

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

RESOLUTION #00/01-156: Preliminary Determination Pursuant to the Audit of the Taxi and Limousine Commission and its Compliance with the Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy from July 1, 1996 to December 31, 1998.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) 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 Taxi and Limousine Commission's compliance with the Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy; 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 Taxi and Limousine Commission (TLC) and its compliance with the Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The Discrimination Complaint and Investigation Procedure was never posted on agency bulletin boards.
2. The agency's Discrimination Complaint and Investigation Procedure contains the previous address and telephone number of the EEO Officer.
3. EEO professionals of both sexes were not available to investigate discrimination complaints.
4. The EEO Officer had no support staff.
5. The EEO Officer did not meet with the EEO Counselors on a regular basis.
6. Prior to 1999, the EEO Officer did not prepare confidential written reports after completing investigations.

7. Monthly complaint logs were not regularly updated.
8. The EEO Officer did not consistently inform the parties in writing of the outcome of the complaint investigations.
9. The EEO Officer did not require that all requests for complaint withdrawals be made in writing.
10. One internal discrimination complaint, filed in June 1998, was still pending six months later and there was no Delay Notification Letter in the file.
11. The EEO Counselors were not available to meet with complainants before or after work and at other locations.
12. There were no memos in the files or correspondence to the complainants from the EEO Officer regarding eight complaints closed as "unsubstantiated."
13. One Confidential Written Report was signed by the TLC Commissioner more than three years after the filing of the complaint.
14. The EEO Officer's report in one internal complaint fails to explain the rationale for recommending a less severe disciplinary action than that proposed by an Assistant Commissioner who conducted the investigation.
15. One internal complaint file contains no indication that the EEO Officer's recommended disciplinary action was implemented.
16. One internal complaint file does not contain the EEO Officer's revised final report.
17. One internal complaint file contains no documents.
18. The only written, post-investigative notice to the complainant and respondent issued during the audit period fails to provide the rationale for the "no probable cause" determination.
19. The complaint files submitted to the EEPC contain sketchy, handwritten notes of the EEO Officer's interviews with the parties and witnesses and generally fail to identify the individuals being interviewed.
20. The only Notice of Discrimination Complaint--sent to the respondent and complainant--states that a confidential written report will be submitted to the N.Y.C. Institute for Equal Employment Opportunity (an organization unknown to the EEPC).
21. Forty-seven percent of survey respondents indicated they do not know who the EEO Officer is and 69% indicated they are unfamiliar with the EEO Counselor.
22. The agency's EEO Office is located in the licensing division offices in Long Island City, which

is not conducive to counseling employees and conducting complaint investigations.

23. Supervisors were not directed to discuss the Discrimination and Investigation Procedure with their subordinates.
24. The EEO Officer did not spend 100% of her time on EEO matters.
25. The new EEO Officer, scheduled to begin her duties in June 2000, is the agency's Director of the Disciplinary Unit.

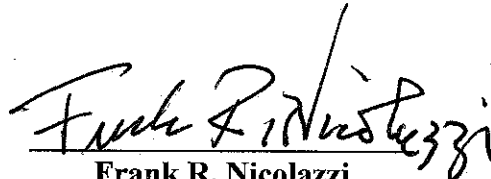
Be It Finally Resolved,

that the Commission authorizes the Vice-Chairman to forward a letter to the Commissioner of the Taxi and Limousine Commission, Diane McGrath-McKechnie, 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 Taxi and Limousine Commission will take to bring the agency in compliance with the Discrimination Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy.

Approved unanimously and retroactively on April 6, 2000.

Angela Cabrera
Commissioner

Manuel A. Mendez
Commissioner


Frank R. Nicolazzi
Vice-Chairman

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

RESOLUTION #00/05-156C. Determination of implementation by the Taxi and Limousine Commission of recommended corrective actions made by the EEPC pursuant to its audit of the New York City Taxi and Limousine Commissioner's Complaint and Investigation Procedure of the City's Equal Employment Opportunity Policy from July 1, 1996 to December 31, 1998.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) 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 its audit of the New York City Taxi and Limousine Commission, the Equal Employment Practices Commission issued a preliminary determination letter, dated February 10, 2000 setting forth its findings and recommended corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the New York City Taxi and Limousine Commission for a six month period commencing July 2000 to determine whether it implemented the aforementioned corrective actions; and

Whereas, all of the aforementioned recommended corrective actions are required by the City's Equal Employment Opportunity Policy which replaced the former Affirmative Employment Plan (AEP). Now Therefore,

Be It Resolved,
that the New York City Taxi and Limousine Commission fully has implemented all twenty-six 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.

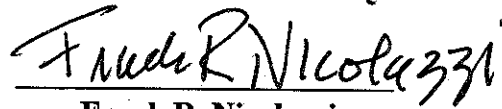
Be It Finally Resolved,
that the Commission authorizes the Vice-Chairman to forward a letter to the Chair/Commissioner of the New York City Taxi and Limousine Commission, Diane McGrath-McKechnie, formally informing her that the agency has implemented all twenty-six recommended corrective actions to the Commission's satisfaction.

Approved unanimously on December 19, 2000.

Cherée Buggs, Esq.
Commissioner

Manuel A. Mendez
Commissioner

Angela Cabrera
Commissioner

A handwritten signature in black ink that reads "Frank R. Nicolazzi". The signature is written in a cursive style with a horizontal line underneath the name.

Frank R. Nicolazzi
Vice-Chair



TLC

NEW YORK CITY TAXI & LIMOUSINE COMMISSION



40 Rector Street, New York, New York 10006 (212) 676-1003

DIANE McGRATH-McKECHNIE
Commissioner/Chairperson

.TO: ALL TLC PERSONNEL

FROM: Diane McGrath-McKechnie
Chairperson/Commissioner

DATE: November 28, 2000

RE: **EQUAL EMPLOYMENT PRACTICES
COMMISSION AUDIT**



The Equal Employment Practices Commission (EEPC) conducts audits of the Equal Employment Offices (EEO) of all city agencies. The EEPC recently completed an audit of the Taxi and Limousine Commission's Equal Employment Office covering the period of January 1, 1996, through December 31, 1998.

The EEPC made several recommendations to enhance the EEO practices of the Taxi and Limousine Commission, many of which have already been implemented. Some of these recommendations include the addition of more EEO Counselors, the relocation of the EEO Office to 40 Rector Street, new bulletin boards for the Long Island City and Woodside Facilities, and improvements to administration and record keeping of all EEO Complaints.

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

I encourage all employees to access the resources available within the TLC and to address any concerns you may have to EEO Officer, Brenda McIntyre at (212) 676-1143.

DMM/sbs