

DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT

- Letter of Preliminary Determination December 15, 2010
 - Agency Response December 27, 2010
 - Letter in Lieu of Final Determination January 19, 2011
-



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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December 15, 2010

Mrs. Jeanne B. Mullgrav
Commissioner
Department of Youth & Community Development
156 William Street, 3rd Floor
New York, NY 10038

Re: Resolution #10/11-260: Preliminary Determination Pursuant to the Audit of the Department of Youth & Community Development (DYCD) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2006 through December 31, 2008.

Dear Commissioner Mullgrav:

Pursuant to Chapter 35, Section 814(a)(12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), a set of uniform standards and procedures designed to ensure the equality of opportunity for women and minority municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment by city agencies.

Pursuant to Chapter 36, Section 831(d)(5) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is empowered 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.

Section 831(d)(2) authorizes this Commission to recommend all necessary and appropriate measures, standards and programs to be utilized by city agencies to ensure a fair and effective affirmative employment program of equal employment opportunity for minority group members and women employed by, or seeking employment with, city agencies.

The Charter defines city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau, corporation, authority, or other agency of government, where the majority of the board members of such agency are appointed

by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury..."

This letter contains the preliminary determinations of the EEPC pursuant to its audit of compliance by the Department of Youth & Community Development (DYCD), which may herein be referred to as "the agency", during the thirty-six month period commencing January 1, 2006 and ending December 31, 2008. Requests for corrective actions and/or recommendations are included where the EEPC has determined that DYCD has failed to comply in whole or in part with the City's EEO Policy.

All recommendations for corrective actions are consistent with both the audit's findings and the parameters set forth in the EEO Policy, which, in accordance with section 815 of the City Charter, holds agency heads responsible for the effective implementation of Equal Employment Opportunity. Therefore, the Department of Youth & Community Development should incorporate these recommendations in its agency-specific EEO Plan. The relevant sections of the City's EEO Policy are cited in parenthesis at the end of each recommendation. In addition, this Commission is empowered by Section 831 of the City Charter to recommend all necessary and appropriate actions to ensure fair and effective affirmative employment plans for minority group members and women.

The purpose of this audit is to evaluate the agency's compliance with the EEOP, not to issue findings of discrimination pursuant to the New York City Human Rights Law.

Scope and Methodology

Audit methodology included an analysis of the agency's responses to an EEPC Document and Information Request Form. EEPC auditors conducted interviews with the DYCD's EEO Officer/disability rights coordinator/Section 55-A program coordinator, two EEO counselors, human resources director/career counselor, EEO trainer, director of the audit unit, and agency counsel via the EEPC's interview questionnaires for EEO professionals. EEPC auditors also conducted an in-depth, on-site interview with the agency's EEO Officer/Disability Rights Coordinator. In addition, employees were asked to participate in the *EEPC's Employee Survey* and managers/supervisors were asked to complete the *EEPC's Manager/Supervisor Interview Questionnaire*. A survey of 417 people currently employed by the DYCD was distributed; 202 people (48%) responded. Survey findings are attached (Appendix 1). A survey of 37 DYCD supervisors was distributed; Twenty-nine supervisors (78%) responded. Survey findings are attached (Appendix 5).

The City-wide Equal Employment Database System (CEEDS) data prepared by the Department of Citywide Administrative Services (DCAS) determines underutilizations and concentrations of targeted groups within the agency's workforce. These designations represent imbalances between the number of employees in a particular job category and the number that would reasonably be expected when compared to their availability in the relevant labor market. CEEDS data is critical in identifying underutilization in the city's workforce. Where underutilization is revealed within an agency's workforce, auditors determine whether an agency has undertaken reasonable measures for addressing underutilization.

Typically, auditors would analyze underutilization data for a complete measure of the employment practices of an agency. At present, the CEEDS data for the entire period is unavailable. The EEPC anticipates updated data for this period from the DCAS. Upon its availability, the EEPC will review the data and make supplemental recommendations pursuant to this audit.

Description of the Agency

The Department of Youth and Community Development (DYCD) was created in 1996 to provide the City of New York with efficient and high-quality youth and family programming. DYCD's mission is to administer available City, State, and Federal funds to strong and effective community-based organizations. DYCD funds a wide range of innovative, practical and proactive programs to bring meaningful services to youth and communities.

The DYCD and its partnering community organizations are translating big ideas into practical solutions. Each program is integral in DYCD's larger plan to enhance and empower New Yorkers and their communities.

Personnel Activity During the Audit Period

According to data provided by the DYCD, during the audit period 251 people were hired: 37 Caucasians, 130 African-Americans, 30 Hispanics, 13 Asians, and 41 others. Of the individuals hired, 150 were female. 51 individuals were promoted during the audit period: 13 Caucasians and 14 African Americans, 17 Hispanics, and 2 Asians; 35 were female. (Appendix 4)

The DYCD reports that 11 employees were involuntarily separated during the audit period: three Caucasians and eight African-Americans; four were female. Between January 1, 2006 and December 31, 2008, the total number of employees increased from 84 to 88. The number of African-American employees decreased from 184 to 174, Hispanics decreased from 92 to 82, Native Americans decreased from 1 to 0, Caucasians increased from 27 to 29, Asians increased from 27 to 30, and the number of employees that were unknown increased from 3 to 20. The number of female employees decreased from 250 to 246. (Appendices 2 and 3)

Discrimination Complaint Activity During the Audit Period

During the audit period, one internal discrimination complaint was filed and the EEO Officer completed and issued a report. The complaint, based on sexual harassment, received a substantiated determination. During the audit period, 2 external complaints were filed: One based on retaliation, was filed with the Equal Employment Opportunity Commission (EEOC) and received a no probable cause determination; the other, based on disability, was filed with the City Commission on Human Rights (CCHR) and was pending at the time this audit was conducted.

