

Department of Juvenile Justice

- **Summary Compliance Report** **December 18, 2008**
- **Letter of Compliance Satisfaction** **December 18, 2008**



EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: Department of Juvenile Justice

Agency Head: Neil Hernandez, Commissioner

EEO Officer: Tonia Haynes

Audit period: July 1, 2005 – June 30, 2007

Preliminary Determination Letter:

December 20, 2007

Agency Response Letter:

January 25, 2008

EEPC Response Letter (FDL not necessary):

May 28, 2008

Compliance Initiated:

July 2008

Compliance Completed:

November 2008

Covering Months:

July 2008 – December 2008

Date: December 18, 2008

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEPC) Audit of Compliance by the Department of Juvenile Justice (DJJ) with the City's Equal Employment Opportunity Policy from July 1, 2005 through June 30, 2007, the EEPC initiated Audit Compliance with the DJJ in July 2008. The DJJ's final Monthly Compliance Report was submitted on November 21, 2008.

All five required actions were completed and accepted. The following is a summary of the compliance reports:

1. Since the DJJ's workforce continues to show underutilization in certain protected groups, it should expand its recruitment efforts to address underutilization by acquiring "Making the Most of New York City's Recruitment Resources," 2004, http://extranet.dcas.nycnet/eo/pdf/apomasterclass_recruitment.pdf, a list of recruitment sources compiled by DCAS. This publication provides agencies with additional recruitment resources to address the underutilization of protected groups.

The DJJ has promulgated Policy and Procedure #3/08, "Agency Staff Diversity Strategic Efforts", which includes utilizing the DCAS Resource Guide, "Making the Most of New York City Recruitment Resources". A copy of the directive was provided with the DJJ's January 25, 2008 response to the EEPC's Preliminary Determination letter.

The required action was completed in January 2008.

2. The DJJ should conduct adverse impact studies.

The DJJ has provided the EEPC with two adverse impact assessments using the Juvenile Counselor and Congregate Care Specialist titles for new hires. One assessment displays an analysis that was conducted for the audit period (7/05 – 6/07) and the other was conducted for the calendar period (1/08 – present). Both assessments demonstrate that there was no adverse impact with respect to new hires for the two titles based on gender.

The required action was completed in November 2008.

3. The DJJ should re-distribute information about the identity, location, and telephone numbers of the career counselor to all agency employees.

The EEO officer distributed an agency-wide memo on January 23, 2008, informing staff of the identity, location, and phone number of the career counselor. A copy of the memo was provided with the DJJ's January 25, 2008 response to the EEPC's Preliminary Determination letter.

The required action was completed in January 2008.

4. The DJJ should develop a plan to evaluate all employees annually.

The DJJ has implemented Policy and Procedure #2/08, "Annual Managerial and Sub-Manual Performance Evaluation Process" providing a formal mechanism for evaluations of all Department personnel on a yearly basis. The directive indicates that managerial employees will be evaluated no later than the last Friday of every January of the calendar year and sub-manual employees will be evaluated no later than the third Friday of every July of the fiscal year. A copy of the Policy and Procedure #2/08, which includes the evaluation forms, was provided with the DJJ's January 25, 2008 response to the EEPC's Preliminary Determination letter.

The required action was completed in January 2008.

5. The agency head should distribute an agency-wide memo informing staff of the changes that are being implemented in the agency's EEO program pursuant to the audit and re-emphasize his commitment to the agency's EEO program.

On August 21, 2008, the agency head distributed a memorandum to DJJ staff informing them of the changes that are being implemented in the agency's EEO program pursuant to the EEPC audit (attached).

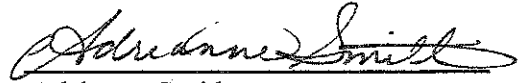
The required action was completed in August 2008.

Recommendation

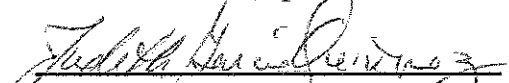
Based on the above information, we recommend that the Equal Employment Practices

Commission issue a Letter of Completion of Compliance to Commissioner Neil Hernandez, informing him that the Department of Juvenile Justice has implemented all of the recommended corrective actions to the Commission's satisfaction.

