

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #08/23-125: Preliminary Determination Pursuant to the Audit of the Department for the Aging's (DFTA) Equal Employment Opportunity Program from July 1, 2005 to June 30, 2007.

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 813(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 Department for the Aging'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 Department for the Aging'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. The DFTA did not advertise job vacancies in minority-based publications. (Sect. IV, EEOP)
2. The agency did not assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. (Sect. IV, EEOP)
3. The DFTA's EEO officer was not involved in the recruitment process. (Sect. IV, EEOP)

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Department for the Aging's Commission, Edwin Mendez-Santiago, 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 Department for the Aging will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on July 31, 2008.

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair



Ernest F. Hart, Esq.
Chair