

Title: **Personnel**

Control No.

Revision:

QM-001

7

Approved by: Forensic Anthropology Director

Effective Date: 18 April 2023

1. Policy

The Forensic Anthropology Unit (FAU) adheres to the principles of impartiality and confidentiality in accordance with the requirements of ISO/IEC 17020 and ANAB AD-27. 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 annually to show they acknowledge the policies on bias, impartiality, conflicts of interest, confidentiality, and work ethics that they are required to uphold. The signed Code of Conduct forms will be kept in each employee's personnel binder.

3.3 The FAU is committed to identifying and minimizing bias and acting 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.

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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 shall 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 1 Inspection Body according to the ISO/IEC 17020 classification system. A Type 1 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 organizational 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.

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- 4.1 Information pertaining to scene investigations and case work are considered proprietary and shall be considered confidential. FAU personnel, visiting scientists, interns, and external researchers 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, interns, and external researchers 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, interns, and external researchers 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, interns, and external researchers 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, interns, and external researchers shall keep confidential all information obtained or created during the observation or performance of casework, except if given authorization or required by law.
- 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 by FAU personnel shall result in a written request by the Director to the Chief or Deputy Chief Medical Examiner for disciplinary action.
- 4.3.1 Violations of the FAU policies and procedures, the OCME Policy Manual, and/or New York City Conflicts of Interest laws relating to confidentiality by visiting scientists, interns or external researchers shall be reviewed by the FAU Director. After review, the FAU Director shall decide the appropriate disciplinary action.

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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 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 within 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:

- Determine if remains are osseous, human and of medical significance.
- Estimation of the biological profile (age, sex, ancestry, population affinity, and stature)
- Interpret skeletal trauma, anomalies, and pathologies.
- Interpret taphonomic changes and estimating postmortem Interval (PMI).
- Scene search and recovery of skeletal remains and associated evidence.

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, the Assistant Director, and two additional forensic anthropologists. A member of the unit shall serve as the Quality Assurance (QA) Specialist.

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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).

The FAU does not have any infrequently performed technical activities (technical activities not performed within a year).

- 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).

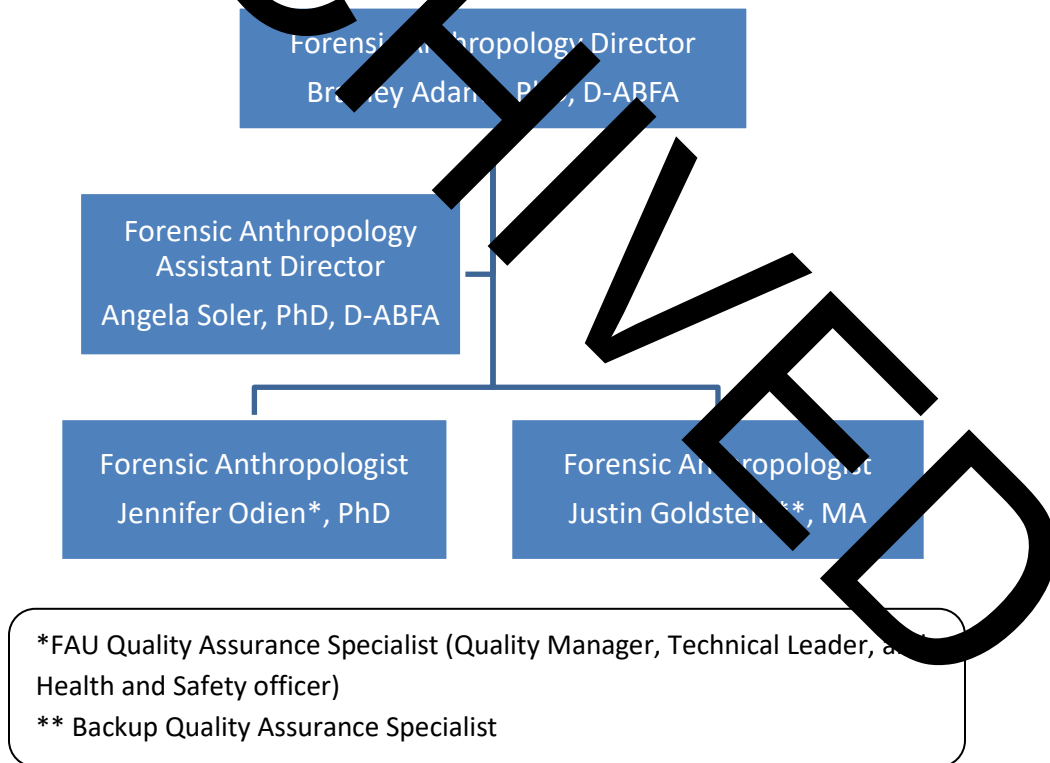


Figure 1. Forensic Anthropology Unit organization chart demonstrating the lines of authority. The entire OCME agency organization chart can be found on the OCME Intranet home page.

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6.3.1 The Assistant Director shall temporarily manage the duties/responsibilities of the Director upon his or 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 the 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 within the OCME and external agencies. Any constructive feedback will be used to assess operations and make any necessary improvements. A link to the forensic 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 Officer 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 and ANSI AR370 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 backup QA Specialist and shall take over the responsibilities associated with this position. The backup QA Specialist shall be technically competent and experienced in the tasks he or she is responsible for performing.

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 FAU Responsibilities Form, which is provided to each employee during the annual performance review (see clause 7.4).

