

# EQUAL EMPLOYMENT PRACTICES COMMISSION

## CITY OF NEW YORK

**RESOLUTION #11/17-904:** Preliminary Determination Pursuant to the Audit of the Queens County District Attorney's Office (DAQC) 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 Queens 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 Queens 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. The DAQC has not provided agency-wide EEO-related training since 2007.
2. The agency's EEO Coordinators did not receive specific EEO training in EEO laws and procedures on how to carry out their responsibilities under the agency's EEOP.
3. Although the EEO Officer reports to the agency head on EEO matters, the agency's organizational chart did not indicate this reporting relationship. The EEO Officer title was not indicated on the chart.
4. Although the EEO Officer meets with the agency head, notes or an agenda of meetings with the agency head when discussing EEO operational decisions were not kept.
5. The agency did not establish or distribute a reasonable accommodation procedure.

6. Although the HR Director was identified as the person who handles reasonable accommodation requests, 74% 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,**

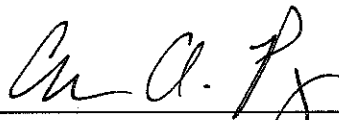
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Queens County District Attorney Richard A. Brown, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the Queens 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 October 6, 2011.

**Malini Cadambi Daniel**  
Commissioner

**Elaine S. Reiss, Esq.**  
Commissioner

**Arva Rice**  
Commissioner



---

**Cesar A. Perez, Esq.**  
Chair

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

**RESOLUTION #12/26-904C:** Determination of implementation by the Queens County District Attorney's Office of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Queens County District Attorney's Office'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 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 Queens County District Attorney's Office's (QCDA) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated October 6, 2011, setting forth its findings and recommended corrective actions; and

**Whereas**, the QCDA submitted its response to the EEPC's preliminary determination letter expressing the QCDA's agreement with all audit recommendations, on March 29, 2012; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the QCDA 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 Queens County District Attorney's Office submitted its Final Compliance Report on December 6, 2012; and

**Whereas**, all of the aforementioned recommended corrective actions are required by, or are consistent with, the Queens 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 Queens County District Attorney's 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, to forward a letter to the Queens County District Attorney, Richard A. Brown, formally informing him that the QCDA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on December 13, 2012.

**Malini Cadambi Daniel**  
Commissioner

**Elaine S. Reiss, Esq.**  
Commissioner

**Arva R. Rice**  
Commissioner



---

**Angela Cabrera**  
Commissioner



Richard A. Brown  
District Attorney

## ***Interoffice Memorandum***

**From:** Richard A. Brown, District Attorney  
**To:** All Personnel  
**Date:** December 6, 2012  
**Subject:** Successful Completion of Audit  
Equal Employment Practices Commission  
City of New York

The Equal Employment Practices Commission is empowered by the New York City Charter to monitor and evaluate the employment programs, practices, policies and procedures of all city agencies to ensure that they maintain an effective affirmative employment program of equal employment opportunity for protected groups who are employed by, or seek employment with, the New York City government. The Commission, as part of its mandate, conducts audits of every city agency every four years.

As most of you are aware, the Commission has been conducting an audit of our practices and procedures. I am pleased to inform you that once again our office has successfully concluded our audit. As a result of this collaborative process, we updated our schedule for conducting EEO Training for recent employees. We reviewed our procedures for reviewing complaints. As announced last month, we formalized our Reasonable Accommodation Policy and Procedure: The Director of Personnel and Payroll Services, Marianne F. Fernandez-LaGuer, is the office's first point of contact, reporting to Executive Assistant District Attorney Eileen M. Sullivan, who was appointed Disability Rights Coordinator. As part of their responsibilities, our EEO Officer and Deputy EEO Officer report directly to me on a regularly scheduled basis.

I thank all of you who participated in the audit process. I again reaffirm that this Office shall continue to adhere to the letter and the spirit of all anti-discrimination laws and our Equal Employment Opportunity and Sexual Harassment Policy and Program.

Should anyone have any questions, please contact our EEO Officer, Vincent J. Carroll, Jr., at x6314 or Deputy EEO Officer Jennifer L. Naiburg at x6523.