OFFICE OF THE PUBLIC ADVOCATE

- Letter of Implementation March 12, 2009
- Summary Compliance Report March 12, 2009

EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York
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March 12, 2009

Honorable Betsy Gotbaum
Public Advocate
City of New York
1 Centre Street, 15th Floor
New York, New York 10007

Re: Resolution #09/06-906C: Implementation of Corrective Actions Pursuant to the Audit of Compliance by the Public Advocate's Office (PA) Equal Employment Opportunity Program (EEOP) from January 1, 2005 to December 31, 2006.

Dear Ms. Gotbaum:

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 Public Advocate's Office (PA) for a period not to exceed six months. The compliance period was December 2008 through May 2009. The PA's Final Compliance Report was submitted on January 12, 2009.

The goal of monitoring was to determine if the PA 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 December 31, 2006.

After completing its review of the Compliance Reports submitted by your agency, EEPC staff submitted a Summary Compliance Report for Commission review. After reviewing the Report this Commission has determined that the PA 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 Public Advocate's Office 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 Elba Feliciano for the cooperation extended to the EEPC Compliance Unit during the compliance-monitoring period. We also want to commend you and Ms. Feliciano for your swift response to our audit recommendations.

Sincerely,

Ernest F. Hart, Esq.
Chair

C: Elba Feliciano, EEO Officer

EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: The Office of the Public Advocate

Agency Head: Honorable Betsy Gotbaum, Public Advocate

EEO Officer: Elba Feliciano

Audit Period: January 1, 2005 - December 31, 2006

Agency Census as of December 2006: 41

Date of Preliminary Determination Letter:	June 19, 2008
Date of Response Letter:	September 23, 2008
Date of EEPC Response:	September 30, 2008

Compliance Initiated:	*December 2008*
Compliance Completed:	*January 2009*
Covering Months:	*December 2008*

Date: March 12, 2009

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEPC) Audit of Compliance by the Office of the Public Advocate (PA) with the City's Equal Employment Opportunity Policy (EEOP), the EEPC initiated Audit Compliance Monitoring with the PA in January 2009. The PA's final Monthly Compliance Report was submitted on January 12, 2009.

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

1. **The PA's EEO Policy complaint form should be updated to include all of the "protected classes" under the New York City and New York State Human Rights Laws. An updated EEO Policy should be placed in the "new hire" package.**

The PA submitted a copy of the EEO Policy with the updated Discrimination Complaint Form. It also submitted a copy of the email that it sent to staff informing them that a revised copy of the

EEO Policy including the updated Form was put in their mailboxes. The PA also made copies for the "new hire" packages.

The required action was completed in December 2008.

2. **The PA should distribute the EEO Policy Handbook, *About EEO: What You May Not Know,* to all current and new employees.**

The PA said that it distributed the EEO Policy Handbook, *About EEO: What You May Not Know,* to all employees. It submitted a copy of the email distribution memo.

The required action was completed in June 2008.

3. **All agency recruitment literature should indicate that the agency is an equal opportunity employer.**

The PA said that it has and will continue to ensure that all recruitment literature indicates that it is an equal opportunity employer. It submitted copies of recent job vacancy postings which contain the EEO tagline.

The required action was completed in December 2008.

4. **The PA should officially appoint the EEO officer as the disability rights coordinator and notify staff about the appointment.**

The PA said that it has appointed the EEO officer as its disability rights coordinator. It submitted a copy of the memorandum notifying staff of the appointment.

The required action was completed in June 2008.

5. **The EEO officer should develop and maintain a monthly EEO complaint log to indicate the monthly status of internal and external complaints.**

The PA said that the EEO officer has developed a complaint log to indicate the monthly status of internal and external complaints. It submitted a copy of a blank complaint log.

The required action was completed in December 2008.

6. **The organizational chart should include the title "EEO officer."**

The PA submitted a copy of an updated organizational chart, which contains the title "EEO officer."

The required action was completed in December 2008.

7. **The PA should develop a plan to provide structured interview training to personnel involved in the recruitment and hiring process.**

The PA said that it trained all personnel involved in the recruitment and hiring process on December 11, 2008. It submitted a copy of the sign-in sheet.

The required action was completed in December 2008.

8. **The Public Advocate should disseminate an agency-wide memorandum to discuss audit findings.**

The attached memorandum from Public Advocate Betsy Gotbaum was distributed on January 9, 2009.

The required action was completed in January 2009.

Recommendation

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to Public Advocate Betsy Gotbaum, informing her that the PA has implemented the recommended corrective actions to the Commission's satisfaction.

Respectfully Submitted,

Michelle Marecheau-Antoine
Senior Auditor/ Compliance Officer

Judith García Quiñonez
Counsel

Abraham May, Jr.
Executive Director

Attachment

The Public Advocate for the City of New York

Improving Access to City Services

Betsy Gotbaum
Public Advocate

TO: All Staff

FROM: Betsy Gotbaum

DATE: January 9, 2009

SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEPC) recently completed an audit of the Public Advocate's Office (PA) compliance with the City's Equal Employment Opportunity Program. The audit specifically addressed the period from January 1, 2005 through December 31, 2006. The auditors also looked at our current practices and conducted a mail-in survey of our staff to ascertain how effectively the agency is addressing Equal Employment Opportunity (EEO) issues. I am pleased to report that the EEPC listed only a few recommendations, all of which have already been implemented.

The recommendations already implemented are: the distribution of the EEO Policy Handbook, *About EEO: What You May Not Know,* to all current and new employees and I officially appointed the EEO Officer, Elba Feliciano, as the disability rights coordinator and notified the staff of the appointment.

As Public Advocate, I affirm this agency's strong commitment to maintaining fair employment practices for all employees and job applicants. It is essential that the PA prevents discrimination and ensures that all employees are aware of their rights and obligations under this policy.

All employees are encouraged to utilize the resources available within PA and to address any concerns to either the EEO Officer, Elba Feliciano or EEO Male Counselor, Randy Lafargue.

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