



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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December 20, 2007

Martha K. Hirst

Commissioner

Department of Citywide Administrative Services

One Centre Street, 17th Floor

New York, NY 10007

Re: Resolution #07/25-868/ Preliminary Determination Pursuant to the Audit of the Department of Citywide Administrative Services (DCAS) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2005 through December 31, 2006.

Dear Commissioner Hirst:

Pursuant to Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) is empowered 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. (New York City Charter, Chapter 36, sections 831(d)(2) and (5).)

The Charter defines city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau, 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..."

This letter contains the preliminary determinations of EEPC pursuant to its audit of compliance by the Department of Citywide Administrative Services (DCAS) during the twenty-four month period commencing January 1, 2005 and ending December 31, 2006. Requests for corrective actions and/or recommendations are included where the EEPC has determined that the DCAS has failed to comply in whole or in part with the City's EEO Policy.

The purpose of this audit is to evaluate the agency's compliance with the EEOP, not to issue findings of discrimination pursuant to the New York City Human Rights Law.

Scope and Methodology

Audit methodology included an analysis of the DCAS' Agency Specific Plans, quarterly EEO reports, and responses to an EEPC Document and Information Request Form. EEPC staff also analyzed Citywide Equal Employment Database System (CEEDS) data by which the DCAS determines underutilizations and concentrations of targeted groups within the workforce. These designations represent 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. Where CEEDS data revealed underutilizations within the DCAS workforce, the auditors determined whether the agency had undertaken reasonable measures to correct those underutilizations. (Appendix 5)

The EEPC auditors also conducted in-depth, on-site interviews with the DCAS' EEO officer, and three EEO counselors. The career counselor retired during the audit period.

A survey was distributed to 1,000 people employed by the DCAS during the audit period. (This number excludes 64 surveys that were returned as undeliverable.) One hundred forty-seven people (6.4%) responded. Significant survey findings are attached and discussed in the proceeding pages. (Appendix 1)

Description of the Agency

Established by Local Law in August 1996, the DCAS is a consolidation of the former Department of Personnel and the municipal supply, real estate, facilities maintenance and administrative division of the former Department of General Services. The Department establishes and ensures conformity to citywide personnel management standards; fosters equal employment opportunity in New York City government; evaluates citywide personnel policies and programs; develops and administers examinations for city jobs; and helps agencies effectively manage, train and develop their personnel, with a focus on improving service, reducing cost and increasing revenue. The Department also manages, leases, and purchases City real property; operates, manages and repairs courthouses and other City-owned public buildings; administers an energy conservation program; and purchases supplies, materials and equipment for city agencies.

Personnel Activity During the Audit Period

During the audit period, 415 people were hired: 127 Caucasians, 152 African-Americans, 99 Hispanics, 34 Asians, 2 Native Americans, and 1 "Unknown." Of the individuals hired, 176 were female. Two hundred eleven individuals were promoted during the audit period: 86 Caucasians, 62 African-Americans, 42 Hispanics, 18 Asians, and 3 "Unknowns." Of the employees promoted, 89 were female. (Appendix 4)

The DCAS reports that 70 full-time employees were involuntarily separated during the audit period: 17 Caucasians, 40 African-Americans, 8 Hispanics, 3 Asians, 1 Native American, and 1 "Unknown." Twenty-nine of those individuals were female.

Between January 1, 2005 and December 31, 2006, the total number of DCAS employees increased by 5%, from 1,823 to 1,915. There were small percentage increases for Hispanics (20% to 21%) and Asians (6% to 7%). There were small percentage decreases for African-Americans (36% to 35%) and females (40% to 39%). (Appendices 2 and 3)

Discrimination Complaint Activity During the Audit Period

During the period in review, 9 internal discrimination complaints were filed: 3 were based on sexual harassment, 2 were based on gender, and 1 was based on race. The other 3 internal discrimination complaints were based on multiple categories. The EEO officer completed and issued reports for 8 of these complaints, which received 2 probable cause determinations and 6 no probable cause determination. One complaint was pending at the end of the audit period. Ten external complaints were filed, which were all based on multiple categories. Seven of the complaints were closed and 1 withdrawn; the 2 remaining complaints, filed with multiple agencies (Equal Employment Opportunity Commission, State Division on Human Rights, and/or City Commission on Human Rights), were pending at the end of the audit period.

PRELIMINARY DETERMINATION

Following are our preliminary determinations with required corrective actions and recommendations pursuant to the audit.

Plan Dissemination – Internally

The DCAS is in compliance with the following requirements:

1. The DCAS last distributed (in hardcopy and electronically) the Citywide EEO Policy to legal, human resources, and EEO representatives, as well as managers and supervisors on January 26, 2007. The DCAS' agency head distributed a general EEO Policy memorandum to staff on January 26, 2007. The EEO Policy was also distributed in 2005 and 2006. The city's EEO Policy Handbook (*About EEO: What You May Not Know*, with addendum) was also distributed on January 26, 2007. Included in the general EEO Policy memorandum are directions on how to access the Intranet to obtain a copy of the booklet. The policies are distributed at specific orientation sessions, EEO training sessions, as well as at presentations and discussions. In addition, 84% and 91% of the employees surveyed by the EEPC indicated they had received the EEO Policy Statement and EEO Policy Handbook, respectively.
2. According to the agency's EEO counselors and 69% of the employees surveyed, the DCAS' EEO Policy memorandum is posted on agency bulletin boards. The EEO officer and counselors continually check and maintain the boards to ensure the EEO information is clearly posted and current.

3. The DCAS' EEO policies are available in alternate formats (e.g. Braille, audio cassette/CD and large print) for use by applicants and employees with disabilities.

Plan Dissemination – Externally

The DCAS is in compliance with the following requirement:

The five internal job vacancy notices (Principle Administrative Associate, Associate Staff Analyst, Associate Accountant, Administrative Staff Analyst (non-mgr), and Associate Staff Analyst (Lease Administrator)) and the seven newspaper advertisements (Senior Salvage Appraiser, Agency Attorney – Level 1, Special Examiners (Mechanical and Electrical) (2X), Elevator Mechanic and Elevator Mechanic Helper, Associate Project Manager of Construction Services, Electrical Engineer, Administrative Construction Project Manager, and Associate Project Manager/ Elevator Specialist) submitted by the DCAS to the EEPC contain the EEO tag line.

Affirmative Action and Reasonable Accommodation for Persons with Disabilities

The DCAS is in compliance with the following requirements:

1. The DCAS has provided accommodations for employees with disabilities, such as a Bariatric 8000 Ascender MP 300 Chair, an ergonomic chair and desk, and a flexible work schedule. In addition, 5 of the 6 survey respondents who indicated they asked for an accommodation said that the agency accommodated them.
2. According to the EEO officer, the DCAS participates in the Section 55-A Program. Information about the Program is included in the general EEO Policy memorandum and the training booklet, which is distributed during EEO training. The DCAS' personnel office informs the EEO officer on a quarterly basis of the number of 55-A Program participants; currently, 6 employees participate in the program.
3. The DCAS' EEO officer is also the agency's disability rights and reasonable accommodations coordinator.
4. The DCAS has completed its own survey of its facilities and submitted an accessibility checklist for all three locations that indicates it has street accessible entrances, ramp access, wheelchair accessible elevators, bells and Braille in the elevators, wide restroom stalls, grab bars in the restrooms, and low sink or bathroom fixtures. In addition, 82% of the survey respondents said that the agency's facilities are accessible for persons with disabilities.