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

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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:

- Short biography about education, training, skills, and experience.
- Up-to-date curriculum vitae.
- Documentation of training, retraining, and continuing education.
- Competency tests.
- Performance monitoring activity results (see QM-003: Performance Monitoring, section 3).
- 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:

- Perform 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.

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Preferred Qualifications for the Director:

- A Doctorate in Anthropology from an accredited college.
- 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 Performance monitoring program.
- 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 **Performance Monitoring:** The FAU shall maintain a performance monitoring plan that will ensure that all FAU staff successfully complete at least one proficiency test, intralaboratory comparison, or interlaboratory comparison annually (see QM003: Performance Monitoring).

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.

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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 7.1.1 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, visiting scientists, and external researchers are required to complete portions of the competency training program (QM-002, Competency Training).

7.4 The FAU Responsibilities Form 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 FAU Responsibilities Form, each FAU staff member is acknowledging that they understand their role in the unit and their assigned responsibilities. The signed FAU Responsibilities Form(s) are kept for at least the duration of the accreditation cycle in the personnel binders.

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; **Module 3:** Supervised Casework; and **Module 4:** Expert Witness Testimony Training.

Additional or remedial training needs of each FAU employee will be assessed annually during their performance evaluation. If 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 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 case work. Monitoring activities include, but are not limited to: proficiency testing, intralaboratory and interlaboratory comparisons, 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 4.1).

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

8. **Subcontracting**

The FAU does not typically subcontract any portion of the inspection activities that are part the FAU's scope of accreditation. If the FAU needs to utilize a subcontractor for inspection activities that are either not covered by the FAU's scope of accreditation or beyond the capability or resources of the FAU, then the FAU will ensure that the chosen subcontractor is competent to perform the inspection activities and, where applicable, is in compliance with relevant criteria stipulated in the ISO/IEC 17020 International Standard and/or other relevant conformity assessment standards.

8.1 **Subcontractor Qualifications:** The subcontractor shall provide documentation demonstrating their competency to perform the requested inspection activities and that they are following appropriate lab standards. Documentation may include, but is not limited to:

- Lab accreditation status including their scope of accreditation.
- Copies of pertinent standard operating procedures.

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- Subcontractors CVs (which should list any awarded grants and publications).
- Proficiency tests, if available.
- Method validation studies, if available.

- 8.1 If the evaluation of the competency of a subcontractor is based partly or solely on its accreditation, then the FAU will ensure that the inspection activities to be subcontracted are covered by their scope.
- 8.2 When the client is an external agency, they will be notified if any part of the inspection will be performed by a subcontractor prior to the subcontracted analysis.
- 8.3 It is the responsibility of the FAU to determine that the subcontractors work conforms to the relevant requirements.
- 8.4 The FAU will retain a list of approved subcontractors and documentation that demonstrates their competency and conformity to applicable standards.
- 8.5 All subcontractors will review, sign, and date the FAU Confidentiality Acknowledgement form. The signed form will be kept with the subcontractors qualification documents.

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 by 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 ways to receive continuing education credit. Section 7.8 changed “external” to “internal”. Changes to spacing and punctuation throughout the document.
2	28 June 2018	Section 7.5: Added reference to Module 4 of the competency training procedure in QM002.
3	23 Aug 2018	Section 6.2: Added statement that FAU does not have any infrequently performed technical activities. The term “Anthropology Tasks and Standards” was changed to “FAU Responsibilities form.” Section 7.4: Deleted “by the director” from statement: A copy of the signed FAU Responsibilities Form is kept by the Director for at least the duration of the accreditation cycle.

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4	19 October 2020	Section 3.2: edited the statement to make it clear that the FAU Code of conduct form will be reviewed annually by FAU staff and that all forms will be maintained in the personnel binders.
5	14 March 2022	The FAU organization chart under clause 6.3 was updated. Updated several clauses to reflect changes in use of “performance monitoring” instead of proficiency testing and made minor editorial changes to the document. Section 7.1.1: Changed “proficiency test results” to “performance monitoring activity results”. Section 7.1.2: Under the technical leader duties section “proficiency test” was changed to “performance monitoring”. Section 7.1.3: This section was restructured to describe FAU performance monitoring plan. Section 7.7: Add “intralaboratory and/or interlaboratory comparison” to the first sentence. Section 7.8: Changed “proficiency” to “performance monitoring”.
6	27 February 2023	Updated the FAU Organizational Chart to include new hire, Justin Goldstein, update Solers title and placement on the chart, and make Goldstein the new backup QA specialist. Statement in 3.0 and 4.0 were redundant. Removed second sentence from 4.0 and edited 3.0. Added “external researcher” to clauses 4.1 – 4.2. Added a statement to 4.3 to clarify what would happen if a visiting scientist, intern or external researcher violated FAU/OCME policies and procedures. Updated clause 5.3. 4th bullet point the general field/range of activities performed by the FAU. Updated clauses 6.2 – 6.3.1 to include new hire and title changes for reporting structure/organizational chart. Added statement to 6.6 regarding competency of backup QA specialist. Removed last sentence in 6.7. In clause 7.3 changed reference clause 6.1.1 to 7.1.1. Updated section 8. Subcontracting. Made minor editorial changes.
7	18 April 2023	Added clause 8.5 regarding subcontractors reviewing, signing and dating the FAU Confidentiality Acknowledgement form.