

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

RESOLUTION #13/826C: Determination of **Compliance** (Monitoring Period Not Required) by the NYC Department of Environmental Protection with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program from January 1, 2012 to June 30, 2013.

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 Environmental Protection (DEP) EEO Program, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination dated November 13, 2013, setting forth the following findings and required corrective actions:

1. 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 agencies may otherwise use discretion in hiring.
2. 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.
3. Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.
4. Re-distribute the identity and responsibilities of the Disability Rights Coordinator to

ensure that employees are aware of this information.

Whereas, the DEP submitted its response to the EEPCC's Preliminary Determination on December 12, 2013 with documentation of its actions to rectify all of the required corrective actions 1, 2, 3, and 4;

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPCC considered the agency's response and issued a Final Determination on December 19, 2013 which agreed and accepted documentation for implementation of the aforementioned corrective actions and no corrective actions were remaining;

Whereas, at the EEPCC's request pursuant to Section 815.a.(15) of the New York City Charter, the DEP submitted a copy of the agency head's memorandum to staff dated December 18, 2013, which outlined the corrective actions implemented in response to the EEPCC's audit and reiterated commitment to the agency's EEO Program; and

Whereas, all of the EEPCC'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 Environmental Protection 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 City Charter.

Be It Finally Resolved, that the Commission authorizes Chair Cesar A. Perez, Esq., to forward this Determination to Commissioner Carter H. Strickland of the NYC Department of Environmental Protection.

Approved unanimously on December 19, 2013.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair



Environmental
Protection

MEMORANDUM

To: All Employees

From: Carter H. Strickland, Jr.

Date: December 18, 2013

Re: Equal Employment Practices Commission Audit

Carter H. Strickland, Jr.
Commissioner
cstrickland@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-6565
F: (718) 595-3557

The Equal Employment Practices Commission (EEPC) is the oversight agency that ensures that the employment policies, practices, programs and procedures of all City agencies are in compliance with City, State, and Federal laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. The DEP EEO Program was recently audited by the EEPC for the time period of January 1, 2012 through June 30, 2013. As a result of the audit, the EEPC has made the following recommendations for corrective action:

Recommendation 1: "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 contract these organizations when provisional positions become available or where agencies may otherwise use discretion in hiring."

DEP Corrective Action: When adverse impact is revealed following appointments to discretionary hires, the DEP will identify and utilize professional organizations, community groups, alumni organizations, and other such networking resources to assist in recruitment efforts, advertise vacancies, and otherwise educate the public to the mission of the DEP and the opportunities for both traditional and non-traditional employment that it presents.

Recommendation 2: "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 for 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-orientated 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 qualified candidates."

DEP Corrective Action: The EEO Office will continue to collaborate with the Bureau of Human Resources, Bureau Administrators, and Labor Relations in the development of job vacancy notices and proposed Tasks & Standards for affected position(s) to ensure all business requirements are met while ensuring that the skill sets, requirements, and standards listed in the vacancy notice are accurate and relevant to the proposed position and in no way prevents any person or group from applying for that vacancy.

Recommendation 3: “Redistribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.”

DEP Corrective Action: The identity, contact information of services of the Agency’s Career Counselor, Herb Roth, will continue to be announced through global emails (most recently on November 8, 2013); the EEO Office’s newsletter, EEO Views, during EEO training sessions; and on the EEO sub-section of the agency intranet site, “The Source.”

Recommendation 4: “Re-distribute the identity and responsibilities of the Disability Rights Coordinator to ensure that employees are aware of this information.”

DEP Corrective Action: On November 14, 2013 in a global email from the Director of EEO, Tanika Thomas was formally announced as the Agency’s Disability Rights Coordinator. This information was also included in the EEO Views Fall 2013 issue which was issued by email to all employees on November 8, 2013 and is also included on the agency intranet, “The Source.”

The above noted corrective actions have been implemented bringing this Agency into full compliance with the EEO standards, mandates and regulations as set forth by the Equal Employment Practices Commission.

I would like to thank all those who participated in the audit process, either by completing a survey issued by the EEPC or who otherwise assisted in responding to the EEPC’s request for information. I am optimistic that all employees will continue to abide by the City’s and Agency’s EEO policy and ensure continued compliance with the mandates it sets forth.

I encourage all employees to reach out to the Agency’s Director of EEO, Martha Osenni, for assistance or guidance under the EEO policy, to file a complaint, or to request an accommodation to address medical, religious, and domestic violence concerns. The EEO Office can be reached at (718) 595-3400 or via email at EEEOffice@dep.nyc.gov.