EEO Complaint and Investigation System

The DCAS is in compliance with the following requirements:

1. The EEO officer receives and investigates discrimination complaints in conformance with the EEOP's model complaint and investigation procedures and implementation guidelines issued by the DCAS.

2. The EEO officer maintains a monthly log of discrimination complaints filed against the agency. She provided a copy of a completed monthly log.
3. The agency head conducts a review of the complaint after the EEO officer completes a report.
4. The general counsel informs the EEO office when external EEO complaints or litigation have been brought against the agency. The general counsel takes responsibility for the investigation of, and response to, external EEO complaints. The EEO office also receives a copy of the final determination.
5. The DCAS' EEO officer and counselors have all completed the basic training course for EEO professionals at the Department of Citywide Administrative Services/ Office of Citywide Equal Employment Opportunity (DCAS/OCEEO). In addition to receiving basic training at DCAS, the EEO officer received investigations and adverse impact training. She received Diversity and Dispute resolution training from Cornell University School of Industrial and Labor Relation's EEO Studies Program. The EEO officer has also received training on Combating Racial Stereotyping.
6. The agency identifies its EEO staff by posting their names, locations and numbers in the EEO Policy memorandum and training handbook. In addition, 72% of the survey respondents said that they know who the agency's EEO officer is.
7. The DCAS has individuals not of the same gender available for complaint intake and investigation.

The DCAS is not in compliance with the following requirements:

The DCAS submitted 8 internal discrimination complaint files to the EEPD for review. One of the complaints filed was anonymous and another one was filed by a former employee.

1. Seven of the eight internal complaint files submitted (#868-2005-00004, #868-2007-00002, #868-2007-00001, #868-2006-00012, #868-2006-00010, #868-2006-00006, and #868-2006-00005) contain handwritten notes. Corrective action is required.

Recommendation: It is the Commission's position that complaint files should contain clear and thorough word-processed notes of interviews conducted with the complainant, respondent or witnesses.

2. Four of the eight internal complaint files submitted (#868-2006-00010, #868-2006-00006, #868-2006-00005, and #868-2006-00002) do not contain a discrimination complaint intake form. Corrective action is required.

Recommendation: All discrimination complaint files should include a Discrimination Complaint Form completed by the complainant or the EEO investigator. (DCPIG, sect. 12(b))

3. Three of the eight internal complaint files submitted (#868-2007-00002, #868-2007-00001, and #868-2006-00005) were not closed within 90-days of the date on which the complaint was filed. Corrective action is required.

Recommendation: Whenever possible, the investigation of complaints should be completed within 90 days of the receipt of the complaint. In circumstances where the investigation cannot be completed within the 90-day timeframe, a notification delay letter, stating the reason for the delay, should be sent to the parties of the investigation. (DCAS, DCPIG, Amendment of April 2, 1996)

4. Two of the 10 internal complaint files submitted (#868-2006-00005 and #868-2006-00002,) do not include a written notice of discrimination complaint to the respondent. Corrective action is required.

Recommendation: All respondents should be served with a notice of complaint along with a copy of the complaint. Respondent(s) or someone authorized to sign for the respondent(s) must acknowledge receipt of the notice. The receipts should be maintained in the complaint file. (DCPIG, sect. 12(b))

EEO Training

The DCAS is in compliance with the following requirement:

The EEO officer told EEPC auditors that she conducts EEO training for staff. Her qualifications include 19 years EEO experience and a variety of EEO and investigative training: the DCAS' basic training for EEO professionals, diversity and dispute resolution training from Cornell University School of Industrial and Labor Relation's EEO Studies Program, and combating racial stereotyping training from the Equal Employment Opportunity Commission. The training curriculum, which the DCAS submitted, is approved by DCAS/OCEEO.

The DCAS has developed a plan to train all new and existing employees on EEO. Each new employee attends an orientation which includes, at a minimum, a discussion on EEO laws, EEO protections, theories of discrimination, sexual harassment prevention, ADA, reasonable accommodations for disability, mediation, complaint procedure, and valuing diversity. Managers and supervisors are trained concerning EEO-related rights and responsibilities in a manner consistent with the minimum standards for EEO training. The EEO officer submitted a list of all employees who participated. The DCAS states in its "agency specific plan" that it recognizes the need to reinforce prior EEO training and plans to explore the development of EEO refresher training courses for employees that meet the standards set by the Office of Citywide EEO.

The DCAS' annual/fourth quarter reports indicated that the agency trained a total of 220 employees in FY 2005, (12%) and a total of 155 employees (8%) in FY 2006. In addition, 87% of the employees surveyed indicated they had received EEO training.

Underutilization

The DCAS' CEEDS data indicated underutilization of at least three "protected" classes in 12 of the 17 job groups, and persistent underutilization in 9 job groups. (See Appendix 5 for underutilizations at the beginning and end of the audit period.)

Following is an analysis of personnel activity in these categories.

EEO Job Groups / Hires and Promotions:

Administrators (001): African-Americans, Hispanics and females were underutilized in this category during both the second and fourth quarters of FY 2005 and FY 2006. No employee was hired into this category. One individual was promoted to or within this category: a Caucasian male.

Managers (002): African-Americans were underutilized in this category throughout the audit period. Twenty-five individuals were hired into this category: 16 Caucasians, 5 African-Americans, 2 Hispanics, and 2 Asians; 8 of those were female. Thirty-five employees were promoted to or within this category: 28 Caucasians, 4 African-Americans, 1 Hispanic, and 1 Asian; 12 of these were female.

Management Specialists (003): African-Americans were underutilized in this category throughout the audit period. Thirty-nine individuals were hired into this category: 16 Caucasians, 11 African-Americans, 2 Hispanics and 9 Asians; 20 of those were female. Thirty-seven employees were promoted to or within this category: 23 Caucasians, 1 African-American, 4 Hispanics, and 8 Asians; 13 of these were female.

Science Professionals (004): African-Americans were underutilized in this category during the second quarter of FY 2005. Females were underutilized in this category during the third and fourth quarters of FY 05 and the first, second, and third quarters of FY 2006. Thirty-seven individuals were hired into this category: 20 Caucasians, 11 African-Americans, 3 Hispanics, and 3 Asians; 16 of those were female. Sixteen employees were promoted to or within this category: 2 Caucasians, 3 African-Americans, 6 Hispanics, and 5 Asians; 6 of these were female.

Technicians (010): African-Americans were underutilized in this category during the second quarter of FY 2005 and the first through fourth quarters of FY 2006. Seven individuals were hired into this category: 3 Caucasians, 1 African-American, 2 Hispanics, and 1 Asian; 5 of those were female. Three employees were promoted to or within this category: 2 Caucasians and 1 Hispanic; 1 of these was female. No African-Americans or Asians were promoted.

Clerical Supervisors (012): Hispanics were underutilized in this category during the third quarter of FY 2005. Thirty-one individuals were hired into this category: 10 Caucasians, 8 African-Americans, 6 Hispanics, and 7 Asians; 27 of those were female. Twenty-eight employees were promoted to or within this category: 8 Caucasians, 10 African-Americans, 9 Hispanics, and 1 Asian; 23 of these were female.

Police and Detectives (018): Hispanics were underutilized in this category during fourth quarter of FY 2005. Females were underutilized in this category during first quarter of FY 2005 and the first through third quarters of FY 2006. No individuals were hired into this category. Two employees were promoted to or within this category: 1 African-American and 1 Hispanic. No Asians or females were promoted.

