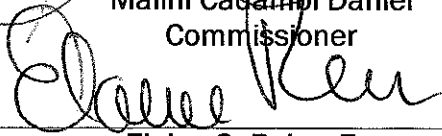
Be It Resolved,  
that the Commission adopts this Final Determination regarding the Department of City Planning.

Approved unanimously on September 21, 2015.

  
\_\_\_\_\_  
Angela Cabrera  
Commissioner

  
\_\_\_\_\_  
Arva Rice  
Commissioner

  
\_\_\_\_\_  
Malini Casambi Daniel  
Commissioner

  
\_\_\_\_\_  
Elaine S. Reiss, Esq.  
Commissioner



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

Carl Weisbrod, *Director*  
Department of City Planning

**VIA EMAIL & HAND DELIVERY**

October 6, 2015

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

Re: Resolution #: **2015/30**: Final Determination Pursuant to the Audit and Analysis of the Department of City Planning's Employment Practices and Procedures from January 1, 2012 to December 31, 2014

Dear Executive Director Terry:

In response to the Final Determination of the Department of City Planning's Employment Practices and Procedures from January 1, 2012 through December 31, 2014, please find our response below to the noted areas of partial and non-compliance, where corrective actions were indicated. Our response includes a couple of new attachments.

First, I want to again reiterate that our agency, under Carl Weisbrod's leadership, is committed to proactively maintaining and promoting an environment of diversity and inclusion and ensuring that our agency is representative of the communities we serve.

**II. EEO TRAINING FOR AGENCY**

**Correction Action #1 – Establish & Implement an EEO Training Plan for New & Existing Employees**

*Previous EEPC Response: Monitoring Required. The EEPC recognizes the agency's efforts. Documentation that the agency established and implemented an EEO training plan will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

The Department has already begun implementation of this plan. We have included the updated EEO Training Plan for New & Existing Employees (Attachment #1), as well as the updated EEO New Hire Orientation presentation (Attachment #2), both of which have already been implemented.

### **III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion)**

#### **Corrective Action #2 – Assess Recruitment Efforts for Adverse Impact**

*Previous EEPC Response: **Monitoring Required.** The EEPC recognizes the agency's efforts. An agency assessment of the recruitment efforts will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

First, City Planning has updated our selection processes, including requiring managers to submit Candidate Logs, which have been updated to ensure race/ethnic group is captured correctly and in compliance, as well as the addition of disability and veteran status. This log was previously accepted by the EEPC in response to Corrective Action #7.

These Candidate Logs will be assessed and analyzed both individually and collectively to determine if there is adverse impact on any particular group(s). In addition, we have begun leveraging the CEEDS reports to identify where opportunities exist to address adverse impact within specific job groups. As previously communicated, we are focused on ensuring that our agency represents the diverse communities we represent and are in the process of proactively developing a diverse recruiting strategy to ensure job postings are reaching a diverse population of candidates. We have already begun exploring where we will test the impact of expanding our outreach for our FY 2016 new lines recruiting, which we are continuing to roll out over the next several months. In addition, we have a new staff member, Monique Jones, who will be working on developing the agency's Recruiting Strategy, focused on positively impacting diversity.

Lastly, we will be incorporating a report out on the results of our recruiting efforts during the quarterly meetings with Director Carl Weisbrod, General Counsel Anita Laremont, Executive Director, Purnima Kapur, Chief Operating Officer Jon Kaufman and the EEO Officers.

#### **Corrective Actions #3 – Assess Candidate Selection Methods**

*Previous EEPC Response: **Monitoring Required.** The EEPC recognizes the agency's efforts. An Agency assessment of the selection procedures will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

We are in the process of finalizing a new panel interview process, which will be piloted on 5-7 City Planner I and Assistant Urban Designer titles to assess the results against traditional recruiting methods. We are also finalizing Structured Interview Guides and Candidate Evaluation Forms that have been piloted in the Planning Coordination and Human Capital divisions, so that we can provide all hiring managers with better tools (sample provided in Response to Preliminary Audit). These tools have already demonstrated their value to help provide quantitative data for Interviewing Panels to facilitate decisions on the most suitable candidate.

