

QUEENS BOROUGH PRESIDENT'S OFFICE

- Letter of Implementation July 16, 2009
- Summary Compliance Report July 16, 2009



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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July 16, 2009

Honorable Helen Marshall

President

Borough of Queens

120-55 Queens Blvd

Kew Gardens, New York 11424

Re: Resolution #09/12-013C: Implementation of Corrective Actions Pursuant to the Audit of Compliance by the Queens Borough President's Office's (QBPO) Equal Employment Opportunity Program (EEOP) from July 1, 2005 to June 30, 2007.

Dear President Marshall:

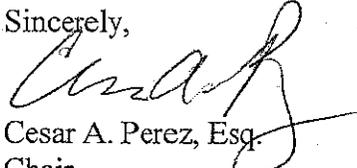
Pursuant to Section 832 of Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) was required to monitor audit compliance by the Queens Borough President's Office (QBPO) for a period not to exceed six months. The compliance period was December 2008 through May 2009. The QBPO's Final Compliance Report was submitted on July 7, 2009.

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

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 QBPO 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 Queens Borough President'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 Co-EEO Officers Lisa Atkins and Irving Poy for the cooperation extended to the EEPC Compliance Unit during the compliance-monitoring period.

Sincerely,



Cesar A. Perez, Esq.
Chair

C: Lisa Atkins, Co-EEO Officer
Irving Poy, Co-EEO Officer



EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: Queens Borough President's Office

Agency Head: Helen Marshall, Borough President

Co-EEO Officers: Lisa Atkins
Irving Poy

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

Agency Census as of June 2007: 61

Date of Preliminary Determination Letter:	June 19, 2008
Date of Response Letter:	July 17, 2008
Date of Final Determinations Letter:	August 5, 2008

Compliance Initiated:	January 2009
Compliance Completed:	July 2009
Covering Months:	December 2008 - June 2009

Date: July 16, 2009

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEOC) Audit of Compliance by the Queens Borough President's Office (QBPO) with the City's Equal Employment Opportunity Policy (EEO), EEOC initiated Audit Compliance Monitoring with the QBPO in January 2009. The QBPO's final Monthly Compliance Report was submitted on July 7, 2009.

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

- 1. It is the Commission's position that the QBPO should distribute its EEO Policy to all employees at least annually.**

The QBPO said it will distribute the EEO Policy annually; it was distributed to staff in July 2008. It submitted a copy of the distribution letter.

The required action was completed in July 2008.

- 2. The QBPO's EEO Policy should be updated to include the current male Co-EEO officer's contact information.**

The QBPO said it has updated its EEO Policy to include the current male Co-EEO officer's contact information. It submitted a copy of the updated EEO Policy.

The required action was completed in July 2008.

- 3. The QBPO's EEO Policy should be updated to include all of the "protected classes" under the New York City and New York State Human Rights Laws.**

The QBPO said that the EEO Policy has been updated to include all of the "protected classes" under the New York City and the New York State Human Rights Laws. It submitted a copy of the updated EEO Policy.

The required action was completed in July 2008.

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

The QBPO said that it will use the language "the QBPO is an Equal Employment Employer" in its recruitment literature. It stated that as of July 1st of FY '09 it has been subject to a hiring freeze; there has been no recruitment literature generated.

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

- 5. The QBPO should officially notify staff of the identity of the disability rights coordinator. It should also include this information in the EEO Policy.**

The QBPO said it has officially appointed the Co-EEO officers as its Co-disability rights coordinators. This information was included in the July 2008 EEOP memorandum.

The required action was completed in July 2008.

- 6. To ensure that there are EEO professionals available and authorized to investigate discrimination complaints, the agency should provide the male Co-EEO officer with appropriate EEO training.**

The QBPO said that its male Co-EEO officer completed the DCAS' training for EEO professionals in September 2008. It submitted a copy of his certificate.

The required action was completed in January 2009.

- 7. The Co-EEO officers should maintain and update a monthly EEO complaint log to indicate the monthly status of internal and external complaints.**

The QBPO said that the Co-EEO officers will maintain a monthly EEO complaint log to indicate the monthly status of internal and external complaints. It submitted a copy of a blank log; there were no complaints filed during the compliance period.

The required action was completed in April 2009.

8. **All discrimination complaint files should include a Discrimination Complaint Form completed by the complainant or the EEO investigator.**

The QBPO said that all discrimination complaint files will include a Discrimination Complaint Form completed either by the complainant or by one of the EEO officers. It said that there were no complaints filed during the compliance period.

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

9. **All respondents should be served with a notice of complaint along with a copy of the complaint. Respondent(s) or someone authorized to sign for the respondent(s) should acknowledge receipt of the notice. The receipts should be maintained in the complaint file.**

The QBPO said that all respondents will be served with a notice of complaint, along with a copy of the complaint, when a complaint is made. Respondent(s) or someone authorized to sign for the respondent(s) will be asked to acknowledge receipt of the notice. The receipts will be maintained in the appropriate complaint files. It said that there were no complaints filed during the compliance period.

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

10. **It is the Commission's position that complaint files should contain clear and thorough word-processed notes of interviews conducted with the complainant, respondent or witnesses.**

The QBPO said that complaint files will contain clear and thorough word-processed notes of interviews conducted with complainants, respondents and witnesses. It said that there were no complaints filed during the compliance period.