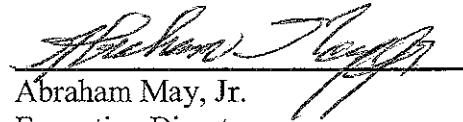
Respectfully Submitted,



Adrienne Smith
EEO Auditor/Compliance Officer



Judith Garcia Quiñonez, Esq.
Counsel/Compliance Director



Abraham May, Jr.
Executive Director

Attachment



The City of New York
Department of Juvenile Justice
110 William Street, New York, NY 10038

Neil Hernandez
Commissioner

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MEMORANDUM

To: All Staff and Service Providers

From: Neil Hernandez *Neil Hernandez*

Date: August 21, 2008

Re: Agency's Equal Employment Opportunity (EEO) Program

DJJ's commitment to the Agency's EEO program has traditionally gone beyond the mandated requirements as part of our continuous efforts to promote diversity and tolerance. For example, during the past fiscal year the Office of Equal Employment Opportunity trained approximately 650 personnel and piloted automated training at one of our sites to test increasing overall staff competency levels. The NYC Equal Employment Practices Commission (EEPC), pursuant to the City Charter as part of a routine audit, conducted a survey for staff on their views concerning the EEO program at work and the results have led DJJ to implement several recommendations.

- DJJ added Policy and Procedure # 3/08, "Agency Staff Diversity Strategic Efforts", where the Office of Equal Employment Opportunity will meet quarterly with pertinent staff to identify recruitment strategies, coordinate an annual adverse impact assessment and further expand its recruitment efforts.
- In response to the results of the EEPC survey, where 33% of the respondents said that they had not received annual evaluations, a plan for annual evaluations for all employees has been implemented. Policy and Procedure # 2/08, "Annual Managerial and Sub-Managerial Evaluation Process" requires evaluations of all Department personnel on an annual basis. These evaluations are partly intended to develop our workforce by advising of areas for development and improvement.
- Also in response to the results of the EEPC survey, 71% of the respondents said they did not know the identity of the Agency Career Counselor. So please keep in mind that the Agency's Career Counselor Beverly McInnis [(212) 442- 8356 and BMCINNIS@djj.nyc.gov] is available to answer your questions concerning your career progression within the Agency and the City's workforce. Her information is also available on our website: www.nyc.gov/nycdjj.

The Department is committed to continuing to ensure an environment that promotes diversity and tolerance. If you have any questions about these or any other EEO matters, please feel free to call the Agency's EEO Officer, Tonya Haynes [(212) 442-8080 and THaynes@djj.nyc.gov].



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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December 18, 2008

Neil Hernandez

Commissioner

Department of Juvenile Justice

110 William Street

New York, NY 10038

Re: Resolution #08/10-130C: Implementation of Corrective Actions Pursuant to the Audit of Compliance by the Department of Juvenile Justice's (DJJ) Equal Employment Opportunity Program (EEOP) from July 1, 2005 to June 30, 2007.

Dear Commissioner Hernández: *Neil*

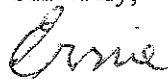
Pursuant to Section 832 of Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) was required to monitor audit compliance by the Department of Juvenile Justice (DJJ) for a period not to exceed six months. The compliance period was July 2008 through December 2008. The DJJ's Final Compliance Report was submitted on November 21, 2008.

The goal of monitoring was to determine if the DJJ implemented all recommended corrective actions pursuant to our audit of compliance by your agency with the City's Equal Employment Opportunity Policy from July 1, 2005 to June 30, 2007.

After completing its review of the Compliance Reports submitted by your agency, EEPC staff submitted a Compliance Summary Report for Commission review. This Commission has determined that the DJJ has implemented the recommended corrective actions as required by Chapter 35 and 36 of the New York City Charter to the Commission's satisfaction. The Department of Juvenile Justice is now in compliance with the requirements of the City's Equal Employment Opportunity Policy.

On behalf of this Commission, I want to thank you and EEO Officer Tonia Haynes for the cooperation extended to the EEPC Compliance Unit during the compliance-monitoring period.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ernie", written in dark ink.

Ernest F. Hart
Chair

C: Tonia R. Haynes, EEO Officer