Over the next few months, we will be extending our outreach beyond planning schools we have worked with in the past to target minority, female and other underrepresented groups of candidates. We will test these tools, recruiting sources and processes, comparing the results to past practices and will adjust as needed on an ongoing, proactive basis to ensure we are impacting our diversity recruiting efforts.

**Corrective Actions #4 – Address Underrepresentation in Titles with Discretionary Hiring**

*Previous EEPC Response: **Monitoring Required.** The EEPC recognizes the agency's efforts. Implementation of this corrective action will be monitored. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

Similarly, we will apply these same proactive methods towards all open positions, but with additional effort focused around underrepresentation in specific titles, as identified in the CEEDS Reports.

Lastly, as previously communicated, our internship programs have provided strong feeder pools for open positions within the agency in the past. We are starting to capture voluntary EEO information from our interns, so that we may also identify any underutilization or overutilization of protected classes.

**Corrective Action #5 – Address Underrepresentation in Civil Service (List) Titles**

*Previous EEPC Response: **Monitoring Required.** The EEPC recognizes the agency's efforts. Implementation of this corrective action will be monitored. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

We will work with DCAS to review competencies, skills and abilities included in job specifications for the six job groups that indicated underutilization on the CEEDS Report, as needed. We have already worked with Jodi Bryon (DCAS), Director of Workforce Analytics, to gain a better understanding of the reports. In reviewing the 4th Quarter, 2015 CEEDS Report, we noticed that underutilization had already been reduced to four job groups, all of which fell under the 4/5ths rule (U-80%). While the definition of this imbalance is not considered statistically significant, we will of course continue to focus on utilization and diversity.

It is also noteworthy that largest concentration of our staff fall under the City Planner title (Job Group 006/Social Scientists) and we anticipate that this exam will be developed during Fiscal Year 2016. As part of this process, a diverse, cross-section of our staff will participate in the examination preparation with DCAS through Job Analysis Questionnaires and Subject Matter Panels to ensure the civil service examination is focused on the right competencies, skills and abilities. Similarly, we have been involved in assisting with the preparation of the City Planning Tech exam, where we had the opportunity for all provisional employees in the title to participate in the process.

**Corrective Action #6 – Ensure EEO Training for all HR Professionals, Managers, Supervisors & Interviewers**

*Previous EEPC Response: **Monitoring Required.** The EEPC recognizes the agency's efforts. Demonstration that the agency implemented training will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*



Human Resources Professionals within City Planning that are involved in recruiting and selection are trained in EEO and interviewing, selection and hiring skills and act as coaches to hiring managers within the agency. We have identified a need to refresh our managers on EEO and interviewing and selection and identifying the most capable candidates. While we develop this training, we are rolling out the aforementioned Structured Interview Guides and Candidate Evaluation Forms over the next month for all positions, which can be customized to focus on the competencies, skills and abilities required for specific roles. As mentioned earlier, these tools will ensure consistency across all interviews, as well as providing hiring managers with objective, quantitative evaluation tools and processes.

**Corrective Action #7 – Use & Maintain Applicant/Candidate Log or Tracking System**

*Previous EEPC Response: Compliance. The EEPC accepts the agency's response as documentation that Corrective Action #7 has been implemented.*

As mentioned earlier, we have revised our selection and interview tracking process – please refer to the attached Candidate Log, which we will begin implementing immediately to replace our existing Selection Memo process.

**IV. CAREER COUNSELING**

**Corrective Action #8 – Reminder of Identity of Career Counselor & Career Guidance Available**

*Previous EEPC Response: Monitoring Required. The EEPC recognizes the agency's efforts. Documentation of distribution will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

Since we have had a change in staff within the Human Resources function, we will include notification of the new Career Counselor (Dana Cohen) in the agency announcement to be sent by Director Carl Weisbrod in October that communicates the changes and upgrades within the overall agency EEO program, as well as reaffirming our commitment to Diversity & Inclusion. We have already updated our new hire orientation with this information and will update our intranet to reflect this change and provide examples of the type of guidance available. We will also be implementing an annual process to communicate EEO information and results to the entire agency. As part of this annual communication, we will include the identity of the Career Counselor and the type of guidance available. Please note we will be updating the plan for FY 2016 with the Career Counselor's refreshed responsibilities.

