

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #11/13-902: Preliminary Determination Pursuant to the Audit of the Bronx County District Attorney's Office (DABC) 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 Bronx County District Attorney'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 Bronx County District Attorney's Office 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. Complaint file #2008-02 did not contain a written notice to the respondent regarding the determination of the investigation.
2. The agency did not include the EEO tagline in every job advertisement.
3. Although the EEO Administrator reports to the agency head on EEO matters, the agency's organizational chart did not indicate this reporting relationship. The EEO Administrator/Officer title was not indicated on the chart.
4. Although the EEO Administrator meets with the agency head, notes or an agenda of meetings with the agency head when discussing EEO operational decisions were not kept.
5. Although the agency's EEO Policy indicated the agency's EEO Administrator as the person who handles reasonable accommodation requests, 77% of the respondents to the *EEPC's Employee Survey* stated that they do not know who the *Disability Rights Coordinator* (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) is.

Be It Finally Resolved,

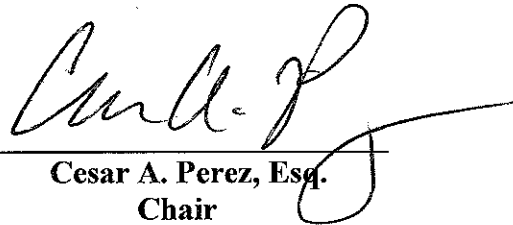
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Bronx County District Attorney Robert T. Johnson, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipts of the letter indicating what corrective actions the Bronx 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 September 9, 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 #12/16-902C: Determination of implementation by the Office of the Bronx District Attorney of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of the Bronx District Attorney's compliance with its Equal Employment Opportunity Program from July 1, 2007 to 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 ensure 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 Bronx District Attorney's (BxDA) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated September 9, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the BxDA submitted its response to the EEPC's preliminary determination letter, on October 3, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a letter in lieu of a final determination on October 19, 2011, confirming the BxDA's agreement with all audit recommendations; and

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

Whereas, the Office of the Bronx County District Attorney submitted its Final Compliance Report on July 11, 2012; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the Office of the Bronx County District Attorney'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 Bronx County District Attorney 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 Bronx County District Attorney, Robert T. Johnson, formally informing him that the BxDA 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

DISTRICT ATTORNEY - BRONX COUNTY

MEMORANDUM

TO: All Staff

FROM: Robert T. Johnson 

SUBJECT: EEO Practices Commission Audit

DATE: July 25, 2012

Recently, the Equal Employment Practices Commission (EEPC) completed an audit of our office's compliance with the City's Equal Employment Policy for the period of July 1, 2007 through June 30, 2010.

Following this audit, we were asked to implement some minor changes to our EEO plan upon EEPC's recommendations. I am pleased to report that we are now in full compliance with the audit recommendations. You should know that:

- In the event of an EEO Complaint Investigation, all parties involved will be notified in writing of the outcome of the complaint.
- All of our employment recruitment literature indicates that the Office of the Bronx District Attorney is an equal opportunity employer.
- Our office organization chart reflects the reporting relationship of the EEO Administrator to the District Attorney. And, EEO meetings between the Administrator and the District Attorney are being documented.
- The people 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 are:

For Legal Staff: Maria Rivero
Administrative Assistant DA
Concourse Plaza Building, Room 914
718-590-2258

For Support Staff:

Lisa Payne Wansley
Administrative Chief
Concourse Plaza Building, Room 916
718-590-2405

Detailed information regarding the Bronx District Attorney's EEO Program, its policies and procedures may be found on the office intranet at:

http://bxdashare/pdf/humanresources/eoo_policy.pdf

Employees with EEO questions or concerns are advised to contact Lisa Payne Wansley, our Administrative Chief who also serves as our EEO Administrator, or any of the six EEO Coordinators who are listed in our EEO policy manual.

I wish to reaffirm our office's strong commitment to maintaining fair employment practices for all our employees. We are firmly committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under the EEO policy and by encouraging a work environment that tolerates and appreciates differences among employees. I thank you for sharing this commitment.