Legal Activity

According to the agency, there were no EEO judgments or settlements during the audit period or the two years prior.

PRELIMINARY DETERMINATION

Following are our preliminary determinations with required corrective actions and recommendations pursuant to the audit.

Plan Dissemination – Internally

The DYCD is in compliance with the following requirements:

1. In 2006 and 2007, the Citywide EEO Policy and EEO Policy Statement was distributed to all legal, human resources and EEO representatives, as well as managers and supervisors, electronically, and during EEO training sessions. The agency has also made the Policies available on its intranet. In addition, 100% of the respondents to the *EEPC's Supervisor/Manager Questionnaire* indicated that they received a copy of the agency's EEO Policy Statement. The agency also distributed its Sexual Harassment Policy statement to all employees by email in July 2007 and in April 2009.
2. The EEO Policy and EEO Policy statement has been posted on the agency's bulletin boards. The EEO Officer continually checks and maintains the boards to ensure the EEO information is clearly posted and current. Employees were also informed that the EEO Policy can be accessed through the DCAS website. In addition, 93% of the respondents to the *EEPC's Employee Survey* said that the Citywide EEO Policy is posted on the agency's bulletin boards or kept in an area otherwise accessible to employees.
3. In 2006 and 2007, the EEO Policy Handbook and addendums, and EEO Policy Statement were distributed to all employees electronically and in hard copy during EEO training sessions. The policies were also distributed to new employees during orientation. In addition, 96% of the respondents to the *EEPC's Employee Survey* said that they were given a copy of the EEO Policy Handbook and 78% indicated that when hired, they were advised of the City's EEO Policies, and their rights and responsibilities under such policies.
4. The agency distributed an EEO newsletter which included the names, contact information, and photographs of the agency's EEO Officer, EEO Counselors, and Career Counselor. In addition, 98% of the respondents to the *EEPC's Employee Survey* stated that they know who the agency's EEO Officer is.

Plan Dissemination – Externally

The DYCD is in compliance with the following requirement:

Job vacancy notices for Program Manager, Computer Support Technician, Auditor, Budget Review Specialist, and Director of Fatherhood Initiative were submitted to the EEPC by the DYCD. All five notices indicated that the City of New York and the DYCD is an equal opportunity employer.

The DYCD is in partial compliance with the following requirement:

The agency submitted job advertisements for Cold Fusion Developer and Net Developer and Director of Youth Programs at NYCHA. The job ads posted on Craigslist and New York Nonprofit Press for Director of Youth Programs did not contain the EEO tag line. Corrective action required.

Recommendation: All agency recruitment literature should indicate that the agency and the City of New York is an equal opportunity employer. (Sect. IV, EEOP)

EEO and Reasonable Accommodation for Persons with Disabilities

The DYCD is in compliance with the following requirements:

1. The agency participates in the Section 55-A program and appointed its EEO Officer as the program coordinator. The 55-A program brochure was posted on bulletin boards, provided during orientation and training sessions, and distributed electronically. There were 4 program participants during the audit period.
2. The agency has designated its EEO Officer as the person responsible for reviewing reasonable accommodations requests. During the audit period, 33 requests were made and granted. Documentation for all 33 requests was provided.
3. The EEO Officer is aware that the EEO policies are available in alternate formats from DCAS upon request and would make such formats available upon request. No requests for the policies in alternate formats were made during the audit period.
4. The DYCD's response to the EEPD's accessibility for persons with disabilities checklist indicated that its offices at 156 William Street and 161 William Street, are accessible to, and useable by, persons with disabilities. The 156 William Street location has a street accessible entrance, wheelchair accessible elevators, Braille in the elevators, wide restroom stalls, grab bars, and fixtures in both the male and female bathrooms on the 2nd, 3rd, 4th, and 6th floors. The 161 William Street location has a street accessible entrance, wheelchair accessible elevators, Braille and bell in elevators, and ADA bathrooms on both the 7th and 8th floors. In addition, the entrance to 161 William Street may be opened by push button.

Discrimination Complaint and Investigation Procedures

The DYCD is in compliance with the following requirements:

1. The EEO Officer has maintained and updated a monthly log of discrimination complaints filed against the agency.
2. The agency appointed EEO representatives of both genders (female EEO Officer, one male EEO Counselor and one female EEO Counselor) to receive and investigate discrimination complaints.

3. The agency's EEO Officer and two EEO counselors completed the basic training course for EEO professionals conducted by the Department of Citywide Administrative Services (DCAS).

The following section refers to the one internal discrimination complaint that was filed and investigated (01-0006) during the period in review.