**Corrective Action #9 – Ensure & Maintain Documentation of Communications, Information & Access**

*Previous EEPC Response: Monitoring Required. The EEPC recognizes the agency's efforts. Documentation of communication(s) will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

As stated above, we have a communication plan that will ensure all staff is notified of the identity of the Career Counselor, as well as inclusion in New Hire Orientation, on the intranet and part of an annual EEO communication to all staff on an ongoing basis. As part of ongoing and annual communications, we will

continue to ensure that all staff are aware of job responsibilities, performance evaluations, training opportunities and job postings.

Further, we will be focusing recruiting efforts on attracting qualified candidates with disabilities. We have identified a number of recruiting sources through CDEEO and will be reaching out to the Mayor's Office for People with Disabilities, as well as Frank Palmieri (DCAS) for best practices and guidance in this area.

Lastly, we currently have only 1 55-a program participant within City Planning and both the EEO Professional (Sarah Whitham) and the Human Resources Professional (Dana Cohen) are aware.

#### **V. EEO & REASONABLE ACCOMMODATIONS FOR EMPLOYEES/APPLICANTS FOR EMPLOYMENT WITH DISABILITIES**

##### **No Corrective Action Required**

Although we do not have corrective action here and no alternative formats were requested during the audit period, we will be updating the EEO section of our intranet and website, as well as all of our postings to indicate that alternative formats are available. Jocelyn Tan-Lobo provided documents with Read Out Loud capability and we will provide those instructions alongside these formats, as well as indicating that documents can be made available in large print format.

#### **VIII. REPORTING STANDARD FOR AGENCY HEAD**

##### **Corrective Action #10 – Ensure Training for EEO Professionals**

*Previous EEPC Response: **Monitoring Required.** The EEPC recognizes the agency's efforts. Documentation that EEO Professionals received training will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

Both co-EEO Professionals (Sarah Whitham and Edwin Marshall) attended EEO Training before they assumed their responsibilities. However, Mr. Marshall was unable to locate his certificate, as he attended the original training over 10 years ago.

Although Dana Cohen assumed the Human Resources Professional role in April, she was unable to attend the EEO Training in July, due to agency-critical payroll issues. However, she did attend New EEO Officer Orientation led by Jocelyn Tan-Lobo (DCAS), Executive Director of Compliance, on September 14, 2015 and is planning to attend the next EEO Training sessions in Spring 2016. In the meantime, Ms. Cohen will draw from her 20 years as a Human Resources Professional, leveraging the recent, extensive EEO and Diversity & Inclusion training she received at her last employer, MetLife, as well as from recent coursework.

**Corrective Action #11 – Reporting Relationship between Principal EEO Professional & Agency Head**

*Previous EEPC Response: Compliance. The EEPC accepts the agency's response as documentation that Corrective Action #11 has been implemented.*

During the audit period, the co-EEO Officers reported to the Executive Director, as reflected on the organization chart.

**Corrective Action #12 – Document Meetings & Communications with Agency Head & EEO Professionals**

*Previous EEPC Response: Monitoring Required. The EEPC recognizes the agency's efforts. Documentation of communication will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.*

Starting on August 18, 2015, the Human Resources Professional, Co-EEO Officers met with the Agency Head and Executive Staff (General Counsel, Executive Director, Chief Operating Officer) and will continue to do so on a quarterly basis with a defined agenda to include, but not limited to, reviewing the following: EEPC Audit Determination & Corrective Actions and Progress, CEEDS Report data (synthesized and presented in a more user-friendly format), new recruiting efforts and results/metrics, impact of outreach, etc. We will maintain a file of the agendas, minutes and follow up action items.

