

#07/08-017C

OFFICE OF EMERGENCY MANAGEMENT

- Summary Compliance Report April 26, 2007
- Letter of Compliance Satisfaction April 26, 2007



EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: Office of Emergency Management

Agency Head: Joseph F. Bruno, Commissioner

EEO Officer: James McConnell

Audit Period: July 1, 2003 - June 30, 2005

Date of Preliminary Determination Letter:	<i>June 8, 2006</i>
Date of Response Letter:	<i>July 19, 2006</i>
Date of EEPC Response	<i>July 28 2006</i>

Compliance Initiated:	<i>October 2006</i>
Compliance Completed:	<i>March 2007</i>
Covering Months:	<i>September 2006 - February 2007</i>

Date: April 26, 2007

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEPC) Audit of Compliance by the Office of Emergency Management (OEM) with the City's Equal Employment Opportunity Policy (EEOP), EEPC initiated Audit Compliance with the OEM in October 2006. The OEM's final Monthly Compliance Report was submitted on March 29, 2007. Additional information was submitted on April 4 and 24, 2007.

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

- 1. The Commissioner's memorandum to the OEM staff regarding the EEO Policy should be revised to indicate who is the EEO Officer and who are the EEO Counselors.**

The OEM submitted a copy of the September 30, 2006 EEO Policy memorandum it emailed to staff informing them of the identity of the EEO Officer and Counselors.

The required action was completed in September 2006.

2. **The agency head should officially designate a Disabilities Rights Coordinator, who is usually the EEO Officer.**

The OEM said it designated the EEO Officer as the agency's Disability Rights Coordinator and announced it in the above-mentioned memorandum.

The required action was completed in September 2006.

3. **The agency head should participate in the Section 55-A Program. At a minimum, the agency should obtain and distribute Program brochures issued by the Department of Citywide Administrative Services.**

The OEM said that copies of the Section 55-A brochures were distributed to staff with their pay checks/stubs on March 8 and 9, 2007.

The required action was completed in March 2007.

4. **To ensure that there are individuals not of the same gender available for complaint intake and investigation, the OEM should authorize at least one of the EEO Counselors to conduct discrimination investigations.**

The OEM stated that all EEO professionals (one male EEO Officer and three female EEO Counselors) are authorized to conduct discrimination investigations. The OEM and the DCAS submitted verification that all individuals completed the DCAS EEO professionals training.

The required action was completed in January 2007.

5. **The OEM should develop a plan, which includes a timetable, to provide general EEO training to all new and current employees who have not received that training.**

The OEM said it conducted two mandatory EEO training sessions on January 9, 2007. It also conducted a session on March 29, 2007 for individuals who missed the first sessions. It submitted copies of the attendance sheet.

The required action was completed in March 2007.

6. **To ensure fair employment practices, the OEM should, in addition to internal and citywide posting, use the list of minority and female recruitment sources compiled by the DCAS for discretionary job vacancies.**

The OEM stated that it has obtained the list "Making The Most of New York City's Recruitment Resources, 2004" and will utilize the Citywide and minority and female recruitment sources. It submitted sample pages of the list.

The required action was completed in March 2007.

- 7. The Commissioner should direct the Personnel Director to include the EEO Officer in the development of recruitment strategies and selection of recruitment media.**

The OEM said that in the EEO Policy memorandum the Commissioner instructed the Personnel Director and EEO Officer to work together in the development of recruitment strategies and selection of recruitment media.

The required action was completed in September 2006.

- 8. Since the EEOP requires city agencies to conduct adverse impact studies to determine if selection devices adversely impact any particular racial, ethnic, or gender group, the OEM should secure the necessary training to conduct such studies, either from the DCAS or another appropriate source.**

The OEM said that Ms. Georgia Pestana, Chief of Labor and Employment Law, from the New York City Law Department advised that it would not benefit from an adverse impact analysis due to its unique staffing situation. However, the OEM's EEO Officer and Personnel Director obtained the training materials for adverse impact analysis and will review the possible applicability for OEM line employees only. It submitted a sample page of the document.

The required action was accepted in March 2007.

