

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION # 11/21-943: Preliminary Determination Pursuant to the Audit of the Kings County Public Administrator's (KCPA) Equal Employment Opportunity Program from January 1, 2008 to December 31, 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 KCPA'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 KCPA's 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 agency did not demonstrate that it distributed or posted the Citywide EEOP (2005).
2. The agency did not demonstrate that it issued a statement from the agency head reiterating commitment to EEO and listing the name and phone number of the EEO Officer during the period in review.
3. The EEO Officer did not receive basic training for EEO professionals on EEO laws/procedures and responsibilities under the EEO Policy.
4. The agency did not appoint or designate a trained female EEO professional for complaint intake and investigation; therefore, persons of each gender are not available to receive and investigate discrimination complaints. (In 2008 – through a memorandum of agreement – the

Office of the Kings County District Attorney agreed to let its (female) EEO Officer administer the KCPA's EEO program. That EEO Officer is no longer with the agency.)

5. No documentation was provided to indicate that the KCPA distributed uniform complaint investigation procedures that conform to federal, city and state laws pursuant to discrimination in employment.
6. The agency did not designate, or secure per agreement between the agency and another City agency, an individual 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 (may be referred to as the Disability Rights Coordinator) and notify all employees of the appointment.

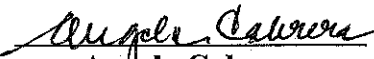
Be It Finally Resolved, that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Public Administrator Bruce Stein formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within thirty days of receipt of the letter indicating what corrective actions the KCPA 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

Elaine S. Reiss, Esq.
Commissioner

Arva R. Rice
Commissioner


Angela Cabrera
Chair for the Meeting

EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK

RESOLUTION #13/943C: Determination of Compliance (Monitoring Period Required) by the Office of the Kings County Public Administrator with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program from January 1, 2008 to December 31, 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 Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the Office of the Kings County Public Administrator's (KCPA) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 10, 2011, setting forth the following findings and required corrective actions:

1. The KCPA should distribute and post the Citywide EEO Policy (2005).
2. The KCPA should issue a statement from the agency head reiterating his commitment to EEO and listing the name and phone number of the EEO Officer.
3. The KCPA should provide appropriate EEO training to its EEO Officer or secure, per agreement between the agency and another City agency, a trained EEO professional to administer the agency's EEO Program.
4. The KCPA should designate, or secure per agreement between the agency and another City agency, trained employees of each gender for complaint intake/investigation.
5. The KCPA should distribute uniform complaint investigation procedures that conform to federal, city and state laws pursuant to discrimination in employment or follow the City of New York's Discrimination Complaint Procedures Implementation Guidelines that are an addendum to the Citywide EEOP.

6. The agency should designate, or secure per agreement between the agency and another City agency, an individual 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 (may be referred to as the Disability Rights Coordinator) and notify all employees of the appointment.
7. Since the Charter and the EEOP require the agency head to ensure and promote equal employment opportunity, after implementation of the above recommendations, the agency head should distribute a memorandum to all staff informing them of the changes that have been implemented in the agency's EEO program pursuant to the EEPC's audit. This memorandum should re-emphasize the agency head's commitment to the agency's Equal Employment Opportunity Program.

Whereas, the KCPA did not respond to the EEPC's preliminary determination and, consistent with the Commission's audit protocols, the EEPC's preliminary determination became its final determination; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the implementation of the remaining corrective actions with an eighteen-month informal and formal extension of the monitoring period to enable the agency to complete implementation of the corrective actions 3, 4, 5, and 6, and for the KCPA EEO professionals to complete *Diversity and Equal Employment Opportunity Basic Training for EEO Professionals*;

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the KCPA submitted a copy of the agency head's memorandum to staff, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated commitment to the agency's EEO Program; and

Whereas, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,


Be It Resolved, that the Office of the Kings County Public Administrator has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

Be It Finally Resolved,
that the Commission authorizes Chair Cesar A. Perez, Esq., to forward this Determination to
Kings County Public Administrator, Bruce L. Stein, Esq.

Approved unanimously on November 14, 2013.

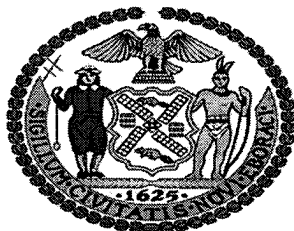
Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Angela Cabrera
Commissioner

*Office of the
PUBLIC
ADMINISTRATOR
Of Kings County*



www.nyc.gov/kcpa

*Bruce L. Stein, Esq.
Commissioner*

*Aaishatu D. Glover, MS, MBA
Deputy Commissioner*

November 13, 2013

EEO Policy Statement

The Office of the Public Administrator of Kings County is an Equal Opportunity Employer

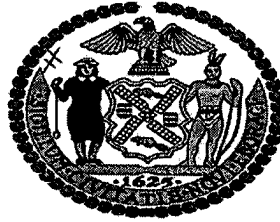
It is the policy of the Office of the Public Administrator of Kings County (hereinafter referred to as “the office”) to provide for and promote equal employment opportunity in employment, compensation and other terms and conditions of employment without discrimination on the basis on actual or perceived race, color, national origin, alienage or citizenship status, religion or creed, gender (including “gender identity”-which refers to a person’s actual or perceived sex, and includes self-image, appearance, behavior, or expression, whether or not different from that traditionally associated with the legal sex assigned to the person at birth), disability, age (18 and over), military status, prior record of arrest or conviction, marital status, genetic predisposition, or carrier status, sexual orientation, or status as a victim of domestic violence, a sex offense or stalking.

The Office of the Public Administrator of Kings County is committed to ensuring that all its employees are aware of the practices and are compliant with the standards listed in the City of New York’s EEO Policy. The Office of the Public Administrator of Kings County has designated the following individuals as the EEO Officers. These individuals are also trained and authorized for complaint intakes/investigations:

Aaishatu Glover
Raymond Paulucci

I want to reaffirm, it is the Policy of the Office of the Public Administrator of Kings County to provide a workplace that values diversity and inclusion for all employees, individual citizens and the communities they represent. All reasonable accommodation requests should be directed to Aaishatu Glover. It is also the policy of the Office of the Kings County Public Administrator to provide reasonable accommodations and reasonable modifications as are necessary to the work environment, or to the manner or circumstance under which the position

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*Bruce L. Stein, Esq.
Commissioner*

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Deputy Commissioner*

held or desired is customarily performed, that enables a qualified individual with a disability to perform the essential functions of that position. The EEPD recently completed an audit of the Office of the Public Administrator of Kings County. Some of the recommendations include:

- Documenting all requests for reasonable accommodations in the future and their outcomes;
- Appointment of a Section 55-a Program Coordinator;
- Development of a plan to evaluate managerial employees;

Based on the above recommendations, Aaishatu Glover is appointed as the Section 55-a Program Coordinator. We have also updated the Organizational chart to reflect the appointment of Aaishatu Glover's position as EEO officer, reporting directly to the agency head.

If you need further information, please contact the Office of the Public Administrator of Kings County at 718-643-3032.

Sincerely,

Bruce L. Stein, Esq
Commissioner