

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #07/08-906: Preliminary Determination Pursuant to the Audit of the Office of Special Narcotics' Equal Employment Opportunity Program from January 1, 2005 through June 30, 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, the Equal Employment Practices Commission audited the Office of Special Narcotics' 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 Office of Special Narcotics' 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 OSN's EEO Policy was not distributed to all employees on an annual basis. (Sect. VB, Citywide EEOP)
2. The OSN did not follow-up on its pledge and issue a Discrimination Complaint Procedure. (Section VC, Citywide EEOP)
3. The OSN's "Reasonable Accommodation Procedure," which consist of three lines, does not inform employees of who to contact regarding a reasonable accommodation and how to request one. (Section VB, Citywide EEOP)
4. The OSN did not distribute the EEO Policy Handbook, "*About EEO: What You May Not Know*," to all current and new employees. (Sect. VB, Citywide EEOP)
5. The OSN's EEO policies are not available in alternate formats for use by persons with disabilities. (Sect. VB, Citywide EEOP)

6. The OSN did not officially appoint a disability rights coordinator. (Sect. VB, Citywide EEOP)
7. The OSN did not participate in the Section 55-A Program. (Sect. IIB, Citywide EEOP)
8. The OSN did not have individuals of different genders available to investigate discrimination complaints during the audit period. (Sect. VB, Citywide Policy)
9. The agency's EEO Officer did not maintain a monthly EEO complaint log. (DCAS, DCPIG, 1993, Sect. 12(a))
10. The OSN did not establish a plan to conduct agency-wide EEO training for all existing and new employees who have not already received training. (Sect. IV, BBPO's EEOP)
11. The EEO Officer did not maintain appropriate documentation of meetings and other communications regarding EEO program operational decisions.
12. The OSN does not have an organizational chart available. (Sect. VB, Citywide EEOP)
13. The OSN has not provided structured interview training to personnel involved in the recruitment and hiring process since May 1999. (Sect. IV, Citywide EEOP)
14. The OSN did not prepare performance evaluations for staff during the audit period. ("Personnel Rules and Regulations of NYC," p.59; "Managerial Performance Evaluation, Guidelines for Evaluating Managerial Performance in NYC Agencies," p. 1; and Sect. VB, Citywide EEOP)
15. The agency's EEO officer is also the director of personnel, which presents an inherent conflict of interest.

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Special Assistant District Attorney, Bridget G. Brennan, 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 Office of Special Narcotics will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

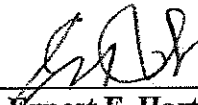
Approved unanimously on July 12, 2007.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair

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

RESOLUTION #08/04-906C: Determination of implementation by the Office of the Special Narcotics Prosecutor of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of the Special Narcotics Prosecutor's Charter-mandated Equal Employment Opportunity Program from January 1, 2005 to June 30, 2006.

Whereas, pursuant to Chapter 36, Sections 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 Office of the Special Narcotics Prosecutor (OSNP), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter July 12, 2007 setting forth its findings and recommended corrective actions; and

Whereas, the OSNP submitted its response to EEPC's preliminary determination letter, on September 5, 2007; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on September 17, 2007 identifying those recommendations accepted and rejected by OSNP; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the OSNP for a period not to exceed six months, from December 2007 through May 2008, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Office of the Special Narcotics Prosecutor submitted its Final Compliance Report on June 18, 2008; and

Whereas, the Office of the Special Narcotics Prosecutor submitted additional information on October 6, 2008; 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 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 Special Narcotics Prosecutor has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 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 the Special Narcotics Prosecutor, Bridget G. Brennan, formally informing her that the OSNP has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on October 23, 2008.

Angela Cabrera
Commissioner

Manuel A. Méndez
Commissioner



Ernest F. Hart, Esq.
Chair



**Office of the
Special Narcotics Prosecutor
for the City of New York**

Bridget G. Brennan, Special Narcotics Prosecutor

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February 15, 2008

TO: ALL STAFF

FROM: BRIDGET G. BRENNAN *Bridget G. Brennan*
SPECIAL NARCOTICS PROSECUTOR

RE: EQUAL EMPLOYMENT OPPORTUNITY POLICIES AND PROCEDURES

The Equal Employment Practices Commission (EEPC) is empowered to audit and evaluate the Equal Employment Opportunity Programs of all New York City agencies. The EEPC recently completed an audit of the Office of Special Narcotics (OSN) covering the period of January 1, 2005 through June 30, 2006 and has recommended changes to our programs. Some of the recommendations include:

- Mandatory EEO training for all staff, followed by EEO training for all newly hired staff;
- Appointment of a new EEO Officer and Counselors;
- Annual distribution of all EEO policies and procedures

It is the policy of this office to comply with the letter and spirit of city, state, and federal anti-discrimination laws as they relate to employment. OSN is currently in the process of complying with all the recommendations of the EEPC. OSN expects to have compliance with all the recommendation on or before May 31, 2008.