- 9. The OEM should ensure that all employees involved in job interviewing receive structured interview training, either through internal training or training provided by the DCAS or another appropriate organization.**

The OEM said it conducted a number of structured interview training courses for managers and supervisors. Currently DCAS is helping arrange a make-up for 16 individuals who missed the previous courses. It submitted copies of the attendance sheets.

The response to the required action was accepted in April 2007.

- 10. The OEM should appoint an individual familiar with civil service jobs as Career Counselor and inform all employees in writing of that person's name, location, and phone number/email address.**

The OEM stated that it has appointed the Personnel Director as the Career Counselor. Staff was notified of the appointment in the EEO Policy Memorandum.

The required action was completed in September 2006.

- 11. All future EEO plans and documents should be prepared by the agency's EEO Officer.**

The OEM stated that all future EEO plans and documents will be prepared by the EEO Officer. It submitted a copy of FY 06 Annual Report and 3rd Quarter FY 06 Report.

The required action was completed in September 2006.

12. **Three quarterly reports and one annual report on the agency's efforts to implement the Agency-Specific EEO Plan should be submitted to the Department of Citywide Administrative Services and the EEPC no later than thirty days following the reporting period.**

The OEM stated that the FY '06 Annual Report and 3rd Quarter FY '06 Report were sent to the DCAS. It said that all future EEO plans and documents will be sent to DCAS and EEPC no later than thirty days following the reporting period. It submitted a copy of the FY '06 Annual Report and 3rd Quarter FY '06 Report.

The response to the required action was accepted in March 2007.

13. **The OEM should continue to consult with the OLR, the NYCLD, and the DCAS regarding the development of performance evaluation forms and procedures for its managerial and non-managerial staff as soon as possible.**

The OEM said that it has developed evaluation procedures and a Performance Evaluation Form for all OEM staff and has scheduled training on the form for all OEM managers and supervisors on April 5, and April 6, 2007. In a follow-up email dated April 4, 2007, OEM's Deputy Commissioner and General Counsel Stella Guarna said that "At the present time there is one evaluation tool....OEM will work with DCAS to make adjustments to provide for managerial and supervisory evaluations."

The response to the required action was accepted in March 2007.

14. **The OEM's Commissioner should disseminate an agency-wide memorandum to discuss audit findings.**

The attached memorandum from Commissioner Joseph F. Bruno was distributed on September 30, 2006.

The required action was completed in September 2006.

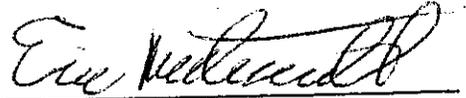
Recommendation

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to Commissioner Joseph F. Bruno, informing him that the OEM has implemented the recommended corrective actions to the Commission's satisfaction.

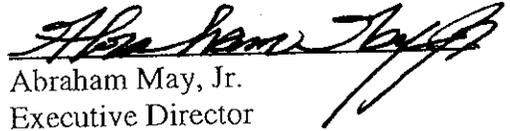
Respectfully Submitted,



Lisa Badner
Counsel



Eric Matusewitch
Deputy Director



Abraham May, Jr.
Executive Director

Attachment



OFFICE OF EMERGENCY MANAGEMENT
11 WATER STREET · BROOKLYN, NY 11201

Joseph F. Bruno
Commissioner

Calvin Drayton
First Deputy Commissioner

Seth Cummins
Chief of Staff

Rachel Stein Dickinson
Deputy Commissioner
Administration / Finance / Policy

Brad Gair
Deputy Commissioner
Operations

Stella Guarna
General Counsel

Henry Jackson
Deputy Commissioner
For Technology

Kelly McKinney
Deputy Commissioner
Planning & Preparedness

Alex Torres
Chief
Security & Investigations

TO: All OEM Staff

FROM: Joseph F. Bruno, Commissioner

DATE: September 30, 2006

RE: Equal Employment Practices Commission Audit of OEM

The New York City Office of Emergency Management (OEM) was recently audited by the Equal Employment Practices Commission (EEOC). The EEOC monitors and evaluates the employment programs, practices, policies and procedures of all city agencies to ensure that they maintain an effective employment program of equal employment opportunity for protected groups who are employed by, or seek employment with, agencies of the New York City government (<http://www.nyc.gov/html/eepc/html/home/home.shtml>).

