

Title: **Personnel**

Control No.

QM-001

Revision:

1

Approved by: Forensic Anthropology Director

Effective Date: 21 May 2018

**1. Policy**

The Forensic Anthropology Unit (FAU) adheres to the principles of impartiality and confidentiality in accordance with the requirements of ISO/IEC 17020. Documentation of FAU impartiality, confidentiality, and the training and competence of FAU personnel is maintained in accordance with this Quality Manual document.

**2. Scope**

The policies and procedures outlined in the sections below apply to all FAU personnel.

**3. Impartiality and Independence**

FAU personnel are responsible for the impartiality of their anthropological casework and shall maintain their independence from outside financial, commercial, or other pressures that could compromise impartiality.

- 3.1 No member of the FAU shall be compensated in a way that influences the results of their analyses and findings. FAU personnel are salaried employees of the City of New York and are not compensated based on the requesting agency, type, or number of cases analyzed.
- 3.2 All FAU personnel shall be familiar with and abide by the rules and regulations in the OCME Policy Manual. Additionally, they will read, sign, and date a FAU Code of Conduct Form to show they acknowledge the policies on bias, impartiality, conflicts of interest, confidentiality, and work ethic that they are required to uphold. The signed Code of Conduct Form will be kept in each employee's personnel binder.
- 3.3 The FAU is committed to identifying and minimizing bias and to act accordingly to ensure that all analyses and reported findings are fair and objective. The FAU aims to accomplish this by following the policies and procedures outlined in the OCME Policy Manual, and the FAU Standard Operating Procedures (SOPs) and FAU Quality Manual documents.
- 3.4 FAU personnel shall immediately inform the Forensic Anthropology Director (Director) if he or she becomes aware of any relationship (e.g., personal, financial, commercial) that may be viewed as a conflict of interest.

After the Director has become aware of a perceived bias, he or she will evaluate the situation and either remove the analyst from the assigned case or let him or her continue with the casework. For either outcome, the Director shall document the perceived bias and his or her reasoning for removing or retaining that analyst on the case. All pertinent documentation shall be retained by the Director.

Title: **Personnel**

Control No.

QM-001

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1

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If the person with the perceived bias/conflict of interest is the Director, then his or her immediate supervisor, the First Deputy Chief Medical Examiner (First Deputy), shall be responsible for reviewing the suspected bias and provide an appropriate response. The documented response shall be retained by the First Deputy.

In a situation where an FAU employee does not come forward about a possible conflict of interest, he or she shall be immediately removed from the case and a written reprimand will be retained. If an employee gets more than three reprimand letters within a year those letters will be handed over to the First Deputy for review and action.

3.5 Top management of the FAU and the OCME have a commitment to impartiality. All cases of perceived bias/conflict of interest shall be properly evaluated and the conclusions of the evaluation shall be thoroughly documented and kept with the respective employee's personnel file.

3.6 The FAU is considered a Type C Inspection Body according to the ISO/IEC 17020 classification system. A Type C refers to a forensic unit that provides forensic services to its own parent organization (NYC OCME), as well as outside agencies.

3.6.1 It is essential that the FAU meet the criteria of independence as it pertains to its analyses. Independence is demonstrated by providing the following safeguards:

- The FAU is identifiable on the NYC OCME organization chart as a distinct unit (see the agency's organization chart on the Intranet home page). Personnel from other departments do not participate in the functional decisions of the FAU.
- Policies and procedures on maintaining independence outlined in clauses 3 - 3.6, and within the FAU SOPS shall be adhered to by FAU personnel.

3.6.2 The majority of services/activities performed by the FAU are for its parent organization and the city of New York. The FAU may provide services to other external agencies, upon request. In these rare instances, services to external agencies are provided per agreement with those entities. The FAU Quality documents, SOPs, and Scope of Accreditation are available upon request to any agency that utilizes FAU services.

#### **4. Confidentiality**

The FAU is responsible for the management of all information obtained and created during casework. The FAU is bound by the policies and procedures specified in this Quality document and the OCME Policy Manual.

Title: **Personnel**

Control No.

QM-001

Revision:

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FAU personnel, including visiting scientists, interns, and any external researchers shall keep information obtained or created during the observation or performance of casework confidential, except as required by law.

