

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/02-019: Preliminary Determination Pursuant to the Audit of the Office of Management and Budget's (OMB) Equal Employment Opportunity Program from January 1, 2007 through December 31, 2009.

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 Office of Management and Budget'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 Office of Management and Budget'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. Sixty percent of the respondents to the *EEPC's Employee Survey* stated that they do not know who the agency's Disabilities Rights Coordinator is.
2. The agency applicant log for discretionary positions omitted crucial information for each position such as the name, recruitment source and demographic information for each individual applicant/candidate.
3. The agency did not assess its criteria for selecting persons for mid-level to high-level discretionary positions to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group.
4. Sixty percent of the respondents to the *EEPC's Employee Survey Questionnaire* indicated they did not know the name of the person responsible for career counseling.

5. Managers and supervisors were not instructed to re-emphasize the agency's commitment to EEO and to discuss the agency's EEO policies and procedures with their subordinates during regular staff meetings.
6. The EEO Officer did not meet with the EEO Counselor at least at quarterly intervals to ensure that the Counselor(s) implement EEO functions satisfactorily and is kept abreast of internal and external EEO developments.
7. The EEO officer did not maintain appropriate documentation of meetings and other communications with the agency head regarding decisions that impact the administration of the agency's EEO program.

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Office of Management and Budget's Director, Mark Page, 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 receipts of the letter indicating what corrective actions the Office of Management and Budget will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

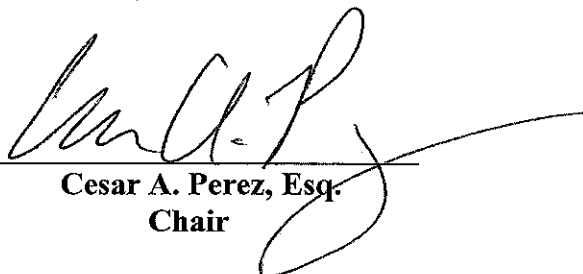
Approved unanimously on April 14, 2011.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner


Cesar A. Perez, Esq.
Chair

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

RESOLUTION #12/11/019C: Determination of implementation by the Office of Management and Budget of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of Management and Budget's compliance with the Citywide Equal Employment Opportunity Policy from January 1, 2007 to December 31, 2009.

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 ensure 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 Office of Management and Budget (OMB), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 14, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the Office of Management and Budget submitted its response to the EEPC's preliminary determination letter, on May 13, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on May 20, 2011 identifying those recommendations accepted and rejected by the Office of Management and Budget; and

Whereas, in response to EEPC's final determination letter, the Office of Management and Budget submitted its response on June 9, 2011; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the OMB for a period not to exceed six months, from July 1, 2011 through December 31, 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Commission granted the Office of Management and Budget its request for an extension of the compliance monitoring period; and

Whereas, the Office of Management and Budget submitted its Final Compliance Report on May 22, 2012; 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 EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the Office of Management and Budget 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,

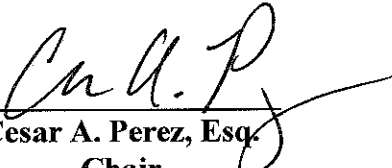
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Director of the Office of Management and Budget, Mark Page, formally informing him that the Office of Management and Budget has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on June 28, 2012.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair

Saywack, Simone

From: Page, Mark
Sent: Tuesday, May 08, 2012 5:42 PM
To: AllUsers
Subject: EEO

The Equal Employment Practices Commission (EEPC) is required to audit and evaluate the Equal Employment Opportunity programs of all New York City agencies. An EEPC audit of OMB was conducted covering the period of January 1, 2007 – December 31, 2009. The audit used internal EEO documentation, interviews of EEO staff and an online survey which was provided to employees.

The EEPC made several recommendations to enhance Equal Employment Opportunity in our agency.

OMB is committed to preventing discrimination, by ensuring that employees are aware of their rights and obligations based on the City's Equal Employment Opportunity Plan.

Employees can refer to the Citywide EEO Policy by accessing it on the DCAS website (www.nyc.gov/html/dcas/html/resources/eeopol.shtml).

Anyone wishing to discuss an EEO matter is urged to contact OMB's EEO Officer or one of the EEO Counselors listed below:

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EEO Counselor
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Michael Orlay
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