Guards (019): African-Americans were underutilized in this category during the first quarter of FY 2005. Hispanics were underutilized in this category during the first and second quarters of FY 2005. Females were underutilized throughout the audit period. No individuals were hired into this category. Three employees were promoted to or within this category: 1 African-American and 2 Hispanics. No Asians or females were promoted.

Craft (025): African-Americans and females were underutilized throughout the audit period. Forty individuals were hired into this category: 27 Caucasians, 5 African-Americans, 6 Hispanics, and 2 Asians; 2 of those were female. Eighteen employees were promoted to or within this category: 8 Caucasians, 1 African-American, and 8 Hispanics. No Asians or females were promoted to or within this category.

Operators (026): African-Americans were underutilized in this category during the first and third quarters of FY 2005. Females were underutilized throughout the audit period. Seventeen individuals were hired into this category: 10 Caucasians, 4 African-Americans, 2 Hispanics, and 1 Asian. No females were hired. Two employees were promoted to or within this category: 1 Caucasian and 1 African-American. No Hispanics, Asians or females were promoted.

Transportation (027): African-Americans and females were underutilized throughout the audit period. Six individuals were hired into this category: 3 Caucasians and Hispanics. No African-Americans, Asians or females were hired. Two employees were promoted to or within this category: 1 Caucasian and 1 Hispanic. No African-Americans, Asians or females were promoted.

Laborers (028): African-Americans were underutilized in this category during the first through third quarters of FY 2005 and first quarter of FY 2006. Females were underutilized throughout the audit period. Fourteen individuals were hired into this category: 6 Caucasians, 5 African-Americans, and 3 Hispanics. No Asians or females were hired. One employee was promoted to or within this category: 1 African-American. No Hispanics, Asians or females were promoted.

Addressing Underutilization

The DCAS is in compliance with the following requirement:

The EEO officer told EEPC auditors that she reviews the agency's CEEDS quarterly reports to determine if women and/or minorities are underrepresented in particular job groups. She submits a copy of her analysis to the agency head. The EEO officer also stated that the agency is working on targeted recruitment efforts as a result of that review.

The DCAS is in partial compliance with the following requirement:

The DCAS placed several advertisements during the audit period. Although it provided a list of newspapers, journals, publications, and websites it used for recruitment purposes, it (list) included only two-minority-oriented newspapers: *El Diario* and *Amsterdam News* and a website –*Diversityinc.com*. Also, it did not utilize any female-oriented agencies or organizations. Corrective action is required.

Recommendation: “Making the Most of New York City’s Recruitment Resources,” (2004 http://extranet.dcas.nycnet/eo/pdf/apomasterclass_recruitment.pdf) is a DCAS publication designed to assist agencies in creating a more diverse applicant pool. The DCAS should further expand its recruitment efforts by utilizing this document. (Sect. IV, EEOP)

Recommendation: In keeping with the mandate of the EEOP, the DCAS should ensure that job vacancies for which underutilization of women and/or minorities have previously been identified are advertised in female-and minority-oriented publications, and sent to professional and community organizations serving minorities, women, and persons with disabilities. (Sect. IV, EEOP)

Selection and Recruitment

The DCAS is in compliance with the following requirements:

1. All recruitment literature (job advertisements and internal job vacancy notices) the DCAS submitted indicates that the agency is an equal opportunity employer.
2. The DCAS utilizes a discretionary applicant form, which contains no illegal pre-employment inquiries under the EEO laws.

The DCAS is in partial compliance with the following requirements:

1. According to the EEO officer, the agency’s hiring personnel, identified at the time, completed DCAS’ structured interview training in June 2002. The DCAS’ utilized the Office of Citywide Equal Employment Opportunity’s structured interview materials. Currently, the EEO officer is working on a plan to provide structured interviewing training to hiring personnel. The training is proposed for January 2008.

Recommendation: The DCAS should adhere to its plan to provide structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEO Policy)

2. The DCAS’ EEO officer received the DCAS’ adverse impact training in 2004. However, the agency did not conduct adverse impact studies during the audit period. Corrective action is required.

Recommendation: The DCAS should 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. (Section IV, EEOP).

The DCAS is not compliance with the following requirement:

The EEO officer told EEPC auditors that she is not involved in the agency's recruitment process; she has been consulted, at times, with regards to developing recruitment strategies and selecting recruitment media. Corrective action is required.

Recommendation: During the audit period there were significant underutilizations of African-Americans, Hispanics, and/ or females in 12 job categories. Given the requirement of the Citywide EEO Policy, the agency head should direct the human resources director to regularly include the EEO officer in developing recruitment strategy and selecting recruitment media. (Section VC, EEOP)

Promotional Opportunities

The DCAS is in compliance with the following requirements:

1. The DCAS utilizes the citywide managerial performance evaluation form, which includes a rating for EEO.
2. Fifty-two percent of the survey respondents indicated that they saw the agency's job postings on agency bulletin boards for vacant positions prior to the application deadline while 14% did not remember.

The DCAS is in partial compliance with the following requirements:

1. Although during the audit period the DCAS had a designated person (human resources director) familiar with civil service and provisional jobs to serve as career counselor, that individual has since retired. The EEO officer told the EEPC auditors that the previous career counselor provided career counseling upon request. However, only 17% of survey respondents indicated that they knew the name of the person in the agency responsible for providing career counseling. The DCAS recently appointed the new human resources director as the career counselor. A memorandum regarding that appointment was distributed to staff on July 12, 2007.
2. Although 60% of survey respondents employed for over one year received annual evaluations, 61% of those respondents indicated that the evaluations did not contain recommendations for improving job performance. Corrective action is required.

Recommendation: The agency head should direct supervisors/managers to include in their evaluations recommendations for improving job performance. (Sect. IV, EEOP)

Supervisory Responsibility in EEO Plan Implementation

The DCAS is in partial compliance with the following requirement:

Managers and supervisors have been directed to conduct meetings with staff, at least once a year, to reaffirm their commitment to the Citywide EEOP and discuss the right of employees to file discrimination complaints with the EEO office. In addition, 71% percent of the survey

respondents said that their supervisor/manager has emphasized his or her commitment to the agency's EEO policies at staff meetings and discussed their rights and responsibilities under the City's EEO Policy. However, the EEO officer told EEPC auditors that she only has some documentation of the meetings via archived emails. Corrective action is required.

Recommendation: It is the position of the DCAS ("Model Agency EEO Commitment Memo," <http://extranet.dcas.nycnet/eoo/pdf/mdel-memo.pdf>) and the EEPC that the meetings conducted by supervisors/managers to emphasize their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO Office should be documented.

EEO Officer Reporting Arrangement

The DCAS is in compliance with the following requirement:

The organization chart submitted to EEPC shows a reporting relationship between the EEO officer and the agency head.

The DCAS is in partial compliance with the following requirement:

The EEO officer told the EEPC auditors that although she reports directly to the agency head on EEO matters, she does not meet with her; however, she meets with the general counsel monthly and prepares an agenda and keeps notes of those meetings. This is a default reporting relationship. Corrective action is required.

Recommendation: The EEO officer should have regularly scheduled meetings with the agency head. Appropriate documentation of meetings and other communications between the EEO officer and the agency head regarding EEO decisions should be maintained.

EEO Officer Responsibilities

The DCAS is in compliance with the following requirement:

The DCAS' EEO officer spends 100% of her time on EEO matters.