The DYCD is in compliance with the following requirements:

The DYCD's complaint was investigated in compliance with the DCPIG and Section III of the EEOP. The complaint file included a discrimination complaint intake form, a written notice of discrimination complaint to the respondent, confidential written report with the agency head's signature to indicate that the report was reviewed and approved by the agency head, written notice to complainant and respondent regarding the determination, and written indication of corrective action taken.

The DYCD is in partial compliance with the following requirement:

The EEO investigator maintained investigative interview notes in the complaint file; however, the notes were not word-processed. Corrective action required.

Recommendation: Because the DCPIG requires the investigator to report words spoken and facts provided as close to verbatim as possible, complaint files must contain thorough word processed notes, for each interview. (Sect. 12b, DCPIG and EEPC Position)

EEO Training

The DYCD is in compliance with the following requirement:

The agency appointed an EEO Trainer to provide training to all employees. The curriculum used was based on DCAS's EEO training curriculum which included the following components: federal, state, and local EEO laws, definitions of protected classes under the City's EEO Policy, theories of discrimination, sexual harassment, terms or conditions of employment, retaliation, reasonable accommodations, managers and supervisors EEO responsibilities, where to file a complaint, mediation, and the 55A program. According to the agency's Quarterly reports for FY 2006, 2007, and 2008, 788 employees received EEO training during the audit period.

Selection and Recruitment

The DYCD is in compliance with the following requirements:

1. The agency provided structured interview training for all managers and supervisors involved in the interviewing process. In addition, 100% of respondents to the EEPC's *Manager/Supervisor Questionnaire* who indicated they interviewed candidates for positions also indicated they had received training and/or a guide that outlines illegal or discriminatory questions and includes instructions for conducting a structured interview.

2. The agency formally assessed its criteria for selecting persons for mid-level to high-level discretionary positions to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group by using the Disparate Impact Analysis Program (an on-line Internet based application) recommended by DCAS/DCEEO. The agency's analysis of its 2006, 2007, and 2008 Summer Youth Employment Program (SYEP) Candidate Pool indicated that there was no adverse impact.
3. The DYCD has taken measures to ensure fair employment practices such as participating in career and job fairs and promoting public service as a career choice at schools, colleges and universities. During the audit period, the agency attended and recruited at the Baruch Government Career Fair, York College Job Fair, Pace University Internship Fair, and the NYU College fair. In May 2007, the DYCD also hosted a job fair to recruit for positions at summer camps.

Promotional Opportunities

The DYCD is in compliance with the following requirements:

1. The agency conducted annual performance evaluations during the audit period. In addition, 55% of the respondents to the EEPC's *Supervisor/Manager Questionnaire* indicated that they received their last performance evaluation within the past year. In addition, 62% of the respondents to the EEPC's *Employee Survey Questionnaire* indicated that they received annual performance evaluation within the past 2 years.
2. The agency appointed a Career Counselor who is responsible for providing career counseling, disseminating information on job and promotional opportunities, information on civil service exams, coordinating job training opportunities and administering employee incentive and recognition programs. An agency-wide memo notifying employees of the name, contact information, as well as a picture of the Career Counselor was distributed and posted on agency bulletin boards.

Supervisory Responsibility in EEO Plan Implementation

The DYCD is in compliance with the following requirement:

Managers and supervisors discussed the agency's EEO policies with their subordinates during normal staff meetings. Documentation of these meetings was provided to the EEPC.

EEO Officer Reporting Arrangement

The DYCD is in compliance with the following requirements:

1. The EEO Officer meets with the EEO counselors periodically to review their work and keep them abreast of EEO developments. Documentation of these meetings was maintained.

2. The agency submitted its agency-specific plan, three quarterly reports, and an annual fourth quarter final report to the EEPC for each fiscal year.
3. The EEO Officer reports to the agency head and meets with her on EEO matters as needed. Documentation of these meetings was maintained.

The DYCD is not in compliance with the following requirements:

The agency's organization chart did not show the reporting relationship between the EEO Officer and Agency head. The EEO Officer title is absent from the chart. Corrective action is required.

Recommendation: Because the EEOP requires the EEO Officer to report directly to the agency head (or if approved by DCAS, to a direct report to the agency head), the agency should update its organizational chart to reflect this reporting relationship. (Sect. VB, EEOP)

EEO Officer Responsibilities

The DYCD is in compliance with the following requirement:

The EEO Officer spent 100% of her time on EEO, Reasonable Accommodations, and 55A Program matters.

SUMMARY OF RECOMMENDED CORRECTIVE ACTIONS

1. All agency recruitment literature should indicate that the agency and the City of New York is an equal opportunity employer. (Sect. IV, EEOP)
2. Because the DCPIG requires the investigator to report words spoken and facts provided as close to verbatim as possible, complaint files must contain thorough word processed notes, for each interview. (Sect. 12b, DCPIG and EEPC Position)
3. Because the EEOP requires the EEO Officer to report directly to the agency head (or if approved by DCAS, to a direct report to the agency head), the agency should update its organizational chart to reflect this reporting relationship. (Sect. VB, EEOP)

In addition to the above recommendations, during the compliance process, the Commission requires that the agency head distribute a memorandum to all staff informing them of the changes that are being implemented in the agency's EEO program pursuant to the audit. This memorandum should re-emphasize the agency head's commitment to the agency's Equal Employment Opportunity Program.

