

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

**RESOLUTION #2015/136:** Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Landmarks Preservation Commission's Employment Practices and Procedures from January 1, 2012 through December 31, 2014.

**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 of the Landmarks Preservation Commission's Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 19, 2015, setting forth findings and the following required corrective actions:

1. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
2. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Division or Citywide Diversity and EEO, or other resource for guidance.
3. 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. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.
4. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations

serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

5. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
6. Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).
7. In addition to the current information collected (position (title), JVN#, name of interviewee, date of interview, ethnicity, disability status, veteran status, interviewer name(s)/ department and comments), include the recruitment source and reason selected/not selected (or disposition) of each applicant. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.
8. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
9. Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards and examinations; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involves the principal EEO Professional in EEO-related matters.
10. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
11. Establish and implement an annual performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training for both managerial and non-managerial employees.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on September 2, 2015, with documentation of its actions to rectify required corrective action No. 8; 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 September 11, 2015, which agreed and accepted documentation for implementation of the aforementioned corrective

action, and indicated that corrective actions Nos., 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11 require compliance monitoring; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEP is required to monitor the agency for a period not to exceed six months, from October 1, 2015 through March 31, 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

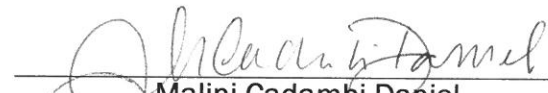
Whereas, all of the EEP's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from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


Be It Resolved, that the Commission adopts this Final Determination regarding the Landmarks Preservation Commission.

Approved unanimously on September 21, 2015.

  
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Angela Cabrera  
Commissioner

  
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Arva Rice  
Commissioner

  
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Malini Cadambi Daniel  
Commissioner

  
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Elaine S. Reiss, Esq.  
Commissioner

## EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #2016/136C-09** Determination of **Compliance** (Monitoring Period Required) by the Landmarks Preservation Commission with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2012 through December 31, 2014.

**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 Landmarks Preservation Commission's (LPC) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 19, 2015, setting forth findings and the following required corrective actions:

1. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
2. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Division or Citywide Diversity and EEO, or other resource for guidance.
3. 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. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.
4. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations

serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

5. If women, minorities, or other protected groups are underrepresented in civil service (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
6. Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).
7. In addition to the current information collected (position (title), JVN#, name of interviewee, date of interview, ethnicity, disability status, veteran status, interviewer name(s)/ department and comments), include the recruitment source and reason selected/not selected (or disposition) of each applicant. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.
8. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
9. Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards and examinations; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involves the principal EEO Professional in EEO-related matters.
10. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
11. Establish and implement an annual performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training for both managerial and non-managerial employees.

**Whereas,** the LPC submitted its response to the EEPD's Preliminary Determination letter, on September 2, 2015, with documentation of its actions to rectify required corrective actions #8, and

**Whereas,** in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD considered the agency's response and issued a Final Determination on September 11, 2015, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions #s 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11 remaining;



**Whereas**, the LPC submitted its response to the EEPC's final determination letter, on October 21, 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 from October 2015 to March 2016; and

**Whereas**, on May 4, 2016 the EEPC granted the LPC's May 2, 2016 request for an extension of time to implement the remaining corrective action; and

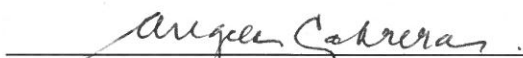
**Whereas**, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the LPC submitted a copy of the agency head's memorandum to staff dated June 3, 2016, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated his commitment to the 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,

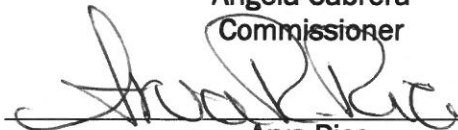
**Be It Resolved**, that the LPC has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

**Be It Resolved**, that the Commission will forward this Final Determination to the Meenakshi Srinivasan, Chair of the Landmarks Preservation Commission.

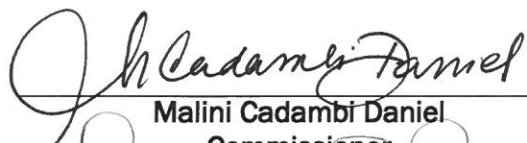
Approved unanimously on June 16, 2016.



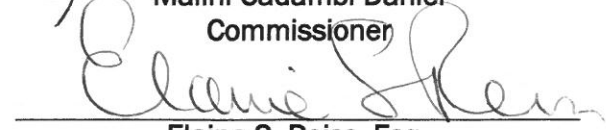
Angela Cabrera  
Commissioner



Arva Rice  
Commissioner



Malini Cadambi Daniel  
Commissioner




Elaine S. Reiss, Esq.  
Commissioner

Meenakshi Srinivasan  
Chair

1 Centre Street  
9<sup>th</sup> Floor North  
New York, NY 10007

212-669-7888 tel  
212-669-7955 fax

To: ALL LPC STAFF

From: Meenakshi Srinivasan, Chair 

Date: June 3, 2016

Re: Equal Employment Practices Commission (EEPC) Audit Actions and Results-  
Revised

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As the Chair of the Landmarks Preservation Commission (LPC), I reaffirm this agency's strong and continuing commitment to maintaining fair employment practices for all its employees and applicants.

Managers and supervisors have been required to emphasize the agency's commitment to its EEO Policies. All employees are reminded that he or she has the right to file a discrimination complaint with the EEO Office.

In May 2015, the Equal Employment Practice Commission (EEPC) initiated an audit of LPC EEO Practices. During this period we have worked with the EEPC to review our EEO practices and have put many corrective actions into place. The following are the findings from the audit and our action plan:

Recruitment Efforts and Selection in Employment

In cooperation with the EEPC, Landmarks Preservation Commission has done a study of the job groups and identified areas of underutilization of certain minority groups. LPC will continue to make efforts for wide and diverse recruitment through advertisement in relevant professional and community organizations serving women, minorities, and other protected groups for each job group/title.

Civil Service List

LPC will continue to work with DCAS EEO and exam unit to create new Landmarks civil service test. There is a new Landmarks Preservation Exam (No. 6052) currently open until June 21<sup>st</sup>, 2016.

LPC will continue to make sure that all criteria are job related and geared toward inclusion of many diverse job candidates

Structured Interview training

All LPC interviewing managers have been trained in structured interviewing to ensure fair process. Several directives have been put into place to correctly record and identify candidates for each vacancy.

Employee Evaluations and Tasks and Standards review

LPC has completed the survey of the tasks and standards of each employee. LPC has distributed the tasks and standards to the staff. The initial evaluation period will be from when employees received their tasks and standards and December 31, 2016. After that evaluations will occur on an annual basis in January, covering the preceding calendar year.

Should any employee have any issues which they feel relate to the EEO Policy, they should not hesitate to contact any of the following personnel:

- John Graham, male counselor (212) 669-7917 (on leave until October 2016)
- John Weiss, male counselor (212) 669-7921
- Margaret McMahon, 55-a Disability rights coordinator (212) 669-7943
- Lily Fan, female counselor, and EEO Officer (212) 669-7952