Reporting Standards

The DCAS is in compliance with the following requirement:

The agency submitted three quarterly reports and one annual report to the EEPC for FY 2005 and FY 2006.

SUMMARY OF RECOMMENDED CORRECTIVE ACTIONS

1. It is the Commission's position that complaint files should contain clear and thorough word-processed notes of interviews conducted with the complainant, respondent or witnesses.
2. All discrimination complaint files should include a Discrimination Complaint Form completed by the complainant or the EEO investigator. (DCPIG, sect. 12(b))
3. Whenever possible, the investigation of complaints should be completed within 90 days of the receipt of the complaint. In circumstances where the investigation cannot be completed within the 90-day timeframe, a notification delay letter, stating the reason for the delay, should be sent to the parties of the investigation. (DCAS, DCPIG, Amendment of April 2, 1996)
4. All respondents should be served with a notice of complaint along with a copy of the complaint. Respondent(s) or someone authorized to sign for the respondent(s) must acknowledge receipt of the notice. The receipts should be maintained in the complaint file. (DCPIG, sect. 12(b))
5. "Making the Most of New York City's Recruitment Resources," (2004 http://extranet.dcas.nycnet/eo/pdf/apomasterclass_recruitment.pdf) is a DCAS publication designed to assist agencies in creating a more diverse applicant pool. The DCAS should further expand its recruitment efforts by utilizing this document. (Sect. IV, EEOP)
6. In keeping with the mandate of the EEOP, the DCAS should ensure that job vacancies for which underutilization of women and/or minorities have previously been identified are advertised in female-and minority-oriented publications, and sent to professional and community organizations serving minorities, women, and persons with disabilities. (Sect. IV, EEOP)
7. The DCAS should adhere to its plan to provide structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEO Policy)
8. The DCAS should 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. (Section IV, EEOP).
9. During the audit period there were significant underutilizations of African-Americans, Hispanics, and/ or females in 12 job categories. Given the requirement of the Citywide EEO Policy, the agency head should direct the human resources director to regularly include the EEO officer in developing recruitment strategy and selecting recruitment media. (Section VC, EEOP)
10. The agency head should direct supervisors/managers to include in their evaluations recommendations for improving job performance. (Sect. IV, EEOP)

11. It is the position of the DCAS ("Model Agency EEO Commitment Memo," <http://extranet.dcas.nycnet/eo/pdf/mdel-memo.pdf>) and the EEPC that the meetings conducted by supervisors/managers to emphasize their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO Office should be documented.
12. The EEO officer should have regularly scheduled meetings with the agency head. Appropriate documentation of meetings and other communications between the EEO officer and the agency head regarding EEO decisions should be maintained.

In addition to the above recommendations, during the compliance process, the Commission requires that the agency head distribute a memorandum to all staff informing them of the changes that are being implemented in the agency's EEO program pursuant to the audit. This memorandum should re-emphasize the agency head's commitment to the agency's Equal Employment Opportunity Program.

Conclusion

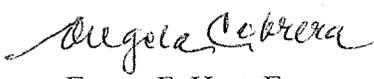
Pursuant to Chapter 36 of the New York City Charter and the previously cited preliminary determinations relating to EEPC's audit of DCAS' compliance with its Equal Employment Opportunity Policy and EEO standards expressed in the Citywide EEO Policy, we respectfully request your response to the aforementioned preliminary determinations.

Your response should indicate what corrective actions your office will take to bring the agency in compliance with the aforementioned policies and which recommendations it intends to follow. As the EEO officer Norma Martin informed us during the exit meeting of December 11, 2007, you have already implemented some of our recommended corrective actions. Please specify those corrective actions in your response. Please forward your response within thirty days of receipt of this letter.

Pursuant to Section 832 of the New York City Charter, as amended in 1999, if you do not implement all of these recommendations for corrective actions during a compliance period not to exceed six months, this Commission may publish a report and recommend to the Mayor the appropriate corrective actions that you should implement in your agency's EEO Plan.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's auditors during the course of this audit. If you have any questions regarding these preliminary determinations, please let us know.

Sincerely,


for Ernest F. Hart, Esq.
Chair

Department of Citywide Administrative Services
EMPLOYEE SURVEY RESULTS

A. GENERAL OVERVIEW

1. Do you know who your agency's EEO Officer is?
Yes (106) No (41)
2. Is your agency's EEO Policy Statement posted on your agency's bulletin boards?
Yes (101) No (46)
3. Were you given the EEO Policy Statement?
Yes (123) No (8) Do not remember (16)
4. Were you given a copy of the EEO Policy Handbook – *About EEO: What You Need to Know*?
Yes (134) No (13)
5. Do you agree with the principles of equal employment opportunity?
Yes (147) No (0)
6. Do you believe your agency practices equal employment opportunity?
Yes (113) No (34)
7. Do you know what the City's Equal Employment Opportunity Policy (EEO) is?
Yes (141) No (6)
8. Has your supervisor emphasized his/her commitment to the agency's EEO policies at any staff meeting during the past 8 months?
Yes (97) No (23) Do not remember (17)
9. When you started working at your agency, did you attend an orientation session?
If No, please skip to question #11.
Yes (144) No (0) Do not remember (3)
10. If hired within the past 12 months, did your orientation session include information on your rights and responsibilities under the EEO Policy?
Yes (66) No (0) Do not remember (8)

B. EEO COMPLAINTS

11. Do you know how to file an EEO complaint?
Yes (140) No (7)
12. If you had an EEO complaint, would you bring it to your agency's EEO Office?
Yes (133) No (0) Undecided (14)

DCAS SURVEY RESULTS CONTINUED

13. Would you prefer to file an EEO complaint with an office outside your agency?
Yes (56) No (45) Undecided (46)

14. Did you ever file an EEO complaint with your agency's EEO Office?
If No, please skip to question #18.
Yes (6) No (141)

15. What was the basis of the complaint?

Age (0)	Partnership Status (0)
Alienage or Citizen Status (0)	Predisposing genetic characteristic (0)
Arrest or Conviction Record (0)	Race (1)
Color (0)	Sexual Harassment (4)
Creed (0)	Sexual Orientation (0)
Disability (0)	Veteran's Status (0)
Gender (incl. gender identity) (1)	Victim of Domestic Violence, Stalking, and Sex Offenses (0)
Marital Status (0)	Other (0)
Military Status (0)	
National Origin (0)	

16. Were you satisfied with the manner in which your complaint was managed?
Yes (2) No (4)

17. Was your manager or supervisor supportive of your right to file a complaint?
Yes (4) No (1) Not Applicable (1)

C. EEO TRAINING

18. Did you receive EEO training? If No, please skip to question #20.
Yes (128) No (19)

19. Did you find this training helpful?
Very (38) Somewhat (71)
Not really (10) Waste of time (9)

D. JOB PERFORMANCE/ADVANCEMENT

20. Did you see your agency's job postings on agency bulletin boards for vacant positions prior to the application deadline?
Yes (77) No (49) Do not remember (21)

21. If you were employed at your agency for over one year, did you receive annual evaluations?
If No, skip to question #24.
Yes (88) No (52) Not employed for >1 year (7)

22. Did your evaluation contain recommendations for improving your job performance?
Yes (54) No (86)

DCAS SURVEY RESULTS CONTINUED

23. Did your evaluation contain recommendations for career advancement with your agency?

Yes (23) No (117)

24. Do you know the name of the person in your agency who is responsible for providing career counseling?

Yes (25) No (122)

E. AFFIRMATIVE ACTION FOR PERSONS WITH DISABILITIES

25. Are your agency's facilities accessible for persons with disabilities?

Yes (121) No (9) Don't Know (17)

26. Did you ever ask for an accommodation for a physical or mental disability?

If No, skip to question #28.