Conclusion

Pursuant to Chapter 36 of the New York City Charter and the previously cited preliminary determinations relating to EEPC's audit of the DYCD's compliance with its Equal

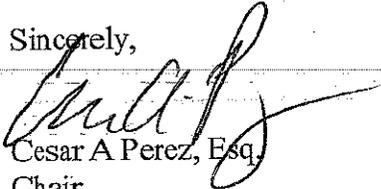
Employment Opportunity Policy, and EEO standards expressed in the Citywide EEO Policy, we respectfully request your response to the aforementioned preliminary determinations.

Your response should indicate what corrective actions your office will take to bring the agency in compliance with the aforementioned policies and which recommendations it intends to follow. Please forward your response within thirty days of receipt of this letter.

Pursuant to Section 832 of the New York City Charter, as amended in 1999, if you do not implement all of these recommendations for corrective actions during a compliance period not to exceed six months, this Commission may publish a report and recommend to the Mayor the appropriate corrective actions that you should implement in your agency's EEO Plan.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's auditors during the course of this audit. If you have any questions regarding these preliminary determinations, please let us know.

Sincerely,



Cesar A Perez, Esq.
Chair

APPENDIX - 1

Department of Youth and Community Development
EMPLOYEE SURVEY RESULTS

Employees = 417 Survey Respondents = 202 48%

A. GENERAL OVERVIEW

1. Equal Employment Opportunity (EEO) guarantees the right of all persons to be accorded full and equal consideration on the basis of merit, regardless of protected group status. Do you agree with this principle?
Yes (188) No (7)
2. Do you know who your agency's EEO Officer is?
Yes (197) No (2)
3. Is the City's EEO Policy posted on your agency's bulletin boards or kept in an area otherwise accessible to employees?
Yes (187) No (3)
4. Were you given a copy of the EEO Policy Handbook - About EEO: What You Need to Know?
Yes (194) No (2)
5. Do you believe your agency practices equal opportunity (i.e. ensures fairness in all aspects of employment including hiring, selection, promotions, etc.)?
Yes (151) No (41)

6. Has your manager or supervisor discussed the agency's commitment to the principle of Equal Employment Opportunity during staff meetings at least twice within the past year?
Yes (110) No (43) Do not remember (45)
7. Has your manager or supervisor discussed employees' right to file a discrimination complaint with the agency's EEO Officer during staff meetings at least twice within the past year?
Yes (108) No (48) Do not remember (41)
8. When hired, were you advised of the City's EEO policies, and of your rights and responsibilities under such policies?
Yes (153) No (9) Do not remember (36)

B. EEO COMPLAINTS

9. Do you know how to file an EEO complaint?
Yes (180) No (16)
10. If you had an EEO complaint, would you bring it to your agency's EEO Office?
Yes (133) No (20) Undecided (44)
11. Would you prefer to file an EEO complaint with an office outside your agency rather than your agency's EEO Office?
Yes (49) No (77) Undecided (71)
12. During the past 3 years, did you file a complaint with your agency's EEO Office?
Yes (3) No (194)
13. Was your manager or supervisor supportive of your right to file a complaint?
Yes (12) No (5) Not Applicable (179)

C. EEO TRAINING

14. During the past 2 years, did you receive EEO training?
Yes (192) No (5)
15. How informative was this training?
Very informative (125) Somewhat informative (62)
Not really informative (5) Not Applicable (4)

SURVEY RESULTS CONTINUED

D. JOB PERFORMANCE/ADVANCEMENT

- Does your agency use training and development programs in order to improve job performance and/or career opportunities?
Yes (139) No (21) I do not know (35)
17. Were vacant positions advertised on bulletin boards or other areas accessible to employees in a timely manner?
Yes (167) No (13) Do not remember (17)
18. The Personnel Rules and Regulations of the City of New York and the Guidelines for Evaluating Managerial Performance in NYC Agencies require that all employees (managerial and non-managerial) receive at least one performance evaluation a year. Have you received annual performance evaluations within the past 2 years?
Yes (126) No (52) Employed for less than 12 mos (16)
19. Did your evaluation contain recommendations for improving your job performance?
Yes (75) No (37) Not Applicable (0)
20. Did your evaluation contain recommendations for career advancement with your agency?
Yes (34) No (68) Not Applicable (0)
21. Do you know the name of the person in your agency that is responsible for providing career counseling?
Yes (94) No (100)

