

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #10/10-069: Preliminary Determination Pursuant to the Audit of the Human Resources Administration's (HRA) Equal Employment Opportunity Program from January 1, 2006 through December 31, 2008.

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 Human Resources Administration'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 Human Resources Administration'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 findings:

1. Although the agency has appointed a Disability Rights Coordinator (DRC), 88% of respondents to the *EEPC's Employee Survey* indicated they did not know who the agency's DRC is.
2. Although the agency has appointed an EEO Officer, 66% of respondents to the *EEPC's Employee Survey* indicated they did not know who the agency's EEO Officer is.
3. Four of the 10 internal complaint files submitted did not contain any notes of interviews conducted with the complainant, respondent or witness.

4. All 10 internal complaint files submitted did not include a written notice of discrimination complaint to the respondent.
5. Two of the 10 internal complaint files were not labeled "confidential."
6. The agency's discretionary applicant form did not include the *source of recruitment*.
7. The agency did not provide formal structured interview training for employees who conduct job interviews.
8. Although the agency has appointed a Career Counselor, 89% of respondents to the *EEPC's Employee Survey* indicated that they did not know the name of the person in the agency that is responsible for providing career counseling.
9. Fifty-three percent of respondents to the *EEPC's Employee Survey* indicated that their supervisors/manager did not discuss the right of employees to file complaints with the EEO office during staff meetings within the past year.

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Commissioner Robert Doar, 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 Human Resources Administration's will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

(This Resolution replaces Resolution #10/11-069 that was adopted November 8, 2010)

Approved four to zero with the Chair abstaining on December 15, 2010.

Malini Cadambi Daniel
Commissioner

Cesar A. Perez, Esq.
Chair

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner


Angela Cabrera
Commissioner

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

RESOLUTION #11/11-069C: Determination of implementation by the Human Resources Administration of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Human Resources Administration's Charter-mandated Equal Employment Opportunity Program from January 1, 2006 to December 31, 2008.

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 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 Human Resources Administration (HRA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 12, 2010, setting forth its findings and recommended corrective actions; and

Whereas, the HRA submitted its response to the EEPC's preliminary determination letter, on January 5, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a letter in lieu of its final determination on January 14, 2011, identifying those recommendations accepted and rejected by HRA; and

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

Whereas, the Human Resources Administration submitted its Final Compliance Report on November 4, 2011; 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 Human Resources Administration 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,

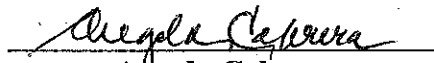
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the Human Resources Administration, Robert Doar, formally informing him that the HRA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on November 10, 2011.

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Angela Cabrera
Chair for the Meeting

MEMORANDUM

Robert Doar
Commissioner

180 Water Street
New York, NY 10038

212 331 6000

DATE: November 7, 2011

TO: HRA Staff

FROM: Robert Doar
Administrator/Commissioner

SUBJECT: EQUAL EMPLOYMENT PRACTICES COMMISSION AUDIT

The Equal Employment Practices Commission (EEPC) conducts audits of the Equal Employment Opportunity offices of all New York City agencies to determine compliance with the City's Equal Employment Opportunity Policy. EEPC's most recent audit of compliance of the Human Resources Administration (HRA) covered the period from January 1, 2006 to December 31, 2008. I am pleased to inform you that the audit found no serious policy violations. In addition, HRA has implemented all the recommendations that were made by the EEPC. Some of these recommendations are:

- The EEO should inform all HRA employees in writing of the identity, location and telephone number of the EEO Officer, the Career Counselor, and the Disability Rights Coordinator;
- Managers/supervisors during the course of staff meetings, at least twice a year, must affirm their commitment to the Agency's EEO policy;
- The agency should ensure that all employees involved in job interviewing receive formal training and/or a guide that outlines illegal or discriminatory questions and includes instructions for conducting a structured interview.

As Commissioner, I remain strongly committed to maintaining fair employment practices for all staff and job applicants. HRA has an enviable EEO record and is dedicated to preventing discrimination by ensuring all employees are aware of their rights and obligations under this policy. We must continue to maintain a workplace that promotes respect, tolerance and appreciation for the diversity that is reflected in our workforce.

All staff are encouraged to utilize the resources available within HRA and to address any concerns to HRA's EEO Officer, Stephanie Grant, at (212) 331- 5115.