- 4.1 Information pertaining to scene investigations and case work are considered proprietary and shall be considered confidential. FAU personnel, visiting scientists, and interns are personally responsible for the proper management of information they become privy to in the course of their activities.
  - 4.1.1 FAU personnel, visiting scientists, and interns shall ensure the safekeeping of OCME records, documents, and other information.
  - 4.1.2 All official requests for FAU case files and reports shall go through the OCME Legal Department for approval.
  - 4.1.3 FAU personnel, visiting scientists, and interns shall not discuss with unauthorized individuals, or disclose through publication or in discussion with the media, personally identifying information related to OCME cases without authorized approval.
  - 4.1.4 FAU personnel, visiting scientists, and interns shall refrain from posting photos or any information about OCME cases on social media, unless given authorization.
  - 4.1.5 When lecturing about OCME business or giving anthropology tours to non-OCME employees, FAU personnel shall make sure to keep all required personally identifying information (e.g., names or specific case details that would identify an individual) confidential, unless given authorization.
- 4.2 All FAU personnel, including visiting scientists and interns shall keep confidential all information obtained or created during the observation or performance of casework, unless given authorization.
- 4.3 Violations of the FAU policies and procedures, the OCME Policy Manual, and/or New York City Conflicts of Interest laws relating to confidentiality, shall result in a written request by the Director to the Chief or Deputy Chief Medical Examiner for disciplinary action.
- 4.4 The FAU shall not release personally identifiable information such as names, dates of birth, or social security numbers, linked to OCME casework without first receiving

Title: **Personnel**

Control No.

QM-001

Revision:

1

Approved by: Forensic Anthropology Director

Effective Date: 21 May 2018

approval from the OCME Legal Department, Chief Medical Examiner, First Deputy Chief Medical Examiner, or the OCME Public Relations department.

4.5 Any information obtained from sources other than the OCME (e.g., police reports and medical records) shall also be treated as confidential and all the policies outlined in section 4 of this document apply.

## **5. Administrative Requirements**

5.1 OCME's Forensic Anthropology Unit is a department with the New York City Office of Chief Medical Examiner which, pursuant to New York City Charter 557, is an independent subdivision of the New York City Department of Health & Mental Hygiene (DOHMH); DOHMH is a mayoral agency of the City of New York. OCME is responsible for its own casework.

5.2 The FAU is a distinct unit within the OCME organization and is identifiable on the agency's organization chart. The OCME agency organization chart is located on the OCME Intranet homepage.

5.3 The scope of accreditation describes the activities for which the FAU is considered competent (see Scope of Accreditation). The general field and range of activities performed by the FAU include:

5.3.1 **Consultations:** The FAU provides forensic anthropological consultations for the City of New York and, on occasion, for outside agencies. Generally, the anthropologists perform analyses and generate reports pertaining to the interpretation of skeletal trauma, anomalies, and pathologies, determination of the biological profile for unidentified remains (age, ancestry, sex, and stature), determination of medicolegal significance, and determination of human vs. non-human.

5.4 The City of New York is self-insured. As an independent subdivision of the mayoral agency DOHMH, the OCME is covered by the City's self insurance.