E. SPECIFIC PROTECTIONS

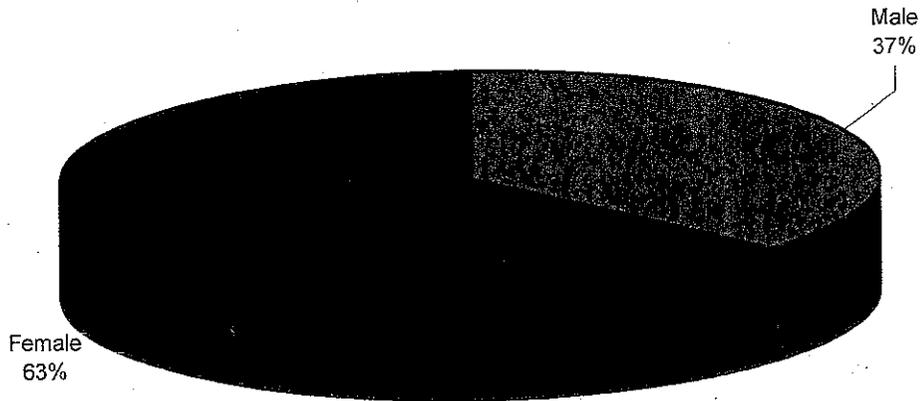
22. Do you know who your agency's Disability Rights Coordinator is?
Yes (115) No (79)
- The City's EEO Policy requires that agencies take appropriate action to reasonably accommodate qualified employees and applicants with disabilities, and those who are victims of domestic violence, sex offenses, or stalking, to enable them to perform their jobs or enjoy equal benefits and privileges of employment. It also requires agencies to provide reasonable accommodations for the religious observances, beliefs and practices of an employee or applicant. During the past 3 years, did you ask for a reasonable accommodation due to any of the above?
Yes (31) No (164)
24. Was your accommodation granted?
Yes (30) No (63)

OPTIONAL INFORMATION

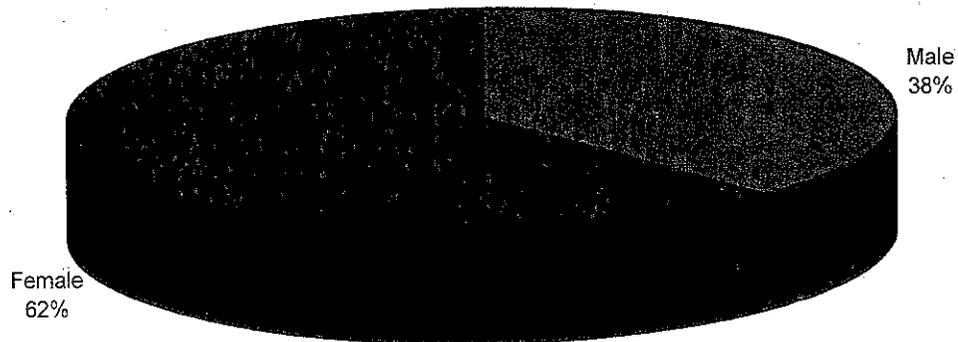
25. Race/Ethnicity
Asian or Pacific Islander (0) Hispanic (42)
American Indian or Alaska Native (0) White (not of Hispanic origin) (45)
Black (not of Hispanic origin) (55) Other (10)
26. Gender
Male (73) Female (106)

Appendix - 2

Department of Youth and Community Development Workforce by Gender



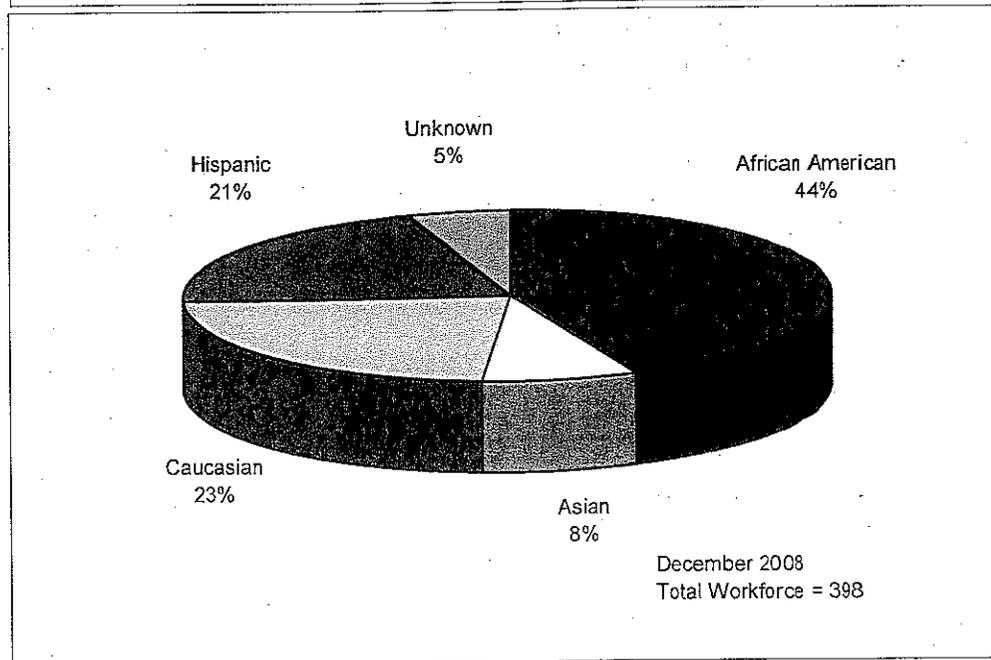
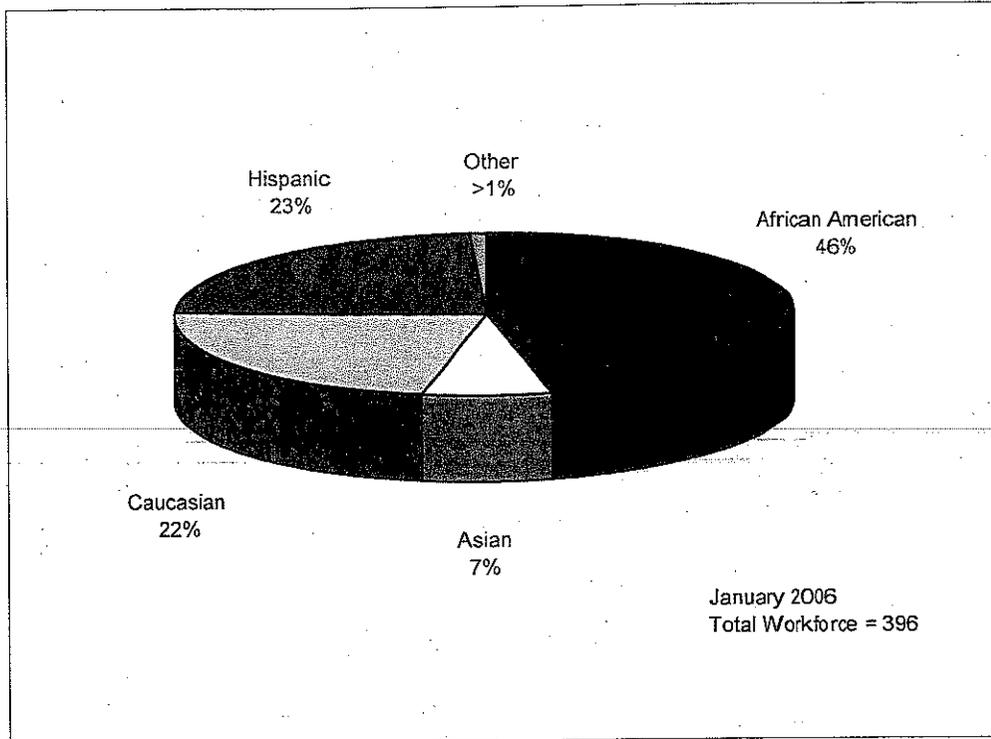
January 2006
Total Workforce = 396