Yes (6) No (141)

27. Did the agency accommodate you?

Yes (5) No (1)

OPTIONAL

28. What is your race/ethnicity?

Asian (6)	Native American (0)
Black (47)	White (54)
Hispanic (16)	Other (7)

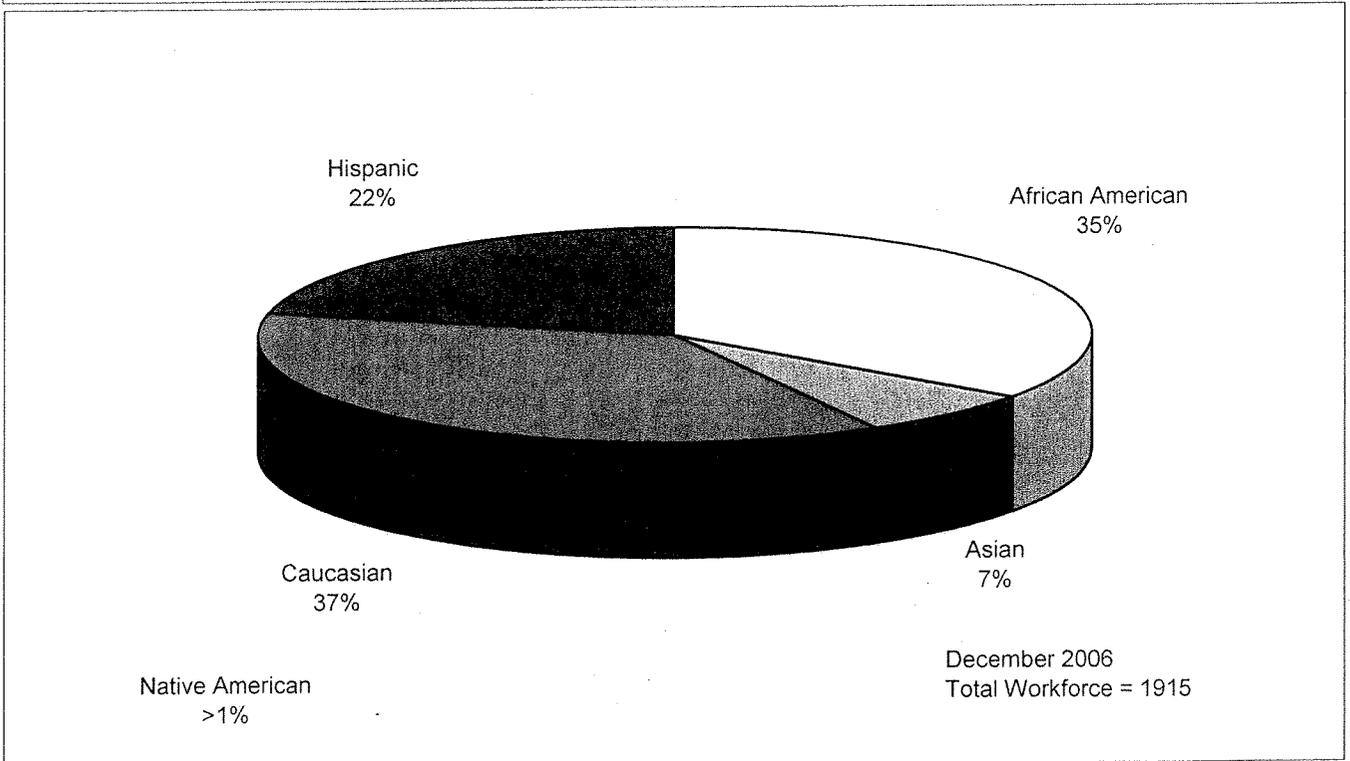
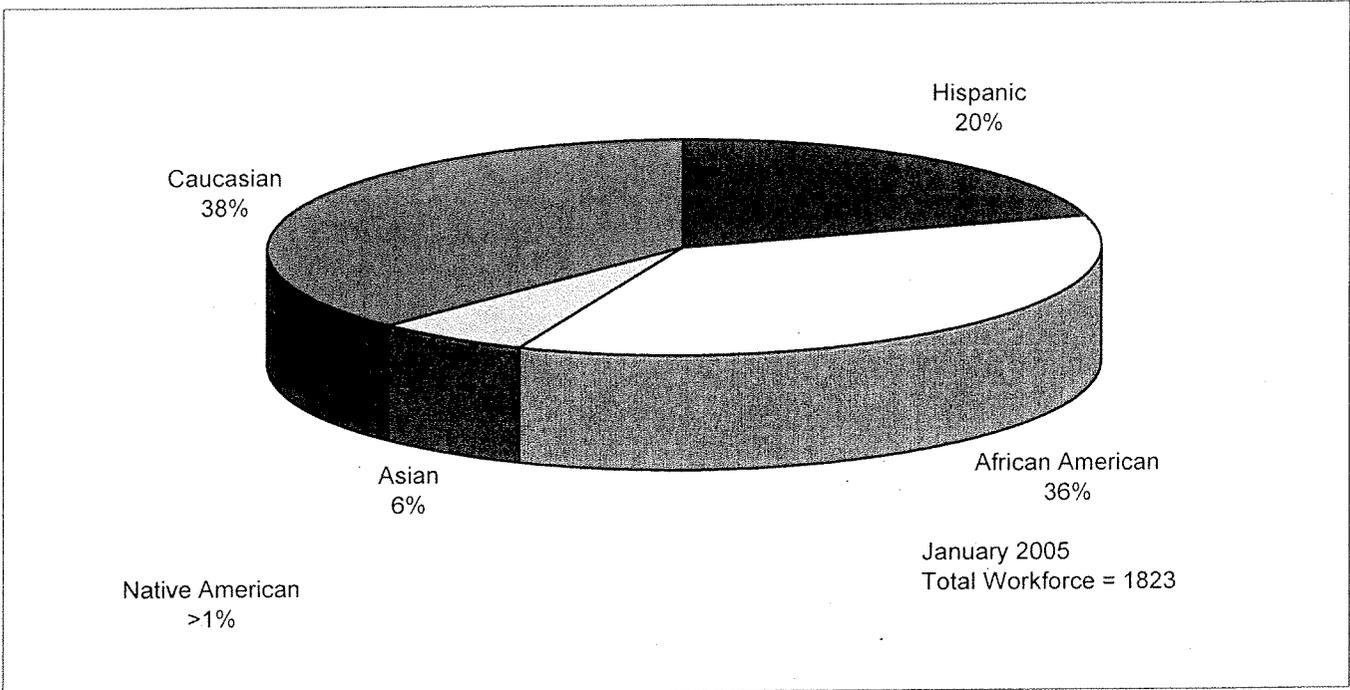
29. What is your gender?