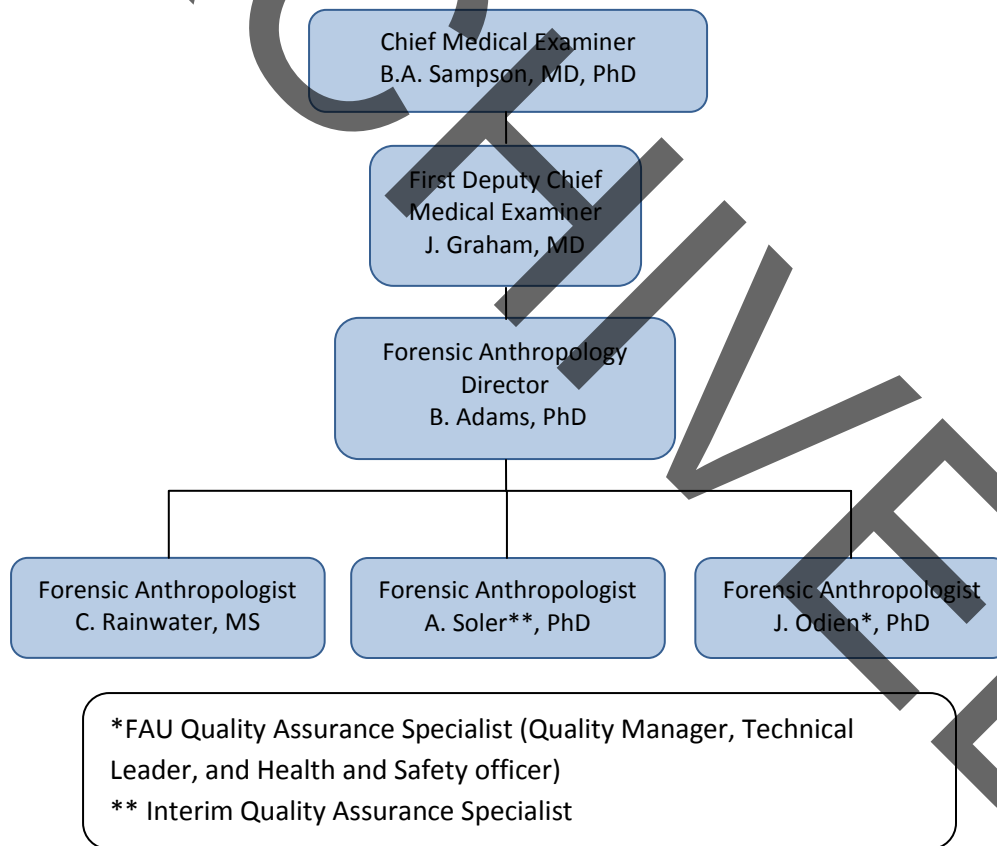
## **6. Organization and Management**

6.1 The FAU has a clearly defined organizational structure and chain of command that safeguards its impartiality in relation to other OCME departments.

6.2 The FAU is a small department that currently includes the Director who supervises three forensic anthropologists. A member of the unit shall serve as the Quality Assurance (QA) Specialist.

The FAU is organized and managed in a way to maintain its capability and competence to perform all necessary anthropological analyses included in the scope of accreditation and to keep informed about developments within the field of Forensic Anthropology (see section 7.5.1).

6.3 The reporting structure of the FAU is as follows. The Director is top management of the FAU. The Director reports to the First Deputy Chief Medical Examiner who reports directly to the Chief Medical Examiner. All other FAU personnel report to the Director. Refer to the FAU organization chart showing the positions within the FAU and the lines of authority (Figure 1).



**Figure 1. Forensic Anthropology Unit organization chart demonstrating the lines of authority. Personnel are current as of January 2018. The entire OCME agency organization chart can be found on the OCME Intranet home page.**

Title: **Personnel**

Control No.

QM-001

Revision:

1

Approved by: Forensic Anthropology Director

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6.3.1 The Director shall deputize a member of the FAU to temporarily manage the duties/responsibilities of the Director upon his/her absence.

6.4 The FAU primarily provides services to the medical examiners and medicolegal death investigators within the OCME agency. Although the FAU are providing a service for these units they are not subordinate to any other department. Each department understands their defined role and responsibilities and respects the responsibilities and expertise of the other units.

6.4.1 **Customer Feedback:** The FAU shall periodically seek customer feedback from other units of the OCME and external agencies. Any constructive feedback will be used to assess our operations and make any necessary improvements. A link to the anthropology customer feedback survey shall be located in the signature block of each FAU personnel's official OCME email.

6.5 Due to the limited number of FAU personnel, the position of the Technical Leader, Quality Manager, and Health and Safety Manager are combined into one position called the **Quality Assurance (QA) Specialist**. The FAU has one assigned QA Specialist who is responsible for ensuring that casework is conducted in accordance with ISO/IEC 17020 International Standards. This position is readily identifiable on the organization chart (see Figure 1). The assigned QA Specialist shall be technically competent and experienced in the tasks he or she is responsible for performing.

6.6 During an absence of the QA Specialist another member of the FAU shall be deputized as the Interim QA Specialist and shall take over the responsibilities associated with this position.

6.7 The FAU maintains job descriptions for each position within the unit including details about the duties and responsibilities. These duties and responsibilities are described in the Anthropology Tasks and Standards, which is provided to each employee during the annual performance review. A signed copy of the Tasks and Standards is retained by the Director for at least the duration of the accreditation cycle.

