

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

**RESOLUTION #13/29-827:** Final Determination pursuant to the audit and analysis of the NYC Department of Sanitation's Equal Employment Opportunity Program from January 1, 2012 through 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 EEPAC 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 NYC Department of Sanitation's (DSNY) EEO Program, the Equal Employment Practices Commission (EEOC) issued a preliminary determination letter, dated November 07, 2013, setting forth findings and the following 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 the agency may otherwise use discretion in hiring.
2. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
3. If women, minorities, or other protected groups are underrepresented in civil service (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

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

**Whereas**, the DSNY submitted its response to the EEPC's Preliminary Determination letter, on November 26, 2013; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on December 19, 2013 which indicated that all corrective action(s) require compliance monitoring; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor DSNY for a period not to exceed six months, from January 2014 through June 2014, to determine whether it implemented remaining required corrective actions; and

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

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

**Be It Resolved,**

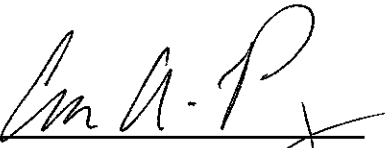
that the Commission authorizes Chair Cesar A. Perez, Esq. to forward its Final Determination to Commissioner John J. Doherty, Department of Sanitation.

Approved unanimously on December 19, 2013.

**Angela Cabrera**  
Commissioner

**Malini Cadambi Daniel**  
Commissioner

**Elaine S. Reiss, Esq.**  
Commissioner

  
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**Cesar A. Perez, Esq.**  
Chair

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

**RESOLUTION #2014/827-19C:** Determination of **Compliance** (Monitoring Period Required) by the Department of Sanitation 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 through 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 Sanitation's (DSNY) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 7, 2013, setting forth findings and the following 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 the agency may otherwise use discretion in hiring.
2. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
3. If women, minorities, or other protected groups are underrepresented in civil service (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in

minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

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

**Whereas**, the DSNY submitted its response to the EEPC's preliminary determination letter, on November 26, 2013; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on December 19, 2013; and

**Whereas**, the DSNY submitted its response to the EEPC's final determination letter, on January 17, 2014; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the corrective actions from January to June 2014 with no extension of the monitoring period; and

**Whereas**, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the DSNY submitted a copy of the agency head's memorandum to staff dated July 25, 2014, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated his commitment to the agency's EEO Program; and

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

**Be It Resolved,**

that the Department of Sanitation 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 Kathryn Garcia, the Commissioner of the Department of Sanitation.

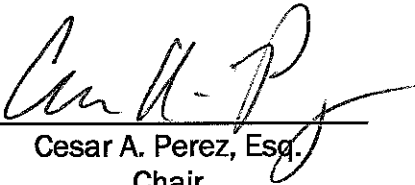
Approved unanimously on August 14, 2014.

Angela Cabrera  
Commissioner

Malini Cadambi Daniel  
Commissioner

Arva R. Rice  
Commissioner

Elaine S. Reiss, Esq.  
Commissioner

  
Cesar A. Perez, Esq.  
Chair




# sanitation

KATHRYN GARCIA  
Commissioner

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## MEMORANDUM

TO: All Employees  
FROM: Kathryn Garcia   
DATE: July 25, 2014  
RE: *Equal Employment Practices Commission Audit*

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The Equal Employment Practices Commission (EEPC) conducts comprehensive audits every four years of each of the City's agencies' EEO Programs. A recent audit of DSNY's *EEO Program* has been completed.

While the EEPC made some recommendations designed to enhance our existing Program, I am proud to say that the EEPC has found the *Department of Sanitation* in full compliance with the provisions of the *Citywide EEO Policy*. Among the topics we received high grades for were:

- The Distribution and Posting of EEO Policies
- EEO Training for All Employees
- The Procedures established for EEO Complaints & Investigations
- EEO's handling of Reasonable Accommodations for Employees
- EEO Responsibility as handled by the DSNY EEO Office and DSNY Managers & Supervisors

Suggestions regarding Selection and Recruitment of new hires were offered by the EEPC. Our EEO Office has therefore, been proactive in developing *Structured Interviewing Training* for hiring Managers. This specialized training explains the technique of formulating appropriate interview questions when interviewing and evaluating *all* potential candidates for both civilian and uniformed positions.

Additionally, the Department expressed its commitment to seeking out new recruitment sources when hiring for discretionary positions, such as community and professional organizations serving women, minorities and other protected groups throughout the City. Specialized publications and websites have also been identified which will provide greater outreach to those groups which continue to be underrepresented in particular titles within the Department.

The goal of these new initiatives, together with our newly developed *Diversity & Inclusion Program* is to always aim for a workplace where employees thrive in an environment of respect and fairness. By offering consistent and on-going chances for success in their work life, the Department recognizes that, all individuals will be empowered to lead DSNY into the future.

[www.nyc.gov/sanitation](http://www.nyc.gov/sanitation)

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I wish to encourage all staff to be proud of the important work you do each day and remember that every individual can bring his or her own unique ideas, values and perspectives to the workplace. Any employee who may have a complaint, a question, or requires more information about DSNY's and/or the City of New York's *EEO/Diversity/Inclusion Program* is welcome to contact the EEO Office at 212-437-4214 or reach out directly to Director Teresa Neal at [tneal@dsnyc.gov](mailto:tneal@dsnyc.gov).

Ultimately, DSNY is committed to a workplace where "*Everybody Matters.*" I ask that all employees make equality of opportunity and respectful inclusiveness of everyone priorities, as they are mine! Let's show our DSNY STRENGTH !

KG