

## POLICE PENSION FUND

- Letter of Implementation December 10, 2009
- Summary Compliance Report December 10, 2009



## EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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December 10, 2009

Anthony J. Garvey

Executive Director

Police Pension Fund

233 Broadway

New York, New York 10007

Re: Resolution #09/15-256C: Implementation of Corrective Actions Pursuant to the Audit of Compliance by the Police Pension Fund's (PPF) Equal Employment Opportunity Program (EEOP) from January 1, 2005 to June 30, 2007.

Dear Mr. Garvey:

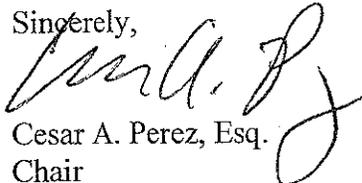
Pursuant to Section 832 of Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) was required to monitor audit compliance by the Police Pension Fund (PPF) for a period not to exceed six months. The compliance period was December 2008 through May 2009. In response to your request, this Commission granted your office a three-month extension of the compliance period. The PPF's Final Compliance Report was submitted on December 3, 2009.

The goal of monitoring was to determine if the PPF implemented all recommended corrective actions pursuant to our audit of compliance by your agency with the City's Equal Employment Opportunity Policy from January 1, 2005 to June 30, 2007.

After completing its review of the Compliance Reports submitted by your agency, the EEPC staff submitted a Summary Compliance Report for Commission review. After reviewing the Report this Commission has determined that the PPF has implemented the recommended corrective actions as required by Chapters 35 and 36 of the New York City Charter to the Commission's satisfaction. The Police Pension Fund is now in compliance with the requirements of the City's Equal Employment Opportunity Policy.

On behalf of this Commission, I want to thank you and EEO Officer Sidney Hayes for the cooperation extended to the EEPC Compliance Unit during the compliance-monitoring period.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cesar A. Perez', written in a cursive style.

Cesar A. Perez, Esq.  
Chair

C: Sidney Hayes, EEO Officer



# EQUAL EMPLOYMENT PRACTICES COMMISSION

## SUMMARY COMPLIANCE REPORT

**Agency:** Police Pension Fund

**Agency Head:** Anthony J. Garvey, Executive Director

**EEO Officer:** Sidney Hayes

**Audit Period:** July 1, 2005 - June 30, 2007

**Agency Census as of June 2007:** 123

|   |                               |
|---|-------------------------------|
| Date of Preliminary Determination Letter:                                   | March 20, 2008                |
| Date of Response Letter:  | July 7, 2008                  |
| Date of Final Determinations Letter:  | August 4, 2008                |
| Date of Response Letter to the Commission's<br>Final Determinations Letter: | September 4, 2008             |
| Compliance Initiated:   | December 2008                 |
| Compliance Completed:   | December 2009                 |
| Covering Months:  | December 2008 - November 2009 |

**Date:** December 10, 2009

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEOC) Audit of Compliance by the Police Pension Fund (PPF) with the City's Equal Employment Opportunity Policy (EEOC), EEOC initiated Audit Compliance Monitoring with the PPF in December 2008

On May 28, 2009, the PPF requested, and was granted, a three-month extension of the compliance period in order to have its EEO personnel complete EEO training and so that they could develop a curriculum and timetable for training employees on EEO. The DCEEO/DCAS did not offer EEO training until November 2009. The PPF's final Monthly Compliance Report was submitted on December 3, 2009.

All eighteen required actions were completed or accepted. The following is a summary of the compliance reports:

1. **The agency should distribute the Citywide EEO Policy to all employees (current as well as new).**

The PPF said that it distributed the Citywide EEO policy to all employees in January 2009 by inclusion of a link to it in email regarding the PPF EEO policy statement. Additionally in July and August 2008 it distributed to all employees the EEO Policy Handbook: *About EEO: What You May Not Know*. Also in January 2009 supervisors and managers were given the Citywide EEO Policy. It submitted a copy of the list of signatures acknowledging receipt and the EEO policy statement.

