

Addendum to Equal Employment Opportunity Policy Standards and Procedures to Be Utilized By City Agencies (2014)

**NOTE: This addendum supersedes the prior addendum to the
2005 Citywide Equal Employment Opportunity Policy, dated July 2013
Amendments are denoted by bold text.**

The Equal Employment Opportunity Policy is hereby amended to read as follows:

1. Section I. - Equal Employment Opportunity Policy, on pages 1-2, is amended as follows:

The City of New York is an equal opportunity employer and prohibits discriminatory employment actions against and treatment of City employees and applicants for employment based on actual or perceived race, color, national origin, alienage or citizenship status, religion or creed, gender (including "gender identity" -- which refers to a person's actual or perceived sex, and includes self-image, appearance, behavior or expression, whether or not different from that traditionally associated with the legal sex assigned to the person at birth), disability, age (18 and over), military status, prior record of arrest or conviction, marital status, partnership status¹, genetic information or predisposing genetic characteristic², sexual orientation, or status as a victim of domestic violence, sexual offenses and stalking, and discrimination based on unemployment status³.

2. Section I. A. - Types of Prohibited Conducted, on page 2, is amended to add the following paragraph:

The City's EEO Policy also prohibits any City employee from aiding, abetting, inciting, compelling or coercing any person present in a City facility, whether or not an employee of the City, from engaging in any conduct prohibited by this policy, including, but not limited to conduct that creates a hostile work environment based on any protected characteristic.

¹ "Partnership status" was added as a protected class under New York City's Human Rights Law on October 3, 2005.

² The term "predisposing genetic characteristic" was adopted on August 30, 2005 to streamline the terms "genetic predisposition" and "carrier status" in the previous version of the New York State Human Rights Law.

³ "Unemployed status" was added as a protected class under New York City's Human Rights Law effective June 11, 2013.

3. Section I. B. - Applicability, on pages 2-3, is amended to add the following:

In addition, Work Experience Program (“WEP”) Participants have a right to a workplace that is free of discrimination, including harassment, based on race, color, national origin, religion, gender, disability, or age, and any basis that could otherwise be determined to be prohibited behavior pursuant to the City’s Equal Employment Opportunity (“EEO”) Policy (such as alienage or citizenship status, sexual orientation, gender identity, or status as a victim of domestic violence) as applied to employees or applicants for employment.

All City employees and WEP Participants are expected to be respectful of everyone in the City’s workplaces and members of the public, and to be sensitive to the effects of their behavior on those around them.

4. **Section III. - Procedures, G. Requests for Reasonable Accommodation, on page 12, is amended to add the following paragraph:**

4) Pregnancy: An employee or applicant for employment requesting reasonable accommodations due to pregnancy and those who suffer medical conditions related to pregnancy and childbirth or a related medical condition may make such requests to her manager or supervisor, agency personnel supervising the application process, or directly to the agency EEO office. Such a reasonable accommodation may include bathroom breaks, leave for a period of disability arising from childbirth, breaks to facilitate increased water intake, periodic rest for those who stand for long periods of time, and assistance with manual labor, among other things.

5. Section III. - Procedures, on pages 6-12, is amended to add the following paragraph:

J. Additional Sources of Procedural Information:

The Guidelines for the Implementation of the City’s Discrimination Complaint Procedures may be found online:

http://www.nyc.gov/html/dcas/downloads/pdf/misc/eo_discriminationcomplaintprocedures.pdf

The City’s Reasonable Accommodation Policy and Procedure may be found online:

http://www.nyc.gov/html/dcas/downloads/pdf/misc/eo_reasonableaccommodation.pdf

6. Section IV. - Agency Specific Plans, second “bullet” on page 14 (regarding the agency’s commitment to make career counseling about civil service jobs available for employees) is amended to add the following:

Employees should be reminded of the identity of the agency’s Career Counselor and the type of guidance which is available from the Career Counselor, at least once each fiscal year. Each agency should promptly notify agency employees and DCAS of any change in the identity of the agency Career Counselor.

7. Section IV. - Agency Specific Plans, on page 16, first paragraph, is amended to add the following language:

Each agency head will then submit quarterly reports to DCAS, as well as to the Mayor, City Council and EEP, on the agency’s efforts during the previous quarter to implement the agency plan, culminating in a final fourth quarter report (which will also serve as the cumulative annual report), which must be submitted to DCAS at the end of the fourth quarter. Such quarterly reports will also include a review and documentation of EEO complaints and requests for reasonable accommodations for said quarter. Quarterly and annual EEO reports must, pursuant to the City Charter, be timely submitted to DCAS and the other entities mentioned above, no later than thirty (30) days following the reporting period using the reporting format provided by DCAS.

8. Section IV. - Agency Specific Plans, on page 14, fourth bullet, is amended to add the following language:

" A diversity and inclusion and an EEO training plan to ensure that all individuals who work within the agency, including managers and supervisors, are trained concerning diversity and inclusion and EEO-related rights and responsibilities in a manner consistent with the minimum standards for diversity and inclusion and EEO training established by DCAS."

9. Section V. - Enforcement and Accountability Standards, C. EEO Officers, is amended to add the following language:

"The EEO Officer will also: 1) set training objectives that ensure that all agency employees receive diversity and inclusion and EEO training;"