

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

RESOLUTION #01/27-021: Preliminary Determination Pursuant to the Audit of the Tax Commission and its compliance with the City Charter-mandated Equal Employment Opportunity Policy from July 1, 1998 to December 31, 2000.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) 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, the Equal Employment Practices Commission audited the Tax Commission's compliance with the City's Equal Employment Opportunity Policy; 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 Tax Commission (TC) and its compliance with the City's Equal Employment Opportunity Policy (EEO), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency's EEO Policy Statements, as well as the Discrimination Complaint Procedure, were neither included in the new hire package nor discussed with new employees.
2. Seventy-one percent of survey respondents indicated they were unfamiliar with the City's Equal Employment Opportunity Policy.
3. Three of the four supervisors/managers interviewed by EEPC auditors indicated they were not informed that EEO performance would be part of their overall performance evaluation and half of those individuals stated that the agency had never evaluated their EEO performance.
4. The agency's bathrooms, located on the 9th floor of the Municipal Building, do not have grab bars for persons in wheelchairs.
5. During the audit period, neither the EEO Officer nor the EEO Counselor received training on the Discrimination Complaint Procedure.
6. The agency did not maintain a discrimination complaint log.

7. Seventy-six percent of survey respondents indicated that they did not know how to file a discrimination complaint.
8. The Tax Commission did not develop an EEO training plan for its employees.
9. The agency's EEO Counselor did not receive basic EEO training from the Department of Citywide Administrative Services.
10. The agency did not maintain Discretionary Applicant Logs, which include the name, gender, and ethnicity of all applicants, as well as the reasons for acceptance/rejection and source of recruitment.
11. The EEO Officer was the only agency employee to receive structured interview training.
12. The agency did not appoint an individual to serve as career counselor.
13. Eighty-eight percent of survey respondents reported they had not received performance evaluations on an annual basis.
14. The EEO Officer reported to the Chief of Staff/Deputy Counsel, not to the agency head.
15. Supervisors and managers were not directed to hold meetings with their subordinates to discuss agency EEO policies.
16. Seventy-seven percent, 65%, and 41% of survey respondents indicated they did not have a copy of the Sexual Harassment Policy Statement, Discrimination Complaint Procedure, or EEO Policy Statement, respectively.
17. Fifty-nine percent of survey respondents indicated they do not know the identity of the EEO Officer.

Be It Finally Resolved,


that the Commission authorizes the Vice-chairman to forward a letter to the President of the Tax Commission, James DeCuzzi, 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 Tax Commission will take to bring the agency in compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on November 15, 2001.

Chereé Buggs
Commissioner

Angela Cabrera
Commissioner

Manuel A. Mendez
Commissioner


Frank R. Nicolazzi
Vice-Chairman

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

RESOLUTION #02/11-021C: Determination of implementation by the Tax Commission of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its Audit of the Tax Commission's Charter-mandated Equal Employment Opportunity Policy from July 1, 1998 to December 31, 2000.

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 its audit of the Tax Commission, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 15, 2001 setting forth its findings and recommended corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the Tax Commission (TC) for six months, from April 2002 through August 2002, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, TC's compliance period was extended two months in response to request from TC, in order to address outstanding recommendations number 3, 4, 14, 17, & 20; and

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

Be It Resolved,
that the Tax Commission has implemented seventeen of the twenty recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

Be It Also Resolved,
that the Commission authorizes the Vice-Chairman to forward a Letter of Final Determination to the President of the Tax Commission, Glenn Newman, formally informing him that the agency has implemented seventeen of the twenty recommended corrective actions to the Commission's satisfaction.

Be It Finally Resolved,
that the Letter request the President to inform the Equal Employment Practices Commission when the outstanding corrective actions, training for the male EEO Counselor and the Interviewer, is completed.

Approved unanimously on December 11, 2002.

Angela Cabrera
Commissioner

Manuel A. Méndez
Commissioner


Frank R. Nicolazzi
Vice-Chairman



GLENN NEWMAN
President

THE CITY OF NEW YORK
TAX COMMISSION

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New York, NY 10007

MEMORANDUM

To: Tax Commission Staff
From: Glenn Newman *GN*
Date: November 13, 2002
Re: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEOC) in accordance with its mandates under Chapter 36 of the City Charter conducts audits of the Equal Employment Opportunity program of all city agencies. The EEOC recently completed an audit of our agency's compliance with the City's Equal Employment Policy covering the period July 1, 1998 to December 31, 2000.

The EEOC made certain recommendations to enhance the Tax Commission's EEO program. The Tax Commission has complied with all of those recommendations.

I am pleased with our accomplishments. Still, I would like to call your attention to several areas where the Tax Commission incorporated EEOC recommendations, to improve the delivery of our EEO program to better serve you.

- Managers and supervisors will conduct documented meetings with staff to reaffirm the Agency's commitment to EEO policy.
- Tax Commission will ensure that every employee receives a performance evaluation on an annual basis.
- EEO Policy Statements and Discrimination Complaint procedure are included in the new hire package and reviewed with new employees.

I reaffirm the agency's strong commitment to maintaining fair employment practices for all employees. The Tax Commission is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under the EEO policy.

I encourage all employees to access the resources available within the Tax Commission and to address any concerns you have to Myrna Hall, Director of Operations/EEO Officer.