

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION # 08/02-256: Preliminary Determination Pursuant to the Audit of the Police Pension Fund's (PPF) Equal Employment Opportunity Program from July 1, 2005 to June 30, 2007.

Whereas, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, 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 municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Equal Employment Practices Commission audited the Police Pension Fund's Equal Employment Opportunity Program; and

Whereas, in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

that pursuant to the Audit of the Police Pension Fund's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. There was no general hardcopy distribution of the Citywide EEO Policy. (Sect. VB, Citywide EEO Policy)
2. The PPF did not officially appoint an EEO officer until November 2007—after the EEPC initiated its audit. (Sect. VB, Citywide EEO Policy)
3. The agency's job advertisements, submitted to the EEPC, did not contain the EEO tag line. (Sect. IV, Citywide EEO Policy)
4. The PPF did not appoint a disabilities rights coordinator. (Sect. VB, Citywide EEO Policy)

5. The PPF did not distribute the Section 55-A Program brochure to its employees. (Sect. IIB, Citywide EEO Policy)
6. The agency's EEO documents are not available in alternate formats for persons with disabilities. (Sect. VB, Citywide EEO Policy)
7. The EEO officer has not received formal EEO training. (Sect. VB, Citywide EEO Policy)
8. The agency has not had EEO counselors of different genders since 2002. (Sect. VB, Citywide EEO Policy)
9. The PPF has not conducted EEO training for its employees. (Sect. IV, EEOP)
10. The PPF has not provided structured interview training to personnel involved in the interviewing and hiring process. (Sect. IC, Citywide EEO Policy)
11. The EEO officer reports to the director of human resources on EEO matters. (Sect. VB, Citywide EEO Policy)
12. The EEO officer did not prepare an agenda for, or keep notes of, her meetings with the director of human resources.
13. The EEO officer was not involved in developing recruitment strategies or selecting recruitment media. (Sect. IV, Citywide EEO Policy)

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Executive Director of the Police Pension Fund, Anthony J. Garvey, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the Police Pension Fund will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on March 20, 2008.

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #09/15-256C: Determination of implementation by the Police Pension Fund of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Police Pension Fund's Charter-mandated Equal Employment Opportunity Program from July 1, 2005 to June 30, 2007.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

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

Whereas, pursuant to its audit of the Police Pension Fund (PPF), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter March 20, 2008 setting forth its findings and recommended corrective actions; and

Whereas, the PPF submitted its response to EEPC's preliminary determination letter on July 7, 2008; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on August 4, 2008 identifying those recommendations accepted and rejected by PPF; and

Whereas, in response to EEPC's final determination letter, the PPF submitted its response on September 4, 2008; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the PPF for a period not to exceed six months, from December 2008 through May 2009, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, 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 to develop a curriculum and timetable for training employees on EEO; and

Whereas, the Police Pension Fund submitted its Final Compliance Report on December 3, 2009; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy; and

Whereas, the members of this Commission have reviewed a Summary Compliance Report prepared by the EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the Police Pension Fund has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Executive Director Anthony J. Garvey, formally informing him that the Police Pension Fund has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on December 10, 2009.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner


Cesar A. Perez, Esq.
Chair



New York City Police Pension Fund

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Anthony J. Garvey
Executive Director

10139

MEMORANDUM

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

The Equal Employment Practices Commission [EEPC] 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 EEPC 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

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.