## 7. Personnel

7.1 FAU competency requirements which include education, training, technical knowledge, skills, and experience are clearly defined and documented in the job descriptions and minimum qualifications described in section 7.1.2

7.1.1 The FAU QA Specialist maintains an up-to-date personnel binder for each staff member that includes, but is not limited to:

Title: **Personnel**

Control No.

QM-001

Revision:

1

Approved by: Forensic Anthropology Director

Effective Date: 21 May 2018

- Short biography about education, training, skills, and experience.
- Up-to-date curriculum vitae.
- Documentation of training, retraining, and continuing education.
- Competency tests.
- Proficiency test results.
- Signed acknowledgments (Code of Conduct, Health and Safety, etc).

7.1.2 FAU job descriptions and minimum qualifications:

**Forensic Anthropologist**

Forensic Anthropology laboratory skills/duties include, but are not limited to:

- Performing daily casework involving analysis of skeletal, decomposed, mummified, burned and/or fragmented human remains.
- Assistance with autopsies for the purpose of identification and/or assessment of skeletal trauma.
- Assessment of skeletal remains to determine human vs. non-human.
- Ensure that interpretations within notes and reports accurately express the scientific results in an unambiguous, unbiased, and defensible manner.

Forensic Anthropology field skills/duties include, but are not limited to:

- Archaeological excavation and recovery methods.
- Scene mapping and documentation.
- Scene search techniques.

**Minimum Qualifications:**

- A Baccalaureate degree from an accredited college and at least one year of satisfactory experience in forensic science.
- A graduate degree in Anthropology from an accredited university, accompanied by forensic anthropology experience, is a preferred level of training for all members of the FAU.
- Expertise in human osteology and forensic anthropology.

**Forensic Anthropology Director (Director):**

- The Director of the Forensic Anthropology Unit has the same laboratory and field responsibilities as the other members of the FAU.
- The Director is also responsible for supervision of Anthropology staff.

**Preferred Qualifications for the Director:**

- A Doctorate in Anthropology from an accredited college.

Title: **Personnel**

Control No.

QM-001

Revision:

1

Approved by: Forensic Anthropology Director

Effective Date: 21 May 2018

- Board certification in Forensic Anthropology.

**Quality Assurance (QA) Specialist:** The QA Specialist position incorporates the duties and responsibilities of the Technical Leader, QA Manager, and Health and Safety Officer (listed below).

**Technical Leader** position duties/responsibilities include, but are not limited to:

- Maintain the Competency Training and Proficiency Testing programs.
- Create and maintain up-to-date versions of the FAU Standard Operating Procedures (SOPs).
- Inspection of testing equipment, reference materials and facilities.
- Equipment maintenance.
- Maintain documentation related to lab equipment, including calibration certificates, performance check logs, maintenance documentation, etc.

**QA Manager** position duties/responsibilities include, but are not limited to:

- Create and maintain up-to-date versions of the FAU Quality Manual documents, quality assurance forms and analytical notes forms.
- Ensure the ISO/IEC 17020 Standards and ANAB supplemental requirements are enacted appropriately by the FAU.
- Maintain documentation and records for the management system.
- Manage the annual internal audit and management review.

**Health and Safety Officer** position duties/responsibilities include, but are not limited to:

- Chemical hygiene.
- Laboratory Health and Safety.
- FAU liaison to the OCME Health and Safety Committee.

7.1.3 **Proficiency Testing:** The QA Specialist shall maintain a four year proficiency testing plan that includes details for the current year of proficiency test(s) and the proficiency test details for the next three years. This shall be a rolling plan which means every year requires modification and the addition of another year of proficiency tests (see QM-003: Proficiency Testing).

All FAU personnel shall annually take at least one proficiency test covering a category of analysis appearing in the FAU's Scope of Accreditation. The QA Specialist shall vary the proficiency test from year to year so that different skills are tested. The proficiency test results shall be adequately described and a copy of each analyst's proficiency test and documentation showing pass/fail status shall be stored in their respective personnel file.



Title: **Personnel**

Control No.

QM-001

Revision:

1

Approved by: Forensic Anthropology Director

Effective Date: 21 May 2018

7.2 The FAU shall maintain sufficient personnel with the required competencies to perform the type, range, and volume of casework listed in the Scope of Accreditation.

7.3 The FAU shall document the training, experience, and skills of its personnel and shall be able to demonstrate that each employee meets the requisite qualifications, training, and range of expertise to perform anthropological analysis. FAU personnel files will include all necessary documentation to demonstrate the appropriate qualifications, training, and experience to perform anthropological casework (see 6.1.1 for a list of documentation maintained in personnel files).