Male (63) Female (60)

Appendix - 2

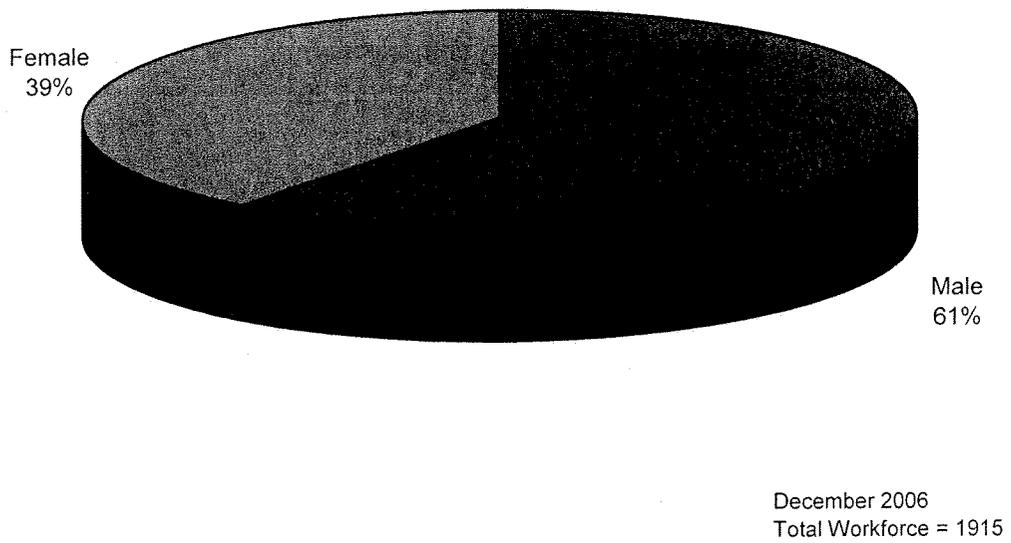
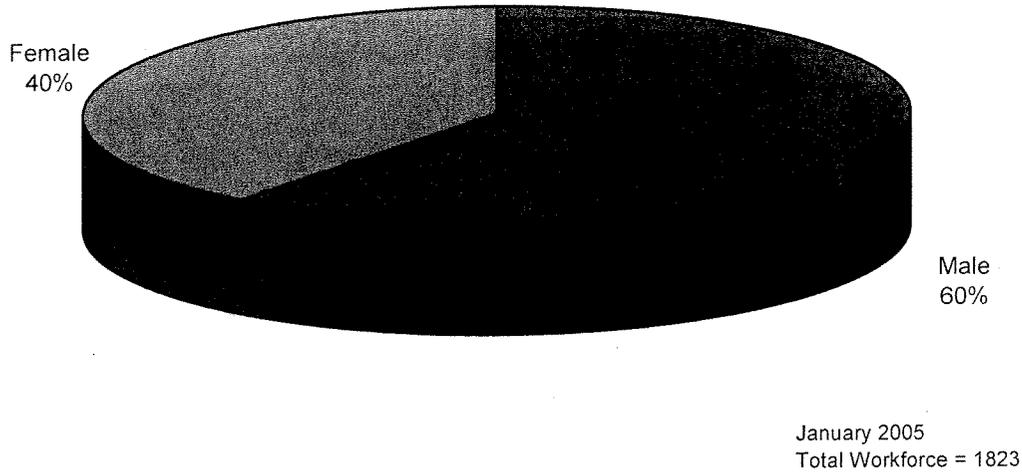
Department of Citywide Administrative Services

Workforce by Ethnicity



Appendix - 3

Department of Citywide Administrative Services Workforce by Sex



APPENDIX – 4

The following table indicates personnel activity during the audit period, January 1, 2005 to December 31, 2006

Department of Citywide Administrative Services

Hires by Sex and Ethnicity

Total Hires: 414

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Native American	Total
239	176	414	127	152	99	34	2	414

Promotions by Sex and Ethnicity

Total Promotions: 211

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Unknown	Total
123	88	211	86	62	42	18	3	211

Source: Audit data supplied by Dept. of Citywide Administrative Services

Department of Citywide Administrative Services
CEEDS UNDERUTILIZATION CHART
 January 1, 2005 - December 31, 2006

Quarter:		2Q/2005	3Q/2005	4Q/2005	1Q/2006	2Q/2006	3Q/2006	4Q/2006
		(Oct-Dec)	(Jan-Mar)	(Apr-Jun)	(Jul-Sep)	(Oct-Dec)	(Jan-Mar)	(Apr-Jun)
Job Group	Protected Class							
001 Admin.	Afr. Am.	X						X
	Asian							
	Hisp.	X						X
	Nat. Am.							
	Female	X						X
002 Manage.	Afr. Am.	X	X	X	X	X	X	X
	Asian							
	Hisp.							
	Nat. Am.							
	Female							
003 Mngmt. Specs.	Afr. Am.	X	X	X	X	X	X	X
	Asian							
	Hisp.							
	Nat. Am.							
	Female							
004 Sci. Pros.	Afr. Am.	X						
	Asian							
	Hisp.							
	Nat. Am.							
	Female		X	X	X	X	X	
010 Tech	Afr. Am.	X			X	X	X	X
	Asian							
	Hisp.							
	Nat. Am.							
	Female							

X= Underutilization

Department of Citywide Administrative Services
 CEEDS UNDERUTILIZATION CHART
 January 1, 2005 - December 31, 2006

012 Clerical Sup	Afr. Am.							
	Asian							
	Hisp.		X					
	Nat. Am.							
	Female							
018 Police Detect.	Afr. Am.							
	Asian							
	Hisp.			X				
	Nat. Am.							
	Female	X			X	X	X	
019 Guards	Afr. Am.	X						
	Asian							
	Hisp.	X	X					
	Nat. Am.							
	Female	X	X	X	X	X	X	X
025 Craft	Afr. Am.	X	X	X	X	X	X	X
	Asian							
	Hisp.							
	Nat. Am.							
	Female	X	X	X	X	X	X	X
026 Ops.	Afr. Am.	X		X				
	Asian							
	Hisp.							
	Nat. Am.							
	Female	X	X	X	X	X	X	X
027 Trans.	Afr. Am.	X	X	X	X	X	X	X
	Asian							
	Hisp.							
	Nat. Am.							
	Female	X	X	X	X	X	X	X
028 Labor	Afr. Am.	X	X	X	X			
	Asian							
	Hisp.							
	Nat. Am.							
	Female	X	X	X	X	X	X	X

X= Underutilization



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER

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Martha K. Hirst
Commissioner

January 28, 2008

*Citywide Personnel
Services*

*Facilities
Management &
Construction*

*Municipal Supply
Services*

Real Estate Services

*Citywide Equal
Employment
Opportunity*

*Citywide
Occupational Safety
& Health*

*Transportation
Services*

The City Record

CityStore

Ernest F. Hart, Esq.
Chair
Equal Employment Practices Commission
40 Rector Street, 14th Floor
New York, NY 10006

Dear Mr. Hart:

Thank you for giving the Department of Citywide Administrative Services ("DCAS") the opportunity to respond to the Preliminary Determinations issued by the EEPC pursuant to its audit of DCAS' compliance with the City's Equal Employment Opportunity ("EEO") Policy for the period January 1, 2005 through December 31, 2006. We were pleased to note the results of the audit were overwhelmingly positive and reflective of this agency's commitment to promoting EEO. However, we do have some comments to certain of the recommended corrective actions, as set forth below.

1. Recommended Corrective Action

It is the Commission's position that complaint files should contain clear and thorough word-processed notes of interviews conducted with the complainant, respondent or witnesses.

