

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

RESOLUTION #14/067: Final Determination pursuant to the Audit, Evaluation and Monitoring of the Administration for Children's Services' Discrimination Complaint and Investigation Procedures, from January 1, 2012 to December 31, 2013

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 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the Administration for Children's Services' (ACS) Discrimination Complaint and Investigation Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated October 24, 2014, setting forth findings and the following required corrective actions:

1. Include, or attach as addenda to the agency's policies: uniform and responsive procedures for investigating discrimination complaints and current contact information for the agency's EEO professionals.
2. Issue a Confidential Written Report within 90 days of the date the discrimination complaint was filed, although the investigation shall be commenced immediately.
3. In rare circumstances where the investigation cannot commence immediately, or where the confidential report cannot be issued within 90 days, a note should be made in the complaint file explaining the reason for the delay and projecting a time frame for completion of the report. The complainant and respondent should be notified of the delay in writing.
4. Ensure that the complaint procedure requires written communication informing the complainant and respondent of the conclusion and outcome of a complaint investigation.
5. Notify the complainant and respondent in writing when the investigation has been

transferred from the EEO Professional because of the filing of an external complaint.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on November 7, 2014 with documentation of its actions to rectify required corrective actions nos. 3, 4 and 5; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on December 18, 2014 which agreed and accepted documentation for implementation of the aforementioned corrective actions, and indicated that corrective action(s) nos. 1 and 2 require compliance monitoring; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from January 2015 through June 2015, to determine whether it implemented the remaining required corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and

Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved, that the Commission authorizes Chair Cesar A. Perez, Esq. to forward its Final Determination to Commissioner Gladys Carrión, Esq., of the Administration for Children's Services.

Approved unanimously on December 18, 2014.

Angela Cabrera
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

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

RESOLUTION #2015/ 067-07: Determination of **Compliance** (Monitoring Period Required) by the Administration for Children's Services with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Discrimination Complaint and Investigation Procedures from January 1, 2012 through December 31, 2013.

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 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the Administration for Children's Services Discrimination Complaint and Investigation Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated October 24, 2014, setting forth findings and the following required corrective actions:

1. Include, or attach as addenda to the agency's policies: uniform and responsive procedures for investigating discrimination complaints and current contact information for the agency's EEO professionals.
2. Issue a Confidential Written Report within 90 days of the date the discrimination complaint was filed, although the investigation shall be commenced immediately.
3. In rare circumstances where the investigation cannot commence immediately, or where the confidential report cannot be issued within 90 days, a note should be made in the complaint file explaining the reason for the delay and projecting a time frame for completion of the report. The complainant and respondent should be notified of the delay in writing.
4. Ensure that the complaint procedure requires written communication informing the complainant and respondent of the conclusion and outcome of a complaint investigation.

5. Notify the complainant and respondent in writing when the investigation has been transferred from the EEO Professional because of the filing of an external complaint.

Whereas, the Administration for Children's Services submitted its response to the EEPC's Preliminary Determination letter, on November 7, 2014 with documentation of its actions to rectify required corrective actions nos. 3, 4 and 5; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on December 18, 2014, which agreed and accepted documentation for implementation of the aforementioned corrective action, with corrective actions nos. 1 and 2, remaining; and

Whereas, the Administration for Children's Services submitted its response to the EEPC's Final Determination letter agreed to implement required corrective actions nos. 1 and 2, on January 16, 2015; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the remaining corrective actions nos. 1 and 2 from January 2015 through June 2015; and

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the Administration for Children's Services submitted a copy of the agency head's memorandum to staff dated July 8, 2015, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated her commitment to the agency's EEO Program; and

Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved,

that the Administration for Children's Services has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

Be It Finally Resolved,


that the Commission authorizes Malini Cadambi Daniel, Commissioner, to forward this Determination to Commissioner Gladys Carrión, Esq., of the Administration for Children's Services.

Approved unanimously on July 30, 2015.

Angela Cabrera
Commissioner

Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Malini Cadambi Daniel
Commissioner

From: [Commissioner's Announcement](#)
Subject: Commissioner's Announcement: Implementation of Recommendations from the Equal Employment Practices Commission Audit
Date: Wednesday, July 08, 2015 12:43:33 PM



July 8, 2015

- Implementation of Recommendations from the Equal Employment Practices Commission Audit -

The Equal Employment Practices Commission ("EEPC") recently completed an audit of the Administration for Children's Services' ("ACS" or "Agency") Discrimination Complaint and Investigation Procedures. The audit pertained to the period from January 1, 2012 to December 31, 2013.

After a review and evaluation of the documents, records and data provided by ACS, the EEPC had only two areas that required corrective action. Specifically, the EEPC required that ACS include, or attach as addenda to the Agency's policies, uniform and responsive procedures for investigating discrimination complaints and current contact information for the Agency's EEO professionals. A copy of the City of New York's Discrimination Complaint Procedures and current contact information for ACS' EEO professionals are included on ACS' intranet site at <http://nycacs/acseeeo>. In addition, the EEPC required that ACS issue a Confidential Written Report within 90 days of the date a discrimination complaint is filed, although EEO investigations shall be commenced immediately. ACS' Office of Equal Employment Opportunity has since reviewed its practices and affirmed its commitment to implementing the corrective actions.

As Commissioner, I affirm this Agency's strong commitment to maintaining fair employment practices for all employees and job applicants. It is essential that ACS prevents and addresses discrimination, and ensures that all employees are aware of their rights and obligations under the City of New York's Equal Employment Opportunity Policy, available at <http://nycacs/acseeeo>.

All employees are encouraged to utilize the resources available within ACS and to address any concerns to the Equal Employment Opportunity Officer, Jodi M. Savage, at (212) 442-2356.

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