

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #08/19-101: Preliminary Determination Pursuant to the Audit of the Public Advocate Office's (PA) Equal Employment Opportunity Program from January 1, 2005 through December 31, 2006.

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, the Equal Employment Practices Commission audited the Public Advocate Office'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 Public Advocate Office's compliance with its 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. The PA's EEO Policy (dated 2006), and complaint form included in the "new hire" package was not updated. The most recent EEO Policy (dated December 5, 2007) complaint form did not include all of the protected classes. (Sect. I, Citywide EEOP)
2. The PA did not distribute the EEO Policy Handbook, *About EEO: What You May Not Know* to all current and new employees. (Sect. IB, Citywide EEOP)
3. Only one of the six job advertisements submitted included the EEO tag line. (Sect. IV, Citywide EEOP)
4. The PA did not officially appoint the EEO officer as the disability rights coordinator. (Sect. VB, Citywide EEOP)
5. The agency's EEO officer did not maintain a monthly EEO complaint log. (DCAS, DCPIG, 1993, sect. 12(a))
6. The PA's organizational chart does not include the title "EEO officer." (Sect. VB, Citywide EEOP)

7. The PA has not provided structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEOP)

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Public Advocate, the Honorable Betsy Gotbaum, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipt of the letter indicating what corrective actions the Public Advocate's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on June 19, 2008.

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair

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

RESOLUTION #09/06-906C: Determination of implementation by the Office of the Public Advocate of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of the Public Advocate's Charter-mandated Equal Employment Opportunity Program from January 1, 2005 to December 31, 2006.

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 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 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, pursuant to its audit of the Office of the Public Advocate (PA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter June 19, 2008 setting forth its findings and recommended corrective actions; and

Whereas, the PA submitted its response to EEPC's preliminary determination letter on September 23, 2008; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its response on September 30, 2008; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the PA for a period not to exceed six months, from December 2008 through May 2009, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Office of the Public Advocate submitted its Final Compliance Report on January 12, 2009; 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 Summary Compliance 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 the Public Advocate 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, Ernest F. Hart, Esq., to forward a letter to the Honorable Betsy Gotbaum, formally informing her that the Office of the Public Advocate has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on March 12, 2009.

Angela Cabrera
Commissioner

Cesar A. Perez, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair

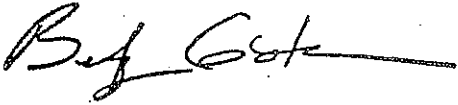


The Public Advocate for the City of New York

Improving Access to City Services

Betsy Gotbaum
Public Advocate

TO: All Staff

FROM: Betsy Gotbaum 

DATE: January 9, 2009

SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEPC) recently completed an audit of the Public Advocate's Office (PA) compliance with the City's Equal Employment Opportunity Program. The audit specifically addressed the period from January 1, 2005 through December 31, 2006. The auditors also looked at our current practices and conducted a mail-in survey of our staff to ascertain how effectively the agency is addressing Equal Employment Opportunity (EEO) issues. I am pleased to report that the EEPC listed only a few recommendations, all of which have already been implemented.

The recommendations already implemented are: the distribution of the EEO Policy Handbook, *About EEO: What You May Not Know*, to all current and new employees and I officially appointed the EEO Officer, Elba Feliciano, as the disability rights coordinator and notified the staff of the appointment.

As Public Advocate, I affirm this agency's strong commitment to maintaining fair employment practices for all employees and job applicants. It is essential that the PA prevents discrimination and ensures that all employees are aware of their rights and obligations under this policy.

All employees are encouraged to utilize the resources available within PA and to address any concerns to either the EEO Officer, Elba Feliciano or EEO Male Counselor, Randy Lafargue.