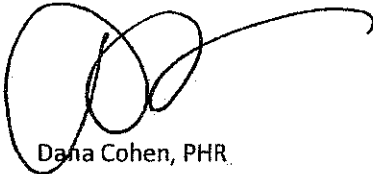
**Corrective Action #13 – Submission to EEPC of Annual Plan**

*Previous EEPC Response: Compliance. The EEPC accepts the agency's response as documentation that Corrective Action #13 has been implemented.*

EEPC FY 2014 Annual Plan

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Dana Cohen, PHR  
Director of Human Capital & Operations

**Attachments**

Cc: Carl Weisbrod, Director  
Anita Laremont, General Counsel  
Jon Kaufman, Chief Operating Officer

## Dana Cohen (DCP)

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**From:** Carl Weisbrod (DCP)  
**Sent:** Wednesday, May 04, 2016 5:24 PM  
**To:** Everyone\_DL (DCP)  
**Subject:** City Planning's Commitment to Diversity & Inclusion  
**Attachments:** DCP Corrective Actions - April 2016.pdf

Dear Colleagues:

I wanted to first take this opportunity to reiterate our commitment to diversity and inclusion.

*We recognize that the people of our agency are one of our greatest assets, and we are committed to the recruitment, development and retention of a diverse and inclusive workforce that is reflective of our City's population. We recognize that when we talk about Diversity, we are talking about the inclusion of people who are different. When we value our differences, we build stronger teams driving the best performance. I expect all managers and supervisors to promote a work environment that values equity, inclusion of, and respect for all. I want our employees, present and future, to view our agency as a model employer.*

As part of this commitment, we have made a number of changes and I am happy to report that we have satisfied all corrective action items noted on the Equal Employment Practices Commission recent audit of the 2012 – 2014 period.

These changes are focused around four themes:

- EEO and Diversity & Inclusion training
- Recruitment and selection processes
- Career counseling
- Metrics

The attached outlines the specific steps the agency has taken:

We had a number of opportunities to improve our practices and I am pleased with the results we were able to achieve. We strive to be an inclusive agency that attracts, develops and retains the best talent. A diverse and inclusive workplace that reflects the communities we serve is essential to building a culture where all employees can thrive, which in turn creates greater benefits for the public.

While many of the activities described in the attached are driven by the Human Capital division, we all play a role in our commitment.

Over the coming months, you will hear more from the Human Capital team on diversity and inclusion initiatives, including the formation of a Diversity Advisory Council, for which we will be seeking input and participation from staff.

Thank you for all the hard work you do every day and for your dedication to making this Agency a great place to work.

**City Planning's Corrective Actions:**

- Establishment of an EEO Training Plan for new and existing employees, including a refresh of New Hire Orientation EEO training and implementation of EEO computer-based training for all existing and future employees
- Assessment of recruitment efforts to determine whether such efforts adversely impact any particular group and implementation of recruitment plans to address underutilization
- Assessment of candidate selection processes to determine whether there is any adverse impact upon any particular racial, ethnic, disability or gender group and confirmation that selection criteria are job-related
- Assessment of recruiting sources and subsequent outreach to publications and organizations serving women, minorities and other protected groups
- Review of competencies, skills and abilities required in civil service (list) titles where there is underutilization, including working with DCAS to ensure standards are updated, job-related and required by business necessity, as well as assistance with the development of exams
- Development and implementation of Structured Interview Guides and "Structured Interviews & Unconscious Bias" training for all managers and other interviewers
- Development and implementation of enhanced Candidate Selection Logs for all open positions
- Communication to all staff regarding Dana Cohen's role as the agency Career Counselor and the type of guidance currently available, as well as future enhancements under development
- Ensuring that agency EEO professionals are trained in EEO laws and procedures and have attended required 5-day training provided through DCAS' Office of Citywide Diversity and Equal Employment Opportunity
- Confirmation that agency EEO Professionals report directly to the agency head on EEO matters
- Establishment of Quarterly Executive EEO Briefings with agency senior leadership to review progress against EEO Plan goals and future actions, as well as maintenance of meeting minutes and follow up
- Re-submission of the agency's 2014 EEO Annual Plan

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION #2016/030C- 08:** Determination of Compliance (Monitoring Period Required) by the Department of City Planning with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits and Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

**Whereas**, pursuant to its audit and analysis of the Department of City Planning (DCP) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated July 29, 2015, setting forth findings and the following required corrective actions:

1. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.
4. 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.



5. 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.
6. Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).
7. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes in addition to the above, disability or veteran status, interview date, interviewers' names, reason selected/not selected (or disposition) of each applicant, and recruitment source.
8. Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.
9. Ensure and maintain documentation that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.
10. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.
11. Indicate the reporting relationship between the principal EEO Professional and agency head (or a direct report other than the General Counsel) in the agency's organizational chart, EEO Policy and Annual EEO Plan.
12. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
13. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity.