The required action was completed in January 2009.

2. **The Citywide EEO Policy should be accompanied by a general EEO policy statement or memo from the agency head.**

The PPF said that its EEO policy statement, which contains a link to obtain the Citywide EEOP, was distributed to all employees via email in January 2009.

The required action was completed in January 2009.

3. **The general EEO policy statement or memo should be posted on the agency intranet and bulletin boards.**

The PPF said that the EEO policy statement has been posted on the agency Intranet and bulletin boards.

The required action was completed in January 2009.

4. **All PPF recruitment literature, including job advertisements, should indicate that the agency is an equal opportunity employer.**

The PPF submitted a copy of a job vacancy notice that contained the language "The City/NYCPPF is an equal employment opportunity employer."

The required action was completed in November 2008.

5. **The agency should designate a disabilities rights coordinator—usually the EEO officer—to ensure compliance with all federal, state, and local laws, as well as City and agency policies. All employees should be notified in writing of this appointment.**

The PPF said that it has designated both the EEO officer and counselor to serve as disabilities rights coordinators. The employees were notified with the EEO policy statement.

The required action was completed in November 2008.

6. **The agency should follow-up on its pledge and participate in the Section 55-A Program by distributing the DCAS Program brochures.**

The PPF said that it distributed the Section 55-A Program brochures to employees in July and August 2008. It submitted a copy of the list of employees' signatures acknowledging receipt.

The required action was completed in August 2008.

- 7. Since the PPF has adopted the Citywide EEO Policy, it should obtain copies of that document in alternate formats from the Department of Citywide Administrative Services.**

The PPF said that it copied and enlarged the printing for the EEO Handbook, *About EEO: What You May Not Know*. It has also obtained magna rulers which enlarges text. The DCEEO/DCAS informed the PPF that it may borrow other alternate formats such as the Braille and audio cassette for the Citywide EEO Policy when the need arises.

The required action was completed in January 2009.

- 8. The EEO officer should attend the next available DCAS training session for EEO professionals or enroll in training conducted by another appropriate agency or school, such as the EEO Studies Program of Cornell University's School of Industrial and Labor Relations. The EEO officer should obtain the certificate or otherwise complete the program at the institution selected by the PPF.**

The PPF stated that the EEO officer completed the DCAS' Basic Training for EEO Professionals in November. It submitted a copy of her certificate of completion.

The required action was completed in November 2009.

- 9. To ensure that there are individuals of different genders available to receive and investigate discrimination complaints, the PPF should appoint a male EEO counselor.**

The PPF stated that it appointed a male EEO counselor and employees were notified through the agency head's EEO policy statement. It submitted a copy of the EEO policy statement.

The required action was completed in November 2008.

- 10. The new EEO counselor should receive the same EEO training as the EEO officer.**

The PPF stated that the EEO counselor completed the DCAS' Basic Training for EEO Professionals. It submitted a copy of his certificate of completion.

The required action was completed in November 2009.

- 11. The EEO officer should meet with the new EEO counselor at least at quarterly intervals to ensure that he is carrying out his EEO functions satisfactorily and is kept abreast of internal and external EEO developments.**

The PPF said that the EEO officer meets with the EEO counselor regularly to ensure that he is

carrying out his EEO functions satisfactorily and is kept abreast of internal and external EEO developments. It submitted copies of "EEO Logs," which capture their discussions.

The required action was completed in November 2008.

12. **Since Sect. IV of the Citywide EEO Policy requires that agencies develop EEO training plans that meet the minimum standards set by the DCAS, the PPF should either request that the DCAS review and approve the NYPD online training program for supervisors or develop a manual EEO training program that meets the DCAS' minimum standards.**

The PPF said that it has developed a plan to train supervisors on EEO. The EEO officer and counselor will conduct the training. It submitted a copy of the EEO training agenda and timetable.

The response to the required action was accepted in December 2009.