Agency Response

DCAS shares the EEPC's concern with regard to the need for clear and legible complaint interview notes and certainly believes that complaint Report of Findings should be comprehensive typewritten documents. However, the agency respectfully reminds the Commission that, in this case, the EEPC audit staff acknowledged that the DCAS complaint files contained clear and legible - albeit handwritten - interview notes, which were supplemented by comprehensive typewritten Reports of Findings and Determinations. Accordingly, the agency believes that the need to provide typewritten copies of interview notes to be both unnecessary and burdensome. Moreover, we believe that it would be more beneficial for the EEO Officer to be able to focus her time and attention on addressing important substantive issues, such as providing training, and becoming more involved in the areas of recruitment, hiring, promotion and retention. These functions would serve to further the goals of the EEO Policy far more than would typing interview notes. Accordingly, we ask the Commission to reconsider this recommendation, with our assurances that we will continue to ensure that the interview notes are clear and legible and that the Reports of Findings are comprehensive and typewritten.

2. Recommended Corrective Action

All discrimination complaint files should include a Discrimination Complaint Form completed by the complainant or the EEO investigator.

Agency Response

The agency will make every effort to ensure that all EEO complaint files include a Discrimination Complaint form or an Anonymous/Oral Complaint form that has been completed by the complainant or the EEO investigator.

3. Recommended Corrective Action

Whenever possible, the investigation of complaints should be completed within 90 days of the receipt of the complaint. In circumstances where the investigation cannot be completed within the 90-day timeframe, a notification delay letter stating the reason for the delay should be sent to the parties of the investigation.

Agency Response

The agency will continue to make every effort to ensure that investigations of complaints are completed within 90 days of the receipt of the complaint. However, where the investigation cannot be completed within the 90-day timeframe, a notification letter, stating the reason for the delay will be sent to the parties and a copy will be maintained in the complaint file.

4. Recommended Corrective Action

All respondents should be served with a notice of complaint along with a copy of the complaint. Respondent(s) or someone authorized to sign for the respondent(s) must acknowledge receipt of the notice. The receipts should be maintained in the complaint file.

Agency Response

The agency will continue to make every effort to ensure that all individual respondents who have been clearly identified are served with a notice of complaint, along with a copy of the complaint. Please note, however, that in certain instances respondents are not clearly identified until the investigation is underway. In such cases, the notice of complaint and a copy of the complaint will be served as soon as practicable. The agency will continue to maintain notice of complaint acknowledgement receipts in the complaint file.

5. Recommended Corrective Action

‘Making the Most of New York City’s Recruitment Resources’ (2004) is a DCAS publication designed to assist agencies in creating a more diverse applicant pool. The DCAS should further expand its recruitment efforts by utilizing this document.

Agency Response

The agency, in endeavoring to further diversify its applicant pool is committed to utilizing the resources available in the “*Making the Most of New York City’s Recruitment Resources*” publication to determine which recruitment resources should be utilized to assist the agency in creating a more diverse applicant pool for vacant positions. In fact we have already begun to increase utilization of these resources.

6. Recommended Corrective Action

In keeping with the mandate of the EEOP, the DCAS should ensure that job vacancies for which underutilization of women and/or minorities have previously been identified are advertised in female and minority-oriented publications and sent to professional and community organizations serving minorities, and persons with disabilities.

Agency Response

When the agency is able to use discretion in hiring for positions for which an underutilization of women and/or minorities has previously been identified, the agency will advertise job vacancies in female and minority-oriented publications and send job vacancies to professional and community organizations serving minorities, and persons with disabilities. Indeed it is our intent to do so even for job vacancies where there is no apparent underutilization, in order to attract all qualified candidates.

7. Recommended Corrective Action

The DCAS should adhere to its plan to provide structured interview training to personnel involved in the recruitment and hiring process.

Agency Response

The agency plans to identify all personnel involved in the recruitment and hiring process who have not previously attended structured interviewing training and provide them with structured interviewing training.

8. Recommended Corrective Action

The DCAS should 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.

Agency Response

The agency will assess its selection methods to ensure that criteria for job selection are job-related and that all interview questions are race, gender and disability neutral. Furthermore, whenever practicable, we plan to utilize interview panels that encompass diversity.

9. Recommended Corrective Action

During the audit period there were significant underutilizations of African-Americans, Hispanics, and/or females in 12 job categories. Given the requirement of the Citywide EEO Policy, the agency head should direct the human resources director to regularly include the EEO officer in developing recruitment strategy and selecting recruitment media.

Agency Response

The Human Resources Director will be instructed to consult with the EEO Officer in selecting recruitment resources and recruitment media in order to develop a more diverse applicant pool.

10. Recommended Corrective Action

The agency head should direct supervisor/managers to include in their evaluations recommendations for improving job performance and/or career advancement.

Agency Response

The agency will instruct supervisors and managers to include in their employee evaluations of employee's job performance recommendations for improving job performance. Employees are instructed to seek information concerning career advancement from the DCAS Career Counselor, Kevin Finegan, Director of Human Resources, who is familiar with the civil service process and job vacancies.

11. Recommended Corrective Action

It is the position of the DCAS ("Model Agency EEO Commitment Memo," <http://extranet.dcas.nycnet/eo/pdf/mdel-memo.pdf>) and the EEPC that the meetings conducted by supervisors/managers to emphasize their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO office should be documented.

Agency Response

Agency supervisors and managers will be instructed to notify the EEO Officer via email of the date they conduct staff meetings in which they emphasize their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO office. The EEO Officer will record and maintain this documentation.

12. Recommended Corrective Action

The EEO officer should have regularly scheduled meetings with the agency head. Appropriate documentation of meetings and other communications between the EEO officer and the agency head regarding EEO decisions should be maintained.

Agency Response

The EEO Officer and Agency Head presently meet on an "as needed" basis; in addition, regularly scheduled meetings will also take place on a bi-monthly basis, beginning this month. Documentation of these meetings will continue to be maintained. Communications between the EEO Officer and the Agency Head regarding EEO decisions will continue to be maintained in the EEO files.

The agency's Equal Employment Opportunity Plan for Fiscal Year 2008 will incorporate any recommendations for corrective actions which have not been implemented.

Sincerely,



Martha K. Hirst
Commissioner



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

40 Rector Street, 14th Floor, New York, New York 10006

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Ernest F. Hart, Esq.

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Commissioners

Abraham May, Jr.

Executive Director

Eric Matusewitch, PHR, CAAP

Deputy Director

April 14, 2008

Martha K. Hirst

Commissioner

Department of Citywide Administrative Services

One Centre Street, 17th Floor

New York, NY 10007

Re: Final Determination Pursuant to the Audit of the Department of Citywide Administrative Services (DCAS) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2005 through December 31, 2006.

Dear Commissioner Hirst:

Thank you for your January 28, 2008 response to our December 20, 2007 Letter of Preliminary Determination pursuant to the audit of the Department of Citywide Administrative Services Citywide Administrative Services' Equal Employment Opportunity Policy from January 1, 2005 through December 31, 2006.

