

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #07/25-868: Preliminary Determination Pursuant to the Audit of the Department of Citywide Administrative Services' (DCAS) Equal Employment Opportunity Program from January 1, 2005 through December 31, 2006.

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 Department of Citywide Administrative Services' 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 Citywide Administrative Services' 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. Seven of the eight internal discrimination complaint files submitted to the EEPC contained handwritten notes.
2. Four of the eight internal discrimination complaint files submitted to the EEPC did not contain a discrimination complaint intake form. (DCPIG, sect. 12(b))
3. Three of the eight internal discrimination complaint files submitted to the EEPC were not closed within 90-days of the date on which the complaint was filed. (DCAS, DCPIG, Amendment of April 2, 1996)

4. Two of the eight internal discrimination complaint files submitted to the EEPD did not contain a written notice of discrimination complaint to the respondent. (DCPIG, sect. 12(b))
5. Although the DCAS provided the EEPD a list of newspapers, journals, publications, and websites it used for recruitment purposes, it (list) included only two-minority-oriented newspapers and one diversity website. In addition, it did not utilize any female-oriented agencies or organizations. (Sect. IV, EEPD)
6. The DCAS last provided structured interviewing training to hiring personnel in June 2002 -- prior to the audit period. (Sect. IV, Citywide EEO Policy)
7. Although the EEO officer received the DCAS' adverse impact training in 2004, the agency did not conduct adverse impact studies during the audit period. (Section IV, EEPD).
8. The EEO officer is not involved in the agency's recruitment process. (Section VC, EEPD)
9. Although 60% of survey respondents employed for over one year received annual evaluations, 61% of those respondents indicated that the evaluations did not contain recommendations for improving job performance. (Sect. IV, EEPD)
10. Although supervisors and managers were directed to discuss the agency's EEO policies with their subordinates at least annually during staff meetings, only some of the meetings were documented.
11. Although the EEO officer reports directly to the agency head on EEO matters, she did not meet with the agency head.

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to Commissioner Martha K. Hirst, 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 Department of Citywide Administrative Services will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on December 20, 2007.

Chereé A. Buggs, Esq.
Commissioner

Veronica Villanueva, Esq.
Commissioner


Angela Cabrera
Commissioner

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #09/05-856C: Determination of implementation by the Department of Citywide Administrative Services of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Citywide Administrative Services' Charter-mandated Equal Employment Opportunity Program from January 1, 2005 to December 31, 2006.

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 Citywide Administrative Services (DCAS), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter December 20, 2007 setting forth its findings and recommended corrective actions; and

Whereas, the DCAS submitted its response to EEPC's preliminary determination letter on January 28, 2008; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on April 14, 2008 identifying those recommendations accepted and rejected by DCAS; and

Whereas, in response to EEPC's final determination letter, DCAS submitted its response on May 14, 2008; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DCAS for a period not to exceed six months, from August 2008 through January 2009, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department of Citywide Administrative Services submitted its Final Compliance Report on February 11, 2009; 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 Citywide Administrative Services 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, Ernest F. Hart, Esq., to forward a letter to Commissioner Martha K. Hirst, formally informing her that the Department of Citywide Administrative Services has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on March 12, 2009.

Angela Cabrera
Commissioner

Cesar A. Perez, Esq.
Commissioner

A handwritten signature in black ink, appearing to read 'E. Hart', is written over a horizontal line.

Ernest F. Hart, Esq.
Chair



DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER

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Martha K. Hirst
Commissioner

MEMORANDUM

TO: All DCAS Employees
FROM: Martha K. Hirst *Martha*
DATE: February 6, 2009
SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission ("EEPC") conducts audits of the Equal Employment Opportunity practices of all City agencies. The EEPC recently completed an audit of our agency's compliance with the City's Equal Employment Opportunity Policy ("EEOP"), covering the period January 1, 2005 through December 31, 2006.

I am pleased to note that the EEPC's audit findings were overwhelmingly positive. However, the EEPC has made some recommendations, the majority of which we have already complied with, to enhance DCAS's EEO practices. I would like to share with you certain areas in which DCAS has incorporated the EEPC's recommendations, which should improve the effectiveness of our EEO practices, and, ultimately, better serve you:

- Managers and supervisors will conduct documented meetings with staff, at least once a year, to reaffirm their commitment – and the agency's commitment – to the City's EEO Policy and to discuss the rights of employees to file EEO complaints with DCAS's EEO Officer and/or EEO counselors.
- The agency has developed a Hiring/Structured Interviewing training course, which all personnel involved in the recruitment/hiring process are required to attend.

I reaffirm the agency's strong commitment to maintaining fair employment practices for all our employees. DCAS is committed to preventing all improper discrimination by ensuring that all employees are aware of their rights and obligations under the City's EEOP, and by fostering a cooperative work environment that reflects appreciation for the diversity reflected in our staff.

The "About EEO: *What You May Not Know*" booklet and Addendum, which is distributed to all agency employees, provides information concerning your right to work in a professional environment, free of bigotry and biases, and your obligation to help maintain such an environment.

Citywide Personnel
Services

Facilities
Management &
Construction

Municipal Supply
Services

Real Estate Services

Citywide Equal
Employment
Opportunity

Citywide
Occupational Safety
& Health

Transportation
Services

The City Record

CityStore

In addition please remember that you can obtain a copy of the "About EEO: *What You May Not Know*" booklet electronically, by accessing the DCAS intranet at <http://www.nyc.gov/html/dcas/downloads/pdf/misc/abouteeo.pdf>. If you do not have access to a computer at your worksite and should need a printed copy of the booklet, please contact the DCAS EEO Officer, Norma Martin, at (212) 669-8645.

I would also like to take this opportunity to remind you of the following:

Amy Hebert, Acting Director of Human Resources, is the agency's Career Counselor and will provide career counseling to those employees who request it. Her office is located on the 17th Floor of One Centre Street and her telephone number is (212) 669-4434. Employees interested in receiving career counseling should schedule an appointment to meet with Amy.

Michael Slutsky, Director of Labor Relations, is the agency's 55-a Coordinator and will provide information concerning the 55-a Program to employees who request it. His office is located on the 17th Floor of One Centre Street and his telephone number is (212) 669-3739. Employees interested in obtaining information about the 55-a Program should schedule an appointment to meet with Michael.

Finally, I encourage all personnel to avail themselves of the resources available within DCAS and to contact the following agency EEO Representatives if they should have any questions regarding the City's EEO Policy or if they wish to file a complaint or report suspected discrimination:

Norma Martin, DCAS EEO Officer

Municipal Building, One Centre Street, 15th Floor

Telephone (212) 669-8645 Fax: (212) 313-3068 (TDD/TTY) (212) 669-4898

EEO Representatives

Preston Baker

DCAS Central Storehouse
66-26 Metropolitan Avenue
Middle Village, NY 11379
(718) 417-2117

Helen Pickett

Municipal Building, One Centre Street, 20th Floor
(212) 669-4179

Rosa Polanco

Municipal Building, One Centre Street, 16th Floor
(212) 669-4228

c: John Castellaneta

Ilene Lees

Norma Martin

Amy Hebert

Michael Slutsky