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

11. **The agency head should sign each EEO investigator's confidential written report to indicate that it has been reviewed and whether the recommendation, if any, is approved and adopted.**

The QBPO said that the Borough President or the Chief of Staff will sign each EEO officer's confidential written report to demonstrate that it has been reviewed and to indicate whether the recommendations, if any, is approved and adopted. It said that there were no complaints filed during the compliance period.

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

12. **All confidential written reports should be divided in three sections in accordance with section 12b of the DCPIG.**

The QBPO said that all confidential written reports will be divided into three sections in accordance with the DCAS' DCPIG, section 12b. It said that there were no complaints filed during the compliance period.

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

13. **All internal investigative reports should be labeled "confidential" in large bold print.**

The QBPO said that all internal investigative reports will be labeled "confidential" in large, bold print. It said that there were no complaints filed during the compliance period.

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

14. **The QBPO should adhere to its plan to conduct EEO training. The plan should include a timeframe.**

The QBPO said that it conducted EEO training for staff on June 30, 2009. It submitted copies of the sign-in sheets.

The required action was completed in June 2009.

15. **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 QBPO submitted a copy of a memo-to-file of a meeting between the Co-EEO officers and the Chief-of-Staff.

The required action was completed in January 2009.

16. **The QBPO should revise its organization chart to show the reporting arrangement of the EEO officer(s).**

The QBPO submitted a copy of its revised organizational chart showing that the Co-EEO officers report to the chief of staff.

The required action was completed in July 2008.

17. **To ensure fair employment practices, the agency head should direct the head of human resources to include the Co-EEO officers in the development of recruitment strategies and selection of recruitment media, including newspapers and other publications.**

The QBPO stated that the Borough President has directed the head of personnel to include the

two Co-EEO officers in developing job recruitment strategies and selecting recruitment media. It submitted a copy of the memorandum.

The required action was completed in February 2009.

18. **The QBPO should ensure that all employees involved in job interviewing receive structured interview training, either through internal training or training provided by the DCAS or another appropriate organization.**

The QBPO stated that on June 30, 2009 it provided structured interview training to personnel involved in the job interviewing process. It submitted a copy of the sign-in sheet.

The required action was completed in June 2009.

19. **The Queens Borough President should disseminate an agency-wide memorandum to discuss audit findings.**

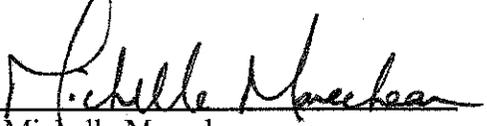
The attached memorandum from Borough President was distributed on July 17, 2008.

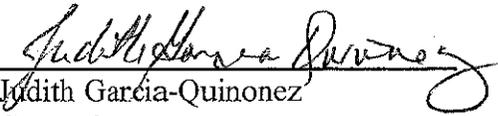
The required action was completed in July 2008.

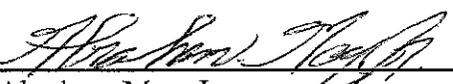
Recommendation

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to Borough President Helen Marshall, informing her that the QBPO 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

HELEN MARSHALL
PRESIDENT



(718) 286-3000
TDD (718) 286-2656
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CITY OF NEW YORK
OFFICE OF THE
PRESIDENT OF THE BOROUGH OF QUEENS
120-55 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11424-1015

MEMORANDUM

TO: All Staff

FROM: Borough President Helen Marshall

DATE: July 17, 2008

RE: The Queens Borough President's Office's
Equal Employment Opportunity Policy

The purpose of this memorandum is to thank you all for your ongoing commitment to the Borough President's Equal Employment Opportunity policy ("EEO policy") and to advise you of recent changes in that policy.

The New York City Equal Employment Practices Commission (the "EEPC") recently completed an EEO policy audit of our office. Since I strongly believe in the principles contained in the EEO policy, I had asked everyone on staff to give their full cooperation to those who conducted the audit on behalf of the EEPC. I am proud to tell you that most of the recommendations that resulted from the audit were procedural or administrative in nature.

We are, of course, implementing all of the EEPC's recommendations. In this memorandum, I will share with you the most significant changes in our EEO policy. If you would like to see all the changes we have implemented in response to the EEPC audit, you can get a copy of our letter to the EEPC from either the Director of Personnel or from Counsel's Office.

As you know, this office's two EEO officers are Lisa

Atkins and Irving Poy. I want to thank them both for volunteering to perform this important service, above and beyond their regular duties. In addition, Lisa and Irving have been designated to serve as our office's co-disability rights coordinators. Do not hesitate to consult them if you have any questions or concerns related to EEO or disability issues.

We will be re-distributing our EEO policy this month, and, from now on, we will distribute the policy annually. In the EEO policy you will receive this month, note that in the section dealing with protected classes, the changes include being a witness to (in addition to being a victim of) domestic violence.

The Borough President's Office continues to post city and office job vacancy notices in the Director of Personnel's Office. If you have any questions about these notices, please see Susanne Marchetti. Also, we are in the process of planning a new round of EEO training for our entire staff. We will let you know as soon as we have set the date for the training.

Again, I want to emphasize the importance of our observing the principles embodied in our EEO policy, especially in an office as diverse as ours, and I want to thank you for your continuing adherence to those principles.