

EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: Department of Correction

Agency Head: Martin F. Horn, Commissioner

EEO Officer: Luis Burgos

Audit Period: July 1, 2001 - December 31, 2003

Date of Preliminary Determination Letter:	<i>January 24, 2006</i>
Date of Response Letter:	<i>March 7, 2006</i>
Date of Final Determinations Letter:	<i>April 24, 2006</i>
Date of Response Letter to the Commission's Final Determinations Letter:	<i>May 25, 2006</i>
Date of EEPC's Response:	<i>July 24, 2006</i>
Compliance Initiated:	<i>September 2006</i>
Compliance Completed:	<i>January 2007</i>
Covering Months:	<i>August 2006 - December 2006</i>

Date: January 25, 2007

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEPC) Audit of Compliance by the Department of Correction (DOC) with the City's Equal Employment Opportunity Policy (EEOP), EEPC initiated Audit Compliance with the DOC in September 2006. The DOC's final Monthly Compliance Report was submitted on January 5, 2007.

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

- In accordance with the City's Discrimination Complaint Procedures Implementation Guidelines (DCPIG, 1993, available at the DCAS website), the agency head should sign each confidential written report to indicate it has been reviewed and whether the recommendation(s) if any, have been approved and adopted.**

The DOC submitted a copy of a confidential written report that was signed by the agency head acknowledging review and approval.

Documentation was received at the Compliance Initiation Meeting in August 2006.

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

The DANY submitted a copy of a Discrimination Complaint Form completed by a complainant.

Documentation was received at the Compliance Initiation Meeting in August 2006.

3. **All confidential written reports should be divided in either three sections in accordance with section 12b of the DCPIG or five sections, consisting of: Background, Investigation, Documentation, Conclusion and Recommendations.**

The above referenced confidential written report consisted of the five sections: Background, Investigation, Documentation, Conclusion and Recommendations.

Documentation was received at the Compliance Initiation Meeting in August 2006.

4. **All EEO trainers should receive DCAS's training for EEO professionals.**

The DANY submitted copies of all the EEO trainers' certificates of completion of the DCAS EEO professionals' course.

Documentation was received at the Compliance Initiation Meeting in August 2006.

5. **To ensure fair employment practices, the Commissioner should direct the Personnel Director to include the Deputy Commissioner of EEO in development of recruitment strategies and selection of recruitment media.**

The DOC said that the Personnel Director has been directed to work collectively with the Deputy Commissioner of EEO in the development of recruitment strategies and selection of recruitment media. It submitted a copy of the directive, which was signed by the Senior Deputy Commissioner.

The required action was completed in September 2006.

6. **Supervisors should be informed that they will be rated on EEO Performance.**

The DOC stated that on November 13, 2006 it issued a directive to supervisors/managers informing them that they will be rated on EEO. It submitted a copy of the directive, which was signed by the agency head.

The required action was completed in November 2006.

7. **DOC should either adhere to the goals projected in its Agency-Specific EEO plan, or develop a more practical training plan in which all new and existing employees will receive EEO training.**

The DANY submitted a copy of a section of its revised agency plan (Fiscal Year 2006), which stated that it will continue its goal to train all new and existing employees and provide refresher training as necessary. It also submitted sample sign-in sheets for EEO training conducted.

Documentation was received at the Compliance Initiation Meeting in August 2006.

8. DOC's Commissioner should disseminate an agency-wide memorandum to discuss audit findings.

The attached memorandum from Commissioner Martin F. Horn will be distributed to all staff the next pay day after the EEPC's public meeting. An executed copy will be forwarded to the EEPC that same day.

The response to the required action was accepted in January 2007.

Recommendation

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to Commissioner Martin F. Horn, informing him that the DOC has implemented the recommended corrective actions to the Commission's satisfaction.

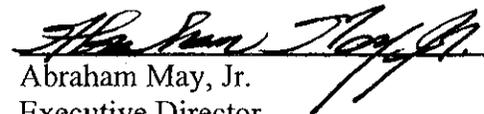
Respectfully Submitted,



Lisa Badner
Counsel



Eric Matusewitch
Deputy Director



Abraham May, Jr.
Executive Director

Attachment

MEMORANDUM

DATE:

TO: All Staff

FROM: Martin F. Horn, Commissioner

SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEPC) conducts audits of the Equal Employment Program of all city agencies. The EEPC recently completed an audit of our agency's compliance with the City's Equal Employment Policy covering the period from July 1, 2001 through December 31, 2003.

I am very pleased with the results of the audit and our accomplishments in this area. As a result of this process, we have made some refinements to the procedures used in our EEO office to better document and service our employee EEO matters.

In addition, we recently revised the uniformed managerial employee performance appraisal directive. This document now includes expanded goals relevant to EEO performance for use as an additional tool in evaluating uniformed managers.

Please remember that all Department of Correction EEO contact information and links to EEO Policy and Procedures can be found on our Intranet home page.

I reaffirm the agency's strong commitment to maintaining fair employment practices for all our employees. DOC is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under the EEO Policy and by encouraging a work environment that tolerates and appreciates differences among employees. All personnel should work together to maintain an atmosphere of appreciation for the diversity reflected in our staff.

I encourage all employees to access the resources available within DOC and to address any concerns you have to Luis R. Burgos, Jr., Deputy Commissioner, EEO, at (212) 266-7131 or Steven Isaac, Deputy Director at (212) 266-1249.

Thank you



EQUAL EMPLOYMENT PRACTICES COMMISSION

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Executive Director

Eric Matusewitch, PHR, CAAP
Deputy Director

January 25, 2007

Martin F. Horn
Commissioner
Department of Correction
60 Hudson Street, 6th Floor
New York, New York 10013

Re: Resolution #07/03-072C: Implementation of Corrective Actions Pursuant to the Audit of Compliance by the Department of Correction's (DOC) Equal Employment Opportunity Program (EEO) from July 1, 2001 to December 31, 2003.

Dear Commissioner Horn:

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 Department of Correction (DOC) for a period not to exceed six months. The compliance period was August through January 2007. The DOC's Final Compliance Report was submitted on January 5, 2007.

The goal of monitoring was to determine if the DOC 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, 2001 to December 31, 2003.

After completing its review of the Compliance Reports submitted by your agency, EEPC staff submitted a Compliance Summary Report for Commission review. After reviewing the Report this Commission has determined that the DOC has implemented the recommended corrective actions as required by Chapter 35 and 36 of the New York City Charter to the Commission's satisfaction. The Department of Correction 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, EEO Officer Luis Burgos, Chief of Staff Judy LaPook, Senior Deputy Commissioner John Antonelli, Deputy Warden Bradley Averill, and Audit Liaison Joel Lampert for the cooperation extended to the EEPC Compliance Unit during the compliance-monitoring period.

Sincerely,



Manuel A. Méndez
Vice-Chair

C: Judy LaPook, Chief of Staff
Luis Burgos, EEO Officer