December 2008
Total Workforce = 398

Appendix - 3

Department of Youth and Community Development Workforce by Ethnicity



APPENDIX – 4

The following table indicates personnel activity during the audit period, January 1, 2006 to December 31, 2008

Department of Youth and Community Development

Hires by Sex and Ethnicity

Total Hires: 251

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Other	Total
101	150	251	37	130	30	13	41	251

Promotions by Sex and Ethnicity

Total Promotions: 51

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Other	Total
16	35	51	13	19	17	2	0	51

Separations by Sex and Ethnicity

Total Separations: 11

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Other	Total
7	4	11	3	8	0	0	0	11

Source: Audit data supplied by DYCD

APPENDIX - 5

Department of Youth and Community Development
SUPERVISOR/MANAGER QUESTIONNAIRE RESULTS

Total Supervisors = 37 Completed Questionnaire = 29 (78%)

1. Which of the following are you?
 Supervisor (8) Manager (21)

2. How many employees are under your supervision?
 Less than 5 (8) 11 - 20 (6)
 6 - 10 (9) 21 or more (6)

3. How long have you worked for this agency?
 3yrs or less (4) Over 3 yrs (25)

4. Each agency head may distribute a statement in support of Equal Employment Opportunity to all employees. Have you received a copy of your agency's EEO Policy Statement?
 Yes (29) No (0) Do not remember (0)

5. In your agency, where can the City's EEO Policy be found?
 In the EEO Office (14) In my office (2)
 In the HR/Personnel Office (5) I do not know (0)
 On the Intranet (8)

6. Of the choices indicated, which is most easily accessible to you?
 The EEO Office (1) Your Office (5)
 The HR/Personnel Office (2) Not applicable (0)
 The Intranet (21)

7. Is the Discrimination Complaint Procedure included with the EEO Policy?
 Yes (26) No (0) Do not know (3)

8. Do you know the name of your agency's EEO Officer?
 Yes (29) No (0) Do not know (0)

9. Did the EEO Officer meet with you to discuss your EEO rights as an employee?
 Yes (27) No (2)

10. Did the EEO Officer meet with you to discuss your EEO responsibilities as a supervisor or manager?
 Yes (27) No (1)

11. Did you complete the Department of Citywide Administrative Services' (DCAS) Division of Citywide EEO Computer based Training?
 Yes (28) No (1)

12. In your role as a supervisor/manager, have you discussed the agency's commitment to the principle of Equal Employment Opportunity during staff meetings at least twice within the past year?
 Yes (20) No (7)

13. In your role as a supervisor/manager, have you discussed with employees their right to file a discrimination complaint with the agency's EEO Officer during staff meetings at least twice within the past year?
 Yes (21) No (8)

14. Did you receive sexual harassment prevention training from your agency?
 Yes (27) No (0)

15. Please indicate when the training was done.
 Within the past 2 years (27) over 2 years ago (0)

16. Did all of the employees that you supervise receive sexual harassment prevention training?
 Yes (25) No (0) Do not know (4)

SUPERVISOR/MANAGER QUESTIONNAIRE CONTINUED

17. When you were hired, did you receive an orientation session that included a review of the City's EEO Policy?

Yes (20) No (1) Do not remember (8)

18. Do you participate in orientation sessions for new employees?

Yes (12) No (16)

19. Do new employee orientation sessions include information on the City's EEO Policy?

Yes (19) No (0) Do not know (9)

20. Do you interview candidates for positions in your agency?

Yes (24) No (5)

21. If you are involved in interviewing job applicants, did your agency provide you with training and/or a guide that outlines illegal or discriminatory questions and includes instructions for conducting a structured interview?