**Whereas**, the DCP submitted its response to the EEPC's Preliminary Determination letter, on August 13, 2015, with documentation of its actions to rectify required corrective action(s) No. 7, 11 and 13; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on September 9, 2015,

which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions Nos. 1, 2, 3, 4, 5, 6, 8, 9, 10, and 12, remaining;

**Whereas**, the DCP submitted its response to the EEPC's final determination letter, on October 6, 2015; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the remaining corrective actions from October 2015 to March 2016 with no extension of the monitoring period;


**Whereas**, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the DCP submitted a copy of the agency head's memorandum to staff dated May 4, 2016, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated his commitment to the agency's EEO Program; and


**Whereas**, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

**Be It Resolved**, that the Department of City Planning has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the NY City Charter.

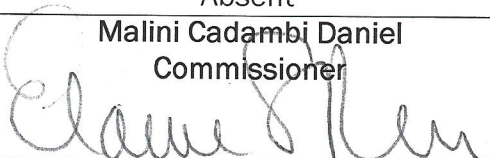
**Be It Resolved**, that the Commission will forward this Final Determination to Director Carl Weisbrod of the Department of City Planning.

Approved unanimously on May 5, 2016.

  
\_\_\_\_\_  
Angela Cabrera  
Commissioner

  
\_\_\_\_\_  
Arva Rice  
Commissioner

Absent  
\_\_\_\_\_  
Malini Cadambi Daniel  
Commissioner

  
\_\_\_\_\_  
Elaine S. Reiss, Esq.  
Commissioner



**NYC**  
**Equal Employment  
Practices Commission**

Angela Cabrera  
Malini Cadambi Daniel  
Elaine S. Reiss, Esq.  
Arva R. Rice  
Commissioners

Charise L. Terry, PHR  
Executive Director

Judith Garcia Quiñonez, Esq.  
Executive Agency Counsel/  
Deputy Director

Marie Giraud, Esq.  
Agency Attorney/  
Director of Compliance  
Monitoring

253 Broadway  
Suite 602  
New York, NY 10007

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

May 5, 2016

Carl Weisbrod  
Director  
Department of City Planning  
22 Reade Street  
New York, NY 10007-1216

Re: Resolution #2016/030C-08: Determination of Agency  
Compliance.

Dear Director Weisbrod:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to formally notify you that the Commission has issued the attached Determination of Compliance to the Department of City Planning. This Commission has determined that the Department of City Planning has implemented the required corrective actions for ensuring a fair and effective affirmative employment program of equal opportunity as required by the equal employment opportunity standards of this Commission and Chapters 35 and 36 of the New York City Charter.

On behalf of this Commission, I want to thank you and Director of Human Capital & Operations Dana Cohen for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,



Elaine S. Reiss, Esq.  
Commissioner

c: Dana Cohen, Director of Human Capital & Operations, DCP  
Marie Giraud, Esq., Agency Attorney/ Director of Compliance  
Monitoring



EEPC

EQUAL EMPLOYMENT PRACTICES COMMISSION

*This*

# *Determination of Compliance*

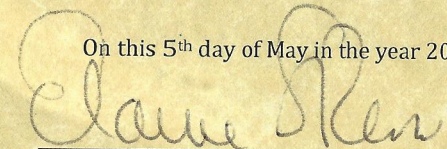
*is issued to the*

## *Department of City Planning*

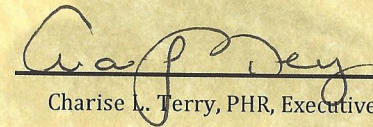
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*for successfully implementing 13 of 13 required corrective actions pursuant to the Equal Employment Practices Commission's Employment Practices and Procedures Audit for the period from January 1, 2012 to this date.*

On this 5<sup>th</sup> day of May in the year 2016,



Elaine S. Reiss, Esq., Commissioner



Charise L. Terry, PHR, Executive Director

*In care of Director Carl Weisbrod and Director of  
Human Capital & Operations Dana Cohen*