The EEOC conducted its audit of OEM from February through May of this year. The audit covered the period from July 1, 2003 to June 30, 2005. EEOC sent its final assessment of OEM's compliance with pertinent Equal Employment Opportunity (EEO) regulations to me on June 8, 2006. I responded to the EEOC by letter dated July 18, 2006, commenting on the audit and noting the agency's intention to take steps to ensure compliance with any outstanding issues noted in the June 8th letter.

The EEOC audit contained several recommendations to enhance the EEO practices of OEM. Some of these recommendations are listed below. The complying actions agreed to by OEM are in parentheses.

- Send a memo update to all OEM employees indicating the names of the current EEO Officer and EEO Counselors and their responsibilities. (A designation memo is being distributed with this memo.)
- Designate a Disabilities Rights Coordinator. (OEM's EEO Officer, James McConnell, has been so designated.)

- Develop a plan to ensure that all employees receive general EEO training. (While this has been handled on an individual basis in the past, OEM is now developing a plan for group training sessions.)
- Supplement existing job posting outlets with the list of minority and female recruitment sources compiled by DCAS for discretionary job vacancies. (OEM has recently started to utilize these supplemental lists.)
- The Personnel Director and EEO Officer should work together in the development of recruitment strategies and selection of recruitment media. (The Commissioner has instructed those parties to work together on this issue.)
- All managers should receive formal structured interviewing training. (All OEM managers have either received this training this Summer or will in the Fall of 2006.)
- A Career Counselor should be designated. (The Personnel Director has been so designated.)
- OEM's unusual staffing structure (i.e., personnel from many other agencies in addition to OEM line employees) makes it difficult to evaluate its recruitment, hiring, and promotion practices in terms of adverse impact on any particular racial, ethnic, or gender group. (The Personnel Director and EEO Officer will receive training on conducting adverse impact studies. OEM is also working with the Office of Labor Relations, the Law Department, and DCAS to develop performance evaluations for managerial and non-managerial employees that reflect our peculiar staffing structure.)
- The Commissioner must send a memorandum to all OEM staff to discuss the audit findings. (This memo complies with that recommendation.)

As Commissioner, I reaffirm the agency's strong commitment to maintaining fair employment practices for all of its employees and job applicants. We seek to ensure the maintenance of a work environment where differences among employees are accepted and appreciated.

All employees are encouraged to find out more about this audit and the resources available to you at OEM by contacting OEM's EEO Officer, James McConnell (718) 422-4812.



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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

Telephone: (212) 788-8646 Fax: (212) 788-8652

Ernest F. Hart, Esq.

Chair

Manuel A. Méndez

Vice-Chair

Chereé A. Buggs, Esq.

Angela Cabrera

Veronica Villanueva, Esq.

Commissioners

Abraham May, Jr.

Executive Director

Eric Matusewitch, PHR, CAAP

Deputy Director

April 26, 2007

Joseph F. Bruno

Commissioner

Office of Emergency Management

165 Cadman Plaza East

Brooklyn, New York 11201

Re: Resolution #07/08-017C: Implementation of Corrective Actions Pursuant to the Audit of Compliance by the Department Office of Emergency Management's (OEM) Equal Employment Opportunity Program (EEOP) from July 1, 2003 to June 30, 2005.

Dear Commissioner Bruno:

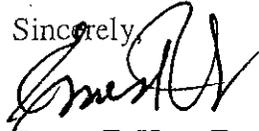
Pursuant to Section 832 of Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) was required to monitor audit compliance by the Office of Emergency Management (OEM) for a period not to exceed six months. The compliance period was September 2006 through February 2007. The OEM's Final Compliance Report was submitted on March 29, 2007. Additional information was received on April 4 and 24, 2007.

The goal of monitoring was to determine if the OEM 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, 2003 to June 30, 2005.

After completing its review of the Compliance Reports submitted by your agency, EEPC staff submitted a Compliance Summary Report for Commission review. After reviewing the Report this Commission has determined that the OEM 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 Office of Emergency Management 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 James McConnell for the cooperation extended to the EEPD Compliance Unit during the compliance-monitoring period.

Sincerely,



Ernest F. Hart, Esq.
Chair

C: James McConnell, EEO Officer