

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

RESOLUTION #08/23-125: Preliminary Determination Pursuant to the Audit of the Department for the Aging's (DFTA) 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 813(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 Department for the Aging'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 Department for the Aging's compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The DFTA did not advertise job vacancies in minority-based publications. (Sect. IV, EEOP)
2. The agency did not assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. (Sect. IV, EEOP)
3. The DFTA's EEO officer was not involved in the recruitment process. (Sect. IV, EEOP)

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Department for the Aging's Commission, Edwin Mendez-Santiago, 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 Department for the Aging will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on July 31, 2008.

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair



Ernest F. Hart, Esq.
Chair

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

RESOLUTION #09/08-125C: Determination of implementation by the Department for the Aging of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department for the Aging'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 ensure fair and effective 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 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 Department for the Aging (DFTA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 31, 2008, setting forth its findings and recommended corrective actions; and

Whereas, the DFTA submitted its responses to EEPC's preliminary determination letter, on August 28, 2008; and

Whereas, the EEPC submitted its initiation of compliance letter on September 8, 2008; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DFTA for a period not to exceed six months, from December 1, 2008 through May 31, 2009, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department for the Aging submitted its Final Compliance Report on June 10, 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 Compliance Summary 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 Department for the Aging 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,

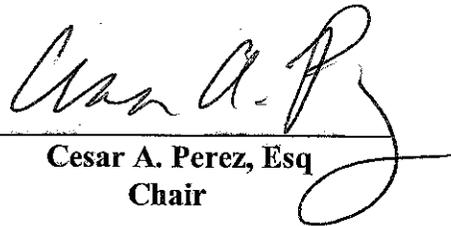
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the Department for the Aging, Lilliam Barrios-Paoli, formally informing her that the DFTA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on July 16, 2009.

**Angela Cabrera
Commissioner**

**Malini Cadambi Daniel
Commissioner**

**Elaine S. Reiss, Esq.
Commissioner**


Cesar A. Perez, Esq
Chair



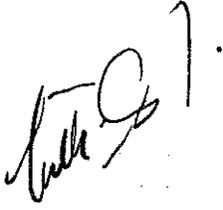
Lilliam Barrios-Paoli
Commissioner

2 Lafayette St.
New York, NY 10007

212 442 1100 tel
212 442 1095 fax

Memorandum

TO: All Staff

FROM: Lilliam Barrios-Paoli, Commissioner 

DATE: June 10, 2009

SUBJECT: Agency Implementation of Changes as per Employment Practices Commission Audit Preliminary Determination of July 31, 2008.

The Equal Employment Practices Commission (EEPC) completed an audit of the Department for the Aging compliance with the City's Equal Employment Opportunity Program. The audit specifically addressed the 24 month period from: July 1, 2005 through June 30, 2007. The auditors also looked at our current practices and conducted a mail-in survey of our staff ascertaining how effectively the agency is addressing Equal Employment Opportunity (EEO) issues. The EEPC had four recommendations and I am pleased to report that all have been implemented:

Below, please find the recommendations and the Agency's corrective actions:

1 - Conduct Adverse Impact Study at the Agency:

DFTA petitioned the Department of Citywide Administration Services (DCAS) Office of Citywide Equal Employment Opportunity (OCEEO) to obtain the technical assistance necessary to conduct the adverse impact study at DFTA. The study has been conducted effectively. Overall, results indicate that DFTA is moving in the right direction to continue to strengthen recruitment of protected groups. The Office of the EEO will work closely with the HR Unit to ensure the selection process is properly coordinated. Adverse Impact Studies will be conducted, on a yearly basis.

2-Underutilization:

DFTA has expanded recruitment efforts to address underutilization by using added recruitment resource guides, Web sites, list of recruitment resources and publications to address the underutilization of protected groups. Recruitment will also be expanded to sources employment service programs or organizations that can assist with recruitment of protected groups.

3-Agency Recruitment and Selection of Personnel:

An Agency Memo directing the Director of HR to include DFTA's EEO Officer in the development of recruitment strategies and selection of recruitment media was issued in August 2008.

4- Agency head memorandum to all staff indicating changes implemented in the EEO Program as a result of the audit.



Department for
the Aging

As Commissioner, I affirm this agency's strong commitment to maintain fair employment practices for all of its employees and job applicants. DFTA is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under this policy and encouraging a work environment that is free of discrimination and their diversity and cultural backgrounds are appreciated.

It is important for all personnel to work together, to maintain focus on the goals of the agency and continue to build an atmosphere of appreciation for diversity as it is reflected on our staff.

I encourage all employees to access the resources available within DFTA and to contact Maria Serrano, DFTA's EEO Officer. Ms. Serrano's office is located at DFTA's Senior Employment Unit, 220 Church Street, Rm. 323, NY, NY 10013 and she can be reached at 212-442-1369 or by email mserrano@aging.nyc.gov.