New FAU employees must complete the required competency training program before being allowed to perform casework unsupervised. Additionally, interns and visiting scientists are required to complete portions of the competency training program (see QM-002, Competency Training).

7.4 The Anthropology Tasks and Standards shall clearly define the duties, responsibilities, and authorities for each FAU staff member. During the annual performance evaluation, the Director is responsible for meeting with and discussing the duties and responsibilities of each FAU member and providing feedback concerning areas of improvement. If no areas of improvement (i.e., retraining) are necessary the Director shall indicate so. By reviewing and signing the Anthropology Tasks and Standards document, each FAU staff member is acknowledging that they understand their role in the unit and their assigned responsibilities. A copy of the signed Anthropology Tasks and Standards is kept by the Director for at least the duration of the accreditation cycle.

7.5 All new hires are subject to an introductory period in which they must complete the FAU competency training before they are allowed to perform casework unsupervised. The QM002: Competency Training document outlines the progressive stages of the training program which includes three modules: **Module 1:** FAU Orientation and General Procedures; **Module 2:** Observation Period; and **Module 3:** Supervised Casework.

The additional or remedial training needs of each FAU employee will be assessed during their annual performance evaluation. If any additional training needs are identified, the Director and FAU employee will agree upon a training plan and timeline.

7.5.1 **Continuing Education/Training:** The science, technology, and methodologies pertaining to Forensic Anthropology evolve over time and it is important that the members of the FAU keep abreast with developing technology and methodology. Each employee will annually track their continuing education, such as attendance at annual conferences, guest lectures, trainings, self study, and witness testimony

<b>NYC – OFFICE OF CHIEF MEDICAL EXAMINER Forensic Anthropology - Quality Manual</b>		Page: 10 of 11	
Title: <b>Personnel</b>		Control No. QM-001	Revision: 1
Approved by: Forensic Anthropology Director		Effective Date: 21 May 2018	

by filling out a Continuing Education Tracking Form. The Continuing Education Tracking Form and any supporting materials will be maintained in each analyst's personnel binder. To ensure FAU personnel are actively participating in continuing education activities the Continuing Education Tracking Form and supporting materials will be subject to review during the annual internal audit and management review.

- 7.6 The level of training and the amount of time it will take to complete each module of the competency training program shall vary depending on the individual's ability, qualifications, and experience level; as well as the results of monitoring from the experienced analysts in the unit.
- 7.7 All FAU analysts shall be monitored to ensure they are performing satisfactory casework. Monitoring shall be accomplished through proficiency testing, technical review of case work, and records of continuing education/training. These monitoring procedures are used as a means of identifying training needs.
- 7.8 The FAU analysts shall be internally observed at least once per accreditation cycle, unless there is sufficient supporting evidence that the analyst(s) is continuing to perform competently. Supporting evidence refers to the continuing monitoring described in 7.7.
- 7.9 The Quality Assurance (QA) Specialist shall keep up-to-date records to demonstrate that each FAU member has the appropriate qualifications and continued competence to perform anthropological analyses (see 7.1).

Competency and proficiency records shall sufficiently document evidence that each FAU member has been properly trained and their ability to perform their assigned tasks has been formally assessed.

## 8. Subcontracting

Currently, the FAU do not subcontract any portion of the inspection activities that are part of the FAU's scope of accreditation.

## 9. Revision History

REV.	DATE	SUMMARY OF CHANGES
0	20 February 2018	New document.
1	21 May 2018	Added section 6.3.1 to address clause 5.2.6 which requires the FAU to address who will be deputized at the interim Director when he/she is unavailable. Added the QA specialist position covering the duties of the technical leader, QA manager, Health and Safety Officer. Section 7.5.1 Add self study and witness testimony as additional

<b>NYC – OFFICE OF CHIEF MEDICAL EXAMINER Forensic Anthropology - Quality Manual</b>		Page: 11 of 11	
Title: <b>Personnel</b>		Control No. QM-001	Revision: 1
Approved by: Forensic Anthropology Director		Effective Date: 21 May 2018	

REV.	DATE	SUMMARY OF CHANGES
		ways to receive continuing education credit. Section 7.8 changed “external” to “internal” Changes to spacing and punctuation throughout the document.

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