Training (3) Both training and guide (17)
Guide (4) I do not interview applicants (5)

22. When was your last performance evaluation?

Within the past year (16) Over a year ago (13)

23. Were you informed that fulfillment of your EEO responsibilities will be part of your overall performance evaluation and will be considered in determining your eligibility for promotions and merit increases?

Yes (12) No (12) Not applicable (5)

24. Does your performance evaluation include an EEO component? (A section that rates your ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner.)

Yes (8) No (11) I do not receive performance evaluations (0)

25. Do you conduct formal evaluations of the employees under your supervision annually?

Yes (26) No (3)

26. Do you believe the agency has provided sufficient training to supervisors/managers on their responsibilities in assisting employees who may complain about discrimination or harassment?

Yes (28) No (0)

OPTIONAL INFORMATION

27. Race/Ethnicity

Asian or Pacific Islander (0) Hispanic (2)
American Indian or Alaskan Native (0) White (10)
Black (10) Other (2)

28. Gender

Male (14) Female (12)

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
 OMIS CITYWIDE PERSONNEL PRODUCTION SYSTEMS
 PERSONNEL REPORTING AND INFORMATION SYSTEM FOR EMPLOYEES (PRISE)
 WORKFORCE SUMMARY AS OF DECEMBER 31, 2006
 DEPARTMENT OF YOUTH & COMMUNITY DEVELOPMENT (261)

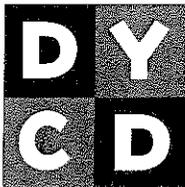
JOB GRP	MALE							FEMALE							TOTAL
	WHITE	BLACK	HSPN	ASIAN	NATIVE AMER	UKWN	OTHR	WHITE	BLACK	HSPN	ASIAN	NATIVE AMER	UKWN	OTHR	
001	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
002	19	9	7	3	0	1	0	17	17	7	2	0	1	0	83
003	12	25	15	5	0	0	0	9	40	25	2	0	0	0	133
004	8	0	1	2	0	0	0	5	0	0	1	0	0	0	17
007	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2
008	0	0	0	1	0	0	0	0	0	1	0	0	0	0	2
012	0	4	2	1	0	0	0	8	27	13	1	0	1	0	57
013	1	2	1	2	0	0	0	2	20	5	1	0	0	0	34
027	1	1	0	1	0	0	0	0	0	0	0	0	0	0	3
031	5	12	6	1	0	0	0	2	25	10	3	1	0	0	65
TOTAL	46	53	33	16	0	1	0	43	132	61	10	1	2	0	398
%TAGE	12%	13%	8%	4%	0%	<1%	<1%	11%	33%	15%	3%	<1%	<1%	0%	100%

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
 OMIS CITYWIDE PERSONNEL PRODUCTION SYSTEMS
 PERSONNEL REPORTING AND INFORMATION SYSTEM FOR EMPLOYEES (PRISE)
 WORKFORCE SUMMARY AS OF DECEMBER 31, 2007
 DEPARTMENT OF YOUTH & COMMUNITY DEVELOPMENT (261)

JOB GRP	MALE						FEMALE						TOTAL	
	WHITE	BLACK	HSPN	ASIAN	NATIVE AMER	UKWN	WHITE	BLACK	HSPN	ASIAN	NATIVE AMER	UKWN		OTHR
001	0	0	0	0	0	0	0	2	0	0	0	0	0	2
002	19	9	8	5	0	2	17	15	9	2	0	3	1	90
003	13	22	14	5	0	1	10	43	23	4	0	1	0	136
004	8	0	1	3	0	1	6	0	0	2	0	0	0	21
007	0	1	0	0	0	0	0	2	1	0	0	0	0	4
008	0	0	0	1	0	0	0	0	1	0	0	0	0	2
010	0	0	0	0	0	0	0	1	0	0	0	0	0	1
012	0	4	1	2	0	0	9	29	11	1	0	1	0	58
013	1	1	1	2	0	0	1	17	4	2	0	0	0	29
023	0	0	1	0	0	0	0	0	0	0	0	0	0	1
027	1	1	0	1	0	0	0	0	0	0	0	0	0	3
031	4	9	7	1	0	2	1	21	7	3	1	2	0	58
TOTAL	46	47	33	20	0	6	44	130	56	14	1	7	1	405
%TAGE	11%	12%	8%	5%	0%	<1%	11%	32%	14%	3%	<1%	<1%	0%	100%

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
 OMIS CITYWIDE PERSONNEL PRODUCTION SYSTEMS
 PERSONNEL REPORTING AND INFORMATION SYSTEM FOR EMPLOYEES (PRISE)
 WORKFORCE SUMMARY AS OF DECEMBER 31, 2008
 DEPARTMENT OF YOUTH & COMMUNITY DEVELOPMENT (261)

