

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #10/09-226: Preliminary Determination Pursuant to the Audit of the City Commission on Human Rights (CCHR) Equal Employment Opportunity Program from January 1, 2006 through December 31, 2008.

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 814(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 City Commission on Human Rights' 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 City Commission on Human Rights 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 agency did not indicate that the CCHR and the City of New York is an equal opportunity employer in every advertisement.
2. None of the confidential written reports contained the agency head's signature to indicate that the reports were reviewed and approved by the agency head.
3. None of the complaint files contained a written notice of discrimination complaint to the respondent.
4. Complaint file #02-0006 did not contain investigative interview notes.
5. Complaint files #02-0006, 01-0007, and 03-0008 did not contain a written notice to the complainant/respondent regarding the determination.

6. The agency did not formally assess its criteria for selecting persons for mid-level to high-level discretionary positions to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group.
7. Although the agency appointed a Career Counselor, 65% of the respondents to the EEPCC Employee Survey indicated that they do not know the name of the person in the agency that is responsible for providing career counseling.
8. Managers and supervisors were not instructed to discuss the agency's EEO policies with their subordinates during normal staff meetings.
9. The EEO Officer did not maintain documentation of meetings with the agency head on EEO matters.
10. The agency's organization chart did not show the reporting relationship between the EEO Officer and agency head.

Be It Finally Resolved,

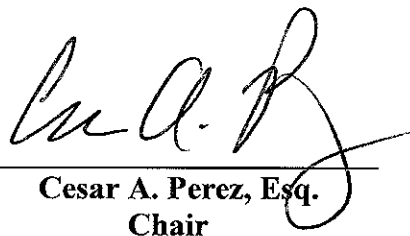
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the City Commission on Human Rights Commissioner, Patricia Gatling, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipt of the letter indicating what corrective actions the City Commission on Human Rights will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on August 6, 2010.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

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

RESOLUTION #12/15-226C: Determination of implementation by the City Commission on Human Rights of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the City Commission on Human Rights's compliance with the Citywide Equal Employment Opportunity Program from January 1, 2006 to December 31, 2008.

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 ensure 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 insure 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 City Commission on Human Rights (CCHR), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated August 6, 2010, setting forth its findings and recommended corrective actions; and

Whereas, the CCHR submitted its response to the EEPC's preliminary determination letter, on September 20, 2010 ; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on September 30, 2010 identifying those recommendations accepted and rejected by CCHR; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the CCHR for a period not to exceed six months, from January 2011 through June 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the City Commission on Human Rights submitted its Final Compliance Report on August 30, 2011 ; and

Whereas, the City Commission on Human Rights submitted supplementary documentation on July 2, 2012; 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 Compliance Summary 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 City Commission on Human Rights Office 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.

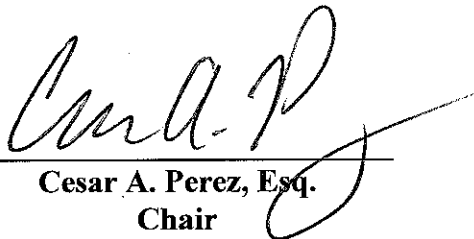
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the City Commission on Human Rights, Patricia L. Gatling, Esq., formally informing her that the CCHR has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on July 26, 2012.

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair

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COMMISSION ON HUMAN RIGHTS

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PATRICIA L. GATLING
Commissioner and Chair

TO: All Staff
FROM: Patricia Gatling, Commissioner/Chair
RE: Equal Employment Practices Commission Audit
DATE: August 9, 2011

The Equal Employment Practices Commission (EEOC) conducted an audit of the Commission on Human Rights, which covered a thirty-six month period, and commenced on January 1, 2006.

The EEOC made several recommendations to fortify the Commission's EEO practices. Some of those recommendations include:

- ensuring that procedural steps for complaint resolution are followed;
- having supervisors and managers hold meetings with staff emphasizing the agency's commitment to EEO policies and to reaffirm the right of each employee to file a discrimination complaint with the EEO Office;
- updating the agency's organizational chart to include the EEO Officer and reflect that the Officer reports directly to the agency head; and
- continuing to disseminate written notification of the identity, location, and telephone number of the agency's EEO Officer, Counselors, and Disability Coordinator.

The Commission reaffirms its strong commitment to maintaining fair employment practices for all employees and job applicants. The Commission is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under the EEO policy by encouraging a work environment free of intolerance and by respecting differences and diversity among employees.

I encourage all employees to access the resources available within CCHR and to address any concerns you may have with Emile St. Cyr, CCHR's EEO Officer, at 212-306-7587.