

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #12/21-312: Preliminary Determination Pursuant to the Audit of the New York City Conflict of Interest Board (COIB) and its compliance with the City's Equal Employment Opportunity (EEO) Policy and Federal, State and City equal employment opportunity requirements for the period from January 1, 2009 to December 31, 2011.

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 New York City Conflict of Interest Board'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 COIB's compliance with the city's 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 finding:

1. COIB did not include the name and phone number of the EEO professionals in its EEO Policy Statement.
2. The agency's organization chart did not include the EEO Officer's title or its reporting relationship.

Be It Finally Resolved, that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Executive Director Mark Davies of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within thirty days of receipt of the letter indicating what corrective actions the COIB will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on July 26, 2012.

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair

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

RESOLUTION #12/19-312C: Determination of implementation by the Conflicts of Interest Board of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Conflicts of Interest Board's compliance with the Citywide Equal Employment Opportunity Policy from January 1, 2009 to December 31, 2011.

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 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 insure 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 Conflicts of Interest Board (COIB), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 26, 2012, setting forth its findings and recommended corrective actions; and

Whereas, the COIB submitted its response to the EEPC's preliminary determination letter, on August 30, 2012; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to consider the COIB's response to the preliminary determination, and determine whether the corrective actions taken by the agency are sufficient to remedy non-compliance identified in the preliminary determination; and

Whereas, the Conflicts of Interest Board submitted with its response to the preliminary determination documentation of actions taken to rectify the non-compliance identified in the preliminary determination; and

Whereas, at the EEPC's request, pursuant to Section 815.a.(19) of the New York City Charter, the COIB submitted a copy of the agency head's memorandum to staff, which outlined the corrective actions implemented in response to the EEPC's audit; 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 determined that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the Conflicts of Interest Board 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.

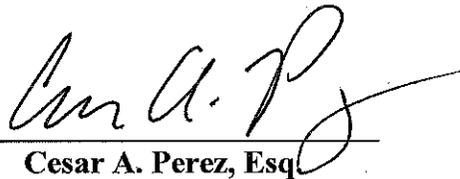
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Executive Director of the Conflicts of Interest Board, Mark Davies, formally informing him that the COIB has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on September 13, 2012.

**Angela Cabrera
Commissioner**

**Malini Cadambi Daniel
Commissioner**



**Cesar A. Perez, Esq.
Chair**



CITY OF NEW YORK
CONFLICTS OF INTEREST BOARD

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To: All Employees

From: Mark Davies
Executive Director

Date: August 30, 2012

Re: Findings of the January 1, 2009, to December 31, 2011, audit by the Equal Employment Practices Commission

The Equal Employment Practices Commission ("EEPC") conducts audits of City agencies to ensure that the City's Equal Employment Opportunity ("EEO") policies are being implemented.

The EEPC recently completed an audit of the Conflicts of Interest Board for the period stated above and made the following recommendations in a report dated July 26, 2012:

1. Issuance, Distribution, and Posting of Equal Employment Opportunity Policy Statement – "Although the COIB posted an agency policy statement, it did not include the name and telephone of the EEO professionals."
2. Appointment and Training of EEO Officer – "Although, the agency has appointed an EEO officer, its organization chart does not include this title or its reporting relationship."

The Board has taken the following measures to implement the EEPC's corrective action plan:

1. The Board's EEO Policy Statement now includes a list of its EEO professionals and their telephone and email contact information.
2. The Board's organization chart has been updated to include the EEO officer title and its reporting relationship.

I reaffirm the agency's commitment to the agency's EEO program and to establishing measures and programs, to effectuate fair and effective employment practices for all employees.

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