

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #10/02-806: Preliminary Determination Pursuant to the Audit of the Department of Housing Preservation and Development's (HPD) Equal Employment Opportunity Program from January 1, 2006 through December 31, 2007.

Whereas, pursuant to Chapter 36, Section §31(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 Department of Housing Preservation and Development'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 of Housing Preservation and Development's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The elevators at 151 East Tremont Avenue, 1932 Arthur Avenue, 27 Hooper Street, 516 Bergen Street, 210 Joralemon Street, 701 Euclid Avenue, 3280 Broadway, and 10 Richmond Terrace Avenue) are not currently compliant with ADA regulations.
2. None of the confidential written reports were labeled "confidential."
3. The HPD 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.

4. No documentation of agenda or notes of meetings held between the EEO Officer and the agency head was kept.

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Commissioner Rafael E. Cestero, 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 of Housing Preservation and Development's will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on March 4, 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 #11/03-806C: Determination of implementation by the Department of Housing Preservation and Development of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Housing Preservation and Development's Charter-mandated Equal Employment Opportunity Program from January 1, 2006 to December 31, 2007.

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 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, 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, pursuant to its audit of the Department of Housing Preservation and Development (HPD), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter on March 4, 2010 setting forth its findings and recommended corrective actions; and

Whereas, the HPD submitted its response to EEPC's preliminary determination letter on April 14, 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 May 5, 2010, identifying those recommendations accepted and rejected by HPD; and

Whereas, in response to EEPC's final determination letter, HPD submitted its response on May 17, 2010; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the HPD for a period not to exceed six months, from August 2010 through January 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department of Housing Preservation and Development submitted its Final Compliance Report on February 7, 2011; and

Whereas, the Department of Housing Preservation and Development submitted additional information on February 28, 2011; 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 Summary Compliance 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 Department of Housing Preservation and Development 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.

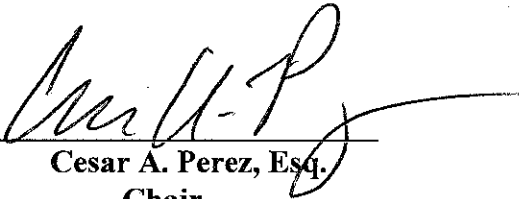
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Commissioner Rafael E. Cestero, formally informing him that the Department of Housing Preservation and Development has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on March 3, 2011.

Angela Cabrera
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair



City of New York
DEPARTMENT OF
HOUSING PRESERVATION AND DEVELOPMENT
100 GOLD STREET, NEW YORK, NY 10038
nyc.gov/hpd

RAFAEL E. CESTERO
Commissioner

TO: All Staff

FROM: RAFAEL E. CESTERO 

DATE: September 29, 2010

SUBJECT: 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 Department of Housing Preservation and Development's Equal Employment Office covering the period January 1, 2006 through December 31, 2007.

We are pleased to announce that EEPC's audit resulted in a very positive report. Nevertheless, EEPC had a few recommendations that they believe would be beneficial to the Agency's EEO Office. For example, they recommend that we request the NYC Department of City-wide Administrative Services to ensure their facilities in which HPD operates are accessible to and usable by employees and applicants for employment with disabilities and that facilities owned or leased by HPD are also accessible to and usable by employees and applicants for employment with disabilities. In addition, they recommend that the EEO Officer's confidential reports for review by the Commissioner are marked "confidential" and appropriate documentation of meetings and communication between the EEO Officer and Commissioner regarding decisions that impact on the administration of the agency EEO Program be maintained. Finally, EEPC recommend that we conduct an adverse impact study for job groups with underutilization/ underrepresentation. To the extent that adverse impact is discovered, we should take corrective action, if selection criteria are not job related. We support their recommendations, and we have implemented them, or we are in the process of implementing them.

I reaffirm this agency's strong commitment to maintaining fair employment practices for all our employees. HPD is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under our EEO 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 HPD and to address any EEO related concerns you may have to the Agency EEO Officer, Stanley Whing at (212) 863-6117.

A description of our EEO program is available on the agency intranet site. To locate this information, please access the Blue E icon, then HPD Info & Resources and finally Equal Employment Opportunity Program.

Thank you.