JOB GRP	MALE					FEMALE									
	WHITE	BLACK	HSPN	ASIAN	NATIVE AMER	UKWN	WHITE	BLACK	HSPN	ASIAN	NATIVE AMER	UKWN	OTHR	TOTAL	
001	0	0	0	0	0	0	0	2	0	0	0	0	0	2	
002	19	9	8	5	0	2	17	15	9	2	0	3	1	99	
003	13	22	14	5	0	1	10	43	23	4	0	1	0	149	
004	8	0	1	3	0	1	6	0	0	2	0	0	0	21	
008	0	0	0	1	0	0	0	0	1	0	0	0	0	2	
010	0	0	0	0	0	0	0	1	0	0	0	0	0	1	
012	0	4	1	2	0	0	9	29	11	1	0	1	0	52	
013	1	1	1	2	0	0	1	17	4	2	0	0	0	27	
023	0	0	1	0	0	0	0	0	0	0	0	0	0	1	
027	1	1	0	1	0	0	0	0	0	0	0	0	0	3	
031	4	9	7	1	0	2	1	21	7	3	1	2	0	44	
TOTAL	48	49	29	18	0	9	44	126	54	12	1	10	1	401	
%TAGE	12%	12%	7%	4%	0%	<1%	11%	31%	13%	3%	<1%	<1%	0%	100%	



**NEW YORK CITY
DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT
SERVING NEW YORK CITY YOUTH, FAMILIES, AND COMMUNITIES**

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JEANNE B. MULLGRAV
Commissioner

10373

December 27, 2010

Cesar A. Perez, Esq.
Chair
Equal Employment Practices Commission
City of New York
40 Rector Street, 14th Floor
New York, New York 10006

Re: Resolution #10/11-260: Preliminary Determination Pursuant to the Audit of the Department of Youth and Community Development (DYCD) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2006 through December 31, 2008.

Dear Mr. Perez:

This will serve as a response to your December 15, 2010 letter in which the Equal Employment Practices Commission (EEPC) cites its preliminary determination of the Department of Youth and Community Development's (DYCD's) compliance with the Equal Employment Opportunity Policy. Based upon the EEPC's recommendations, DYCD will implement the following corrective measures:

1. Recommendation

All agency recruitment literature should indicate that the agency and the City of New York is an equal opportunity employer. (Sect. IV, EEOP)

• Response

DYCD will indicate that the agency and the City of New York is an Equal Opportunity Employer on all recruitment literature.



2. Recommendation

Because the DCPIG requires the investigator to report words spoken and facts provided as close to verbatim as possible, complaint files must contain thorough word processed notes, for each interview. (Sect. 12b, DCPIG and EEPC Position)

- **Response**

The EEO Officer will report words spoken and facts provided as close to verbatim as possible through word processed notes.

3. Recommendation

Because the EEOP requires the EEO Officer to report directly to the agency head (or if approved by DCAS, to a direct report to the agency head), the agency should update its organizational chart to reflect this reporting relationship. (Sect. VB, EEOP)

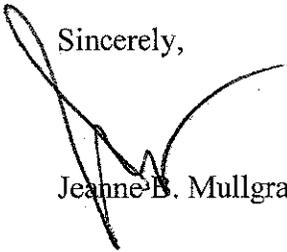
- **Response**

DYCD will update its organization chart to correctly reflect the reporting relationship between the EEO Officer and the Commissioner.

DYCD will, during the compliance period distribute a memorandum from the agency head to all staff informing them of the changes that are being implemented in the EEO program pursuant to the audit. The memorandum will also re-emphasize the agency head's commitment to DYCD's Equal Employment Opportunity Program.

I would like to thank the EEPC for providing guidance to DYCD on enhancing a program that fosters an equitable work environment that is free of discrimination.

Sincerely,



Jeanne B. Mullgrav



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

40 Rector Street, 14th Floor New York, NY 10006

Telephone: (212) 788-8646 Fax: (212) 788-8652

Cesar A. Perez, Esq.
Chair
Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
Commissioners

Abraham May, Jr.
Executive Director
Charise Hendricks, PHR
Deputy Director
Judith Garcia Quiñonez
Counsel

January 19, 2011.

Commissioner Jeanne B. Mullgrav
Department of Youth & Community Development
156 William Street
New York, New York 10038

Re: Initiation of Audit Compliance

Dear Commissioner Mullgrav:

On behalf of Chair Cesar Perez and the members of the Equal Employment Practices Commission, I want to thank you for your December 27, 2010 Response to our December 15, 2010 Preliminary Determination Letter pursuant to the audit of the Department of Youth & Community Development's Equal Employment Opportunity Program from January 1, 2006 to December 31, 2008. Since your response confirms your agreement with all audit recommendations this letter is in lieu of a Final Determinations Letter.

The EEPC's Counsel/Compliance Director Judith Garcia Quiñonez, Esq., or her designee, will contact EEO Officer Felicia Thornton to schedule a meeting to initiate the Charter-mandated audit compliance process.

We look forward to a mutually satisfactory audit compliance process with the Department of Youth & Community Development.

Sincerely,


Abraham May, Jr.
Executive Director

C: Judith Garcia Quiñonez, Esq., Counsel/Compliance Director
Adrienne Smith, EEO Auditor/Compliance Officer
Felicia Thornton, EEO Officer