

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

**RESOLUTION #2015/126:** Final Determination pursuant to the Audit and Analysis of the Department of Cultural Affairs' 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 Department of Cultural Affairs' (DCLA) Discrimination Complaint and Investigation Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated November 26, 2014 setting forth findings and the following required corrective action:

1. In addition to the current EEO staff, appoint at least one male EEO Professional to receive/investigate discrimination complaints.

**Whereas**, the agency submitted its response to the EEPC's Preliminary Determination letter, on December 18, 2014 with a commitment to implement the required corrective action; 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 February 5, 2015 which indicated that corrective action No. 1 required 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 March 2015 through August 2015, to determine whether it implemented 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

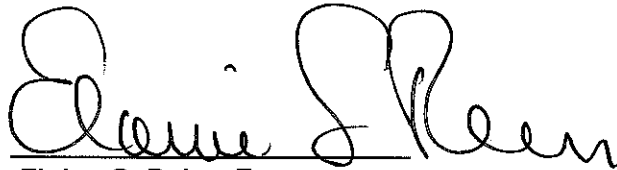
**Whereas**, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection 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 Tom Finkelppearl of the Department of Cultural Affairs.

Approved unanimously on February 5, 2015.

Angela Cabrera  
Commissioner

Malini Cadambi Daniel  
Commissioner

A handwritten signature in black ink, appearing to read "Elaine S. Reiss". The signature is written in a cursive style with a horizontal line underneath the name.

Elaine S. Reiss, Esq.  
Commissioner

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

**RESOLUTION #2015/126C-08:** Determination of **Compliance** (Monitoring Period Required) by the Department of Cultural Affairs with the Equal Employment Practices Commission's required corrective action 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 Department of Cultural Affairs' (DCLA) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 26, 2014, setting forth findings and the following required corrective action:

1. In addition to the current EEO staff, appoint at least one male EEO Professional to receive/ investigate discrimination complaints.

**Whereas**, the DCLA submitted its response to the EEPC's preliminary determination letter, on December 18, 2014, with acknowledgement of the outstanding corrective action; 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 February 5, 2014, and;

**Whereas**, the DCLA submitted its response to the EEPC's final determination letter, on March 20, 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 action from March 2015 to July 2015 with no extension of the monitoring period;


Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the DCLA submitted a copy of the agency head's memorandum to staff dated July 22, 2015, which outlined the corrective action implemented in response to the EEPC's audit and reiterated his commitment to the agency's EEO Program; and


Whereas, the EEPC's corrective action is required by, or is 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 Department of Cultural Affairs has implemented the required corrective action 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 to forward this Determination to Tom Finkelppearl, Commissioner of the Department of Cultural Affairs.

Approved unanimously on July 30, 2015.

  
Angela Cabrera  
Commissioner

  
Arva R. Rice  
Commissioner

  
Elaine S. Reiss, Esq.  
Commissioner

  
Malini Cadambi Daniel.  
Commissioner



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TOM FINKELPEARL  
Commissioner

## MEMORANDUM

To: All Staff

From: Tom Finkelpearl *TF*

Date: July 30, 2015

Subject: Equal Employment Practices Commission Audit

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The Equal Employment Practice Commission (EEPC) recently completed its audit of the Department of Cultural Affairs' (DCLA's) discrimination complaint investigation procedures. The Audit specifically addressed the period from January 1, 2012 through December 31, 2013. I am pleased to report that the EEPC listed only one recommendation below, which has been implemented already.

**Corrective Action:** In addition to the current EEO staff, appoint at least one male EEO Professional to receive/investigate discrimination complaints.

**Status:** On March 19, 2015, Daniel Larkin's was designated as an EEO Professional who will work closely with Cynthia Ingram DCLA's EEO Officer to receive/investigate discrimination complaints for the agency. In July 2015 Daniel completed the required Citywide Diversity and Equal Employment Opportunity Training for EEO Professionals.

As Commissioner, I take this opportunity to affirm this agency's strong commitment to maintaining fair employment practices for all of its employees and job applicants. DCLA is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under this policy and encouraging a work environment that tolerates and appreciates differences among employees. All personnel should work together to maintain an atmosphere of appreciation for diversity that is reflected in our staff.

I encourage all employees to access the resources available within DCLA and to address any concerns you may have to Cynthia Ingram, DCLA's EEO Officer.