13. **The PPF should also develop a plan, which meets the DCAS minimum standards and includes a timetable, for providing EEO training to all non-supervisors.**

The PPF said that it has developed a plan to train non-supervisors on EEO. The EEO officer and counselor will conduct the training. It submitted a copy of the EEO training agenda and timetable.

The response to the required action was accepted in December 2009.

14. **The PPF should ensure that all employees who participate in the job interviewing process receive structured interview training, either through internal training or training provided by the DCAS or another appropriate organization.**

The PPF said it provided structured interview training to all employees who participate in the job interviewing process. It submitted copies of the sign in sheets.

The required action was completed in April 2009.

15. **It is inappropriate for the EEO officer to report to the director of human resources, since the latter official is responsible for developing and enforcing agency personnel policies. The EEO officer should report to the agency head or to a direct report approved by DCAS—other than the director of human resources to the agency head.**

The PPF stated that the EEO officer began reporting to the agency head on July 1, 2008.

The required action was completed in July 2008.

16. **It is the Commission's position that appropriate documentation of meetings and other communications between the EEO officer and the agency head, or direct report to the agency head, regarding EEO program operational decisions should be maintained.**

The PPF said that all appropriate documentation of meetings and other communications between her and the agency head regarding EEO program operational decisions are being maintained through an "EEO Log." It submitted a copy of the Log.

The required action was completed in July 2008.

- 17. To ensure fair employment practices, the agency head should direct the human resources department to include the EEO officer in the development of recruitment strategies and the selection of recruitment media.**

The PPF submitted a copy of a memorandum from the agency head directing the human resources director to include the EEO officer and counselor in the development of recruitment strategies and the selection of recruitment media.

The required action was completed in December 2008.

- 18. The PPF's Executive Director should disseminate an agency-wide memorandum to discuss audit findings.**

The attached memorandum from Executive Director Anthony J. Garvey was distributed on December 4, 2009.

The required action was completed in December 2009.

### **Recommendation**

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to the Executive Director Anthony J. Garvey, informing him that the PPF has implemented the recommended corrective actions to the Commission's satisfaction.

Respectfully Submitted,



Michelle Marecheau  
Senior Auditor/ Compliance Officer



Judith Garcia-Quinonez  
Counsel



Abraham May, Jr.  
Executive Director

Attachment



# New York City Police Pension Fund

233 Broadway  
New York, NY 10279  
(212) 693-5100

Anthony J. Garvey  
Executive Director

10139

## MEMORANDUM

TO: All Staff  
FROM: Anthony Garvey *AG*  
DATE: December 4, 2009  
SUBJECT: Equal Employment Practices Commission Audit

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The Equal Employment Practices Commission [EEOC] conducted an audit of the Police Pension Fund compliance by the Department of Citywide Administrative Services [DCAS] with the City's Equal Employment Opportunity Program. The audit covered a six-month period commencing December 1, 2008 and ending May 31, 2009.

The EEOC have made audit recommendations and The Police Pension Fund have made corrective actions in order to comply. I continue to urge all employees to become familiar with the EEO policies and procedures. Please reflect on some of the recommendations implemented:

- Distribute link of EEO Policy (standards & procedures) to all employees
- Inclusion of advisement of PPF Adoption of EEO Policy in memo from Agency Head
- Agency Head EEO Policy posted on intra-net and bulletin boards
- All PPF recruitment literature has EEO tag line
- Designated EEO Officer and Counselor as disabilities rights coordinators
- Participates in the 55-A program and distributed DCAS brochures
- Provided internal structured interview training

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As the Executive Director of the Police Pension Fund, I reaffirm this agency's strong and continuing commitment to maintaining fair employment practices for all members of this organization as well as prospective job applicants. It is essential that the Police Pension Fund prevents discrimination and encourage a work environment that appreciates differences among our diversified employees.

I encourage all employees to utilize the resources available within the PPF and to address any concerns you may have to Sidney Hayes, PPF's EEO Officer or Edward Ulon, PPF's EEO Counselor.