

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

RESOLUTION # 2015/131: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Office of Payroll Administration's Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

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 of the Office of Payroll Administration's Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 18, 2015, 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. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.
3. 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.

4. 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.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on September 1, 2015; 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 September 9, 2015, and indicated that corrective action(s) Nos. 1, 2, 3, and 4 require compliance monitoring; and


Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from October 2015 through March 2016, 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

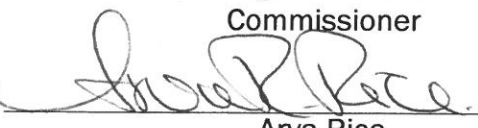
Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from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

Be It Resolved,
that the Commission adopts this Final Determination regarding the Office of Payroll Administration.

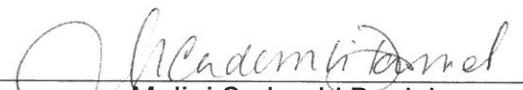
Approved unanimously on September 21, 2015.



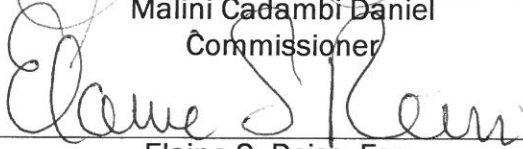
Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner

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

RESOLUTION #2014/131C-002: Determination of **Compliance** (Monitoring Period Required) by the Office of Payroll Administration with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

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 ensure 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* and 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 Office of Payroll Administration (OPA) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 18, 2015, 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. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related
3. 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.
4. 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.

Whereas, the OPA submitted its response to the EEPC's Preliminary Determination letter, on September 1, 2015; 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 September 9, 2015, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions Nos. 1, 2, 3 and 4, remaining;

Whereas, the OPA submitted its response to the EEPC's final determination letter, on October 6, 2015, 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 remaining corrective actions from October 2015 through March 2016 with no extension of the monitoring period;


Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the OPA submitted a copy of the agency head's memorandum to staff dated March 15, 2016, 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 Office of Payroll Administration 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 NYC Charter.

Be It Resolved, that the Commission will forward this Final Resolution to the Executive Director Roy Mogilanski, the Office of Payroll Administration.

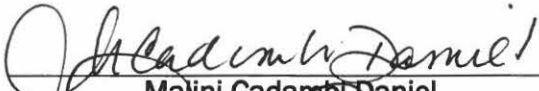
Approved unanimously on March 24, 2016.



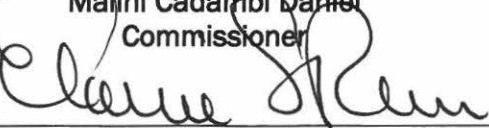
Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



OFFICE OF PAYROLL ADMINISTRATION

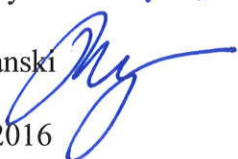
One Centre Street, Room 200N, New York, New York 10007

ROY MOGILANSKI
Executive Director

ANDREA GLICK
First Deputy Executive Director

MEMORANDUM

To: OPA Employees

From: Roy Mogilanski 

Date: March 15, 2016

Subject: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEOC) is empowered by the New York City Charter, Chapter 36, Section 831(d)(5) to audit and evaluate City agencies' employment practices, programs, policies and procedures, and their efforts to ensure fair and effective equal employment opportunity for employees and applicants seeking employment with City agencies. The most recent completed audit of The Office of Payroll Administration (OPA) examined the practices in the agency during the 36-month period of January 1, 2012 through December 31, 2014.

In general, the audit findings were positive and OPA was in compliance or partial compliance on all issues. There were some recommendations for improvement regarding the agency's recruitment practices.

In summary, the agency was reminded to assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, the agency should 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.

OPA has implemented the following corrective actions and, as a result, has successfully completed the EEOC Compliance Monitoring period:

- OPA has posted managerial discretionary positions in under-represented group establishments such as "The Association of Latino Professionals For America" (ALPFA)
- OPA has coordinated Structured Interviewing Training for hiring managers and interviewers for April 2016.

- All job postings have been, and continue to be, reviewed to ensure they remain objective and job specific
- HR for OPA is reviewing and maintaining a list of all interview questions. Interview questions are reviewed to ensure they remain objective and job specific.
- OPA has reached out to the DCAS Examinations Unit to express the need to advertise civil service Notices of Examination (NOE) to underrepresented Civil Service list titles.

To strengthen our efforts in ensuring equal employment opportunity, all employees are encouraged to familiarize themselves with the New York City “Equal Employment Opportunity Policy” and the “About EEO: What You May Not Know” booklet. These policies, as well as additional information, can be found by following this link:

<http://www.nyc.gov/html/dcas/html/about/resources.shtml>

Also, the agency EEO Office exists as a resource to provide employees with information and guidance on EEO-related matters as well as to investigate and resolve complaints of discrimination. Any employee who wishes to discuss EEO matters may consult with any of the following individuals:

DIANA BICCHETTI, OPA EEO OFFICER, 55-A PROGRAM & ADA COORDINATOR
2 Lafayette Street, Room 1233
(212) 341-4158- dbicchetti@payroll.nyc.gov

CYNTHIA CARR-JOHNSON, OPA EEO COUNSELOR
450 West 33rd Street, 10th Floor
(212) 857-7018 – cjohnson3@payroll.nyc.gov

In closing, OPA remains committed to maintaining fair employment practices for all employees and job applicants. Everyone should work to maintain an atmosphere of appreciation of the diversity reflected in our staff and to comply with not only the letter, but also the spirit, of the City’s EEO policies. I encourage all employees to access the resources available within OPA to address any concerns.

If you would like to view a copy of the entire EEPC Audit referenced in this memo, please reach out to Diana Bicchetti at dbicchetti@payroll.nyc.gov and she will arrange a time for you to view the report.