

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/23-901: Preliminary Determination Pursuant to the Audit of the New York County District Attorney's Office (DANY) Equal Employment Opportunity Program from July 1, 2007 through June 30, 2010.

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 New York County District Attorney (DANY) Office'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 New York County District Attorney Office's compliance with its Equal Employment Opportunity Policy (EEOP), as well as Commission policies and EEO standards expressed in the City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency did not include the EEO tag line in its job advertisements for Investigators in the Chief-Leader and Daily News.
2. Although the EEO Officer reports to the agency head on EEO matters, the agency's organizational chart does not indicate this reporting relationship. The EEO Officer title is not indicated on the chart.
3. Although the EEO Officer meets with the agency head, notes or an agenda of meetings with the agency head regarding decisions that impact the administration of the agency's EEO program were not maintained.
4. Although the EEO Officer was identified in the EEO Policy as the ADA Coordinator, 77% of the respondents to the *EEPC's Employee Survey* stated that they do not know who the *Disability Rights Coordinator* is (the person responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies pertaining to persons with disabilities).

Be It Finally Resolved,


that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to New York County District Attorney Cyrus R. Vance, Jr., 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 receipts of the letter indicating what corrective actions the New York County District Attorney's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on November 10, 2011.

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Angela Cabrera
Chair for the Meeting

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

RESOLUTION #13/08-901C: Determination of implementation by the Office of the District Attorney of New York County of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of the District Attorney of New York County's compliance with its Equal Employment Opportunity Program from July 1, 2007 through June 30, 2010.

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 the Administrative Code of the City of New York, Title 8, as amended, the City established the New York City Human Rights Law, which identified other groups for protection from discrimination in employment; and

Whereas, pursuant to its audit of the Office of the District Attorney of New York County's (DANY) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 10, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the DANY submitted its response to the EEPC's preliminary determination letter, on March 27, 2012; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DANY for a period not to exceed six months, from May 2012 through October 2012, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Office of the District Attorney of New York County submitted its Final Compliance Report on March 13, 2013; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the Office of the District Attorney of New York County'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 Office of the District Attorney of New York County 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,

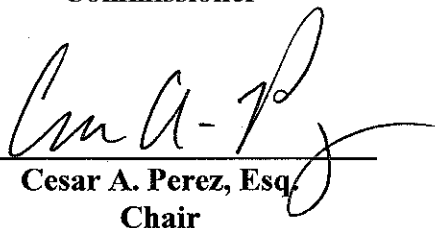
that the Commission authorizes the Chair, Cesar A. Perez, to forward a letter to the District Attorney of New York County, Cyrus Vance, Jr., formally informing him that the DANY has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on March 14, 2013.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

Moore, Audrey

From: Vance Jr., Cyrus R.
Sent: Wednesday, March 13, 2013 12:52 PM
To: DANY
Subject: EEO
Attachments: eeo.pdf

**DISTRICT ATTORNEY OF THE COUNTY OF NEW YORK
INTEROFFICE MEMORANDUM**

TO: All Staff
FROM: Cyrus R. Vance, Jr.
SUBJECT: EEO Program
DATE: Wednesday, March 13, 2013

The Equal Employment Practices Commission (EEPC) is the City agency tasked with evaluating and auditing the equal employment programs, practices, policies, and procedures of all city agencies.

Recently, the EEPC conducted a routine audit of this office in order to evaluate our EEO program. As part of this audit, all employees were given the opportunity to complete surveys regarding this office's EEO program, which were provided directly to the EEPC.

In light of the EEPC's findings, I am pleased to report that the office's administration of its EEO policies is generally in compliance with the relevant legal and administrative standards. We strive to be a leader in this area, and we welcome the recommendations the EEPC has made to strengthen our program. Under the leadership of Fred Watts (the office's EEO Officer), we are working to ensure full and speedy implementation of the EEPC's recommendations. These steps include:

- All agency recruitment literature will indicate that we are an "equal opportunity employer";
- The office's organization chart will make clear that the EEO Officer (Fred Watts) reports directly to the Chief Assistant District Attorney;
- We will better document meetings and communications that concern the EEO program; and
- We will better publicize our process for identifying reasonable accommodations for employees with disabilities.

The office will continue to maintain its firm commitment to implementing a model EEO program, which affords its employees and all who encounter this office with fair treatment under the law.