After reviewing your response, our Final Determination is as follows:

Agree

We agree with your responses to the following EEPIC recommendations, pending documentation that can be attached to your reply or provided during the compliance period:

Recommendation #2

All discrimination complaint files should include a Discrimination Complaint Form completed by the complainant or the EEO investigator. (DCPIG, sect. 12(b))

Recommendation #3

Whenever possible, the investigation of complaints should be completed within 90 days of the receipt of the complaint. In circumstances where the investigation cannot be completed within the 90-day timeframe, a notification delay letter, stating the reason for the delay, should be sent to the parties of the investigation. (DCAS, DCPIG, Amendment of April 2, 1996)

Recommendation #4

All respondents should be served with a notice of complaint along with a copy of the complaint. Respondent(s) or someone authorized to sign for the respondent(s) must acknowledge receipt of the notice. The receipts should be maintained in the complaint file. (DCPIG, sect. 12(b))

Recommendation #5

“Making the Most of New York City’s Recruitment Resources,” (2004 http://extranet.dcas.nycnet/eeo/pdf/apomasterclass_recruitment.pdf) is a DCAS publication designed to assist agencies in creating a more diverse applicant pool. The DCAS should further expand its recruitment efforts by utilizing this document. (Sect. IV, EEOP)

Recommendation #6

In keeping with the mandate of the EEOP, the DCAS should ensure that job vacancies for which underutilization of women and/or minorities have previously been identified are advertised in female-and minority-oriented publications, and sent to professional and community organizations serving minorities, women, and persons with disabilities. (Sect. IV, EEOP)

Recommendation #7

The DCAS should adhere to its plan to provide structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEO Policy)

Recommendation #9

During the audit period there were significant underutilizations of African-Americans, Hispanics, and/ or females in 12 job categories. Given the requirement of the Citywide EEO Policy, the agency head should direct the human resources director to regularly include the EEO officer in developing recruitment strategy and selecting recruitment media. (Section VC, EEOP)

Recommendation #10

The agency head should direct supervisors/managers to include in their evaluations recommendations for improving job performance. (Sect. IV, EEOP)

Recommendation #11

It is the position of the DCAS (“Model Agency EEO Commitment Memo,” <http://extranet.dcas.nycnet/eeo/pdf/mdel-memo.pdf>) and the EEPC that the meetings conducted by supervisors/managers to emphasize their commitment to the agency’s EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO Office should be documented.

Recommendation #12

The EEO officer should have regularly scheduled meetings with the agency head. Appropriate documentation of meetings and other communications between the EEO officer and the agency head regarding EEO decisions should be maintained.

Requires Clarification

For the following reasons, hereafter identified as EEPC Rationale, we request clarification of your response to the following recommendation, which can be addressed in your response or during the compliance period:

Recommendation #8

The DCAS should 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. (Section IV, EEOP).

Your Response

The agency will assess its selection methods to ensure that criteria for job selection are job-related and that all interview questions are race, gender and disability neutral. Furthermore, whenever practicable, we plan to utilize interview panels that encompass diversity.

EEPC Rationale

Your response does not indicate if the DCAS will adopt the recommendation. Particularly, your response does not say whether the DCAS will assess selection criteria to determine if they adversely impact any particular group. The Citywide EEO Policy clearly states that “ the agency will 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.”

Disagree

For the following reasons, hereafter identified as EEPC rationale, we disagree with your response to the following EEPC recommendation:

Recommendation #1

It is the Commission’s position that complaint files should contain clear and thorough word-processed notes of interviews conducted with the complainant, respondent or witnesses.

Your Response

DCAS shares the EEPC’s concern with regard to the need for clear and legible complaint interview notes and certainly believes that complaint Report of Findings should be comprehensive typewritten documents. However, the agency respectfully reminds the Commission that, in this case, the EEPC audit staff acknowledged that the DCAS complaint files contain clear and legible - albeit handwritten – interview notes, which were supplemented by comprehensive typewritten Reports of Findings and Determinations. Accordingly, the agency believes that the need to provide typewritten copies of interview notes to be both unnecessary and burdensome. Moreover, we believe that it would be more beneficial for the EEO officer to

be able to focus her time and attention on addressing important substantive issues, such as providing training, and becoming more involved in the areas of recruitment, hiring, promotion and retention. These functions would serve to further the goals of the EEO Policy far more than would typing interview notes. Accordingly, we ask the Commission to reconsider this recommendation, with our assurances that we will continue to ensure that the interview notes are clear and legible and that the Reports of Findings are comprehensive and typewritten.

EEPC Rationale

The EEPC cannot grant your request. It is the policy of this Commission that interview notes contained in the complaint files be word-processed. This is a policy that applies to all City agencies, and is based on the findings of many audits. It is also practical because future EEO officers and/or external reviewing agencies will be able to read the interview notes.

While we acknowledged during the audit exit meeting that the handwritten notes in the EEO complaint files were legible that is no guarantee that future EEO Officers at the DCAS will also produce legible handwritten notes. Too many EEO Officers do not. This policy is a consequence of that fact.

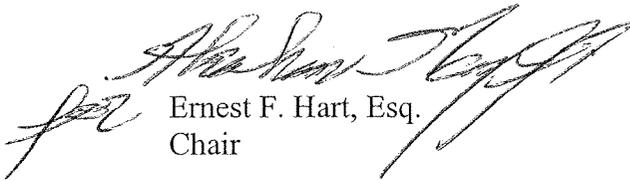
Conclusion

Pursuant to section 832 of the New York City Charter, this Commission will initiate an audit compliance procedure not to exceed six months. However, you may respond to the aforementioned determinations prior to the initiation of audit compliance.

If you choose to issue a written response, please do so within thirty days. If you choose not to issue a written response, we will initiate audit compliance shortly thereafter. EEPC Counsel Judith Quiñonez or her designee will contact your EEO Officer in seven days to ascertain your intentions.

In closing, we want to thank you and your staff for your cooperation during the audit process. We look forward to a mutually satisfactory compliance process.

Sincerely,


Ernest F. Hart, Esq.
Chair



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER

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97608

Martha K. Hirst
Commissioner

Citywide Personnel
Services

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Municipal Supply
Services

Real Estate Services

Citywide Equal
Employment
Opportunity

Citywide
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May 14, 2008

Ernest F. Hart, Esq.
Chair
Equal Employment Practices Commission
40 Rector Street, 14th Floor
New York, NY 10006

Ernest F. Hart
Dear Mr. Hart:

Thank you for giving the Department of Citywide Administrative Services (“DCAS”) the opportunity to respond to the Final Determinations issued by the EEPC pursuant to its audit of DCAS’ compliance with the City’s Equal Employment Opportunity Policy for the period of January 1, 2005 through December 31, 2006.

The following responses are being submitted to restate and/or provide clarification for the agency’s previously submitted responses to the EEPC’s Recommendations #1 and #8.

Recommendation #1

“It is the Commission’s position that complaint files should contain clear and thorough word-processed notes of interviews conducted with the complainant, respondent or witnesses.”

Agency response

As we previously stated, we think it would be more beneficial for the EEO officer to focus her time and attention on addressing substantive issues, such as training, as opposed to typing interview notes. However, in view of the EEPC’s interest in legibility of all investigative notes, the agency intends to procure a software program to assist the EEO officer in maintaining typed investigative notes in the future.

Recommendation #8

“The DCAS should 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.”

Clarification of Agency Response

DCAS will assess its selection criteria to determine whether they adversely impact any particular racial, ethnic, disability or gender group.

In addition, the DCAS EEO Officer participates in the Citywide EEO Working Group, which has identified the creation of best practices in monitoring agencies' employee selection procedures as a priority and is now focusing on providing leadership in how to monitor selections. The DCAS EEO Officer is also a member of the Citywide EEO Working Group's Best Practices Subcommittee. In that role, she is exploring resources to develop customized training on adverse impact and barrier analysis that will engage appropriate agency functions in assessing selection criteria for adverse impact.

I trust the aforementioned responses adequately address the agency responses with which the EEPC either disagreed or required clarification.

Sincerely,



Martha K. Hirst
Commissioner

c: Norma Martin, EEO Officer