

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/12-EDC: Preliminary Determination Pursuant to the Audit of the New York City Economic Development Corporation's (EDC) Equal Employment Opportunity Program from January 1, 2007 through December 31, 2009.

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 New York City Economic Development Corporation'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 City Economic Development Corporation'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. Although the agency distributed the discrimination complaint procedure to employees, 52% of respondents to the *EEPC's Employee Survey* indicated they did not know how to file an EEO complaint. (Commission's Position, EEPC/Sect. 831, City Charter)
2. The agency's EEO Policy did not contain contact information for federal, state, and local agencies that enforce laws against discrimination. (Commission's Position, EEPC/Sect. 831, City Charter)
3. Although the agency notified employees of the EEO Officers via memorandum and at EEO training, 69% and 52% of respondents to the *EEPC's Employee Survey* and *EEPC's Supervisor/Manager Survey*, respectively, indicated that they did not know who the agency's EEO Officer is. (Commission's Position, EEPC/Sect. 831, City Charter)
4. Based on the curriculum provided, the EEO Counselors/Investigators did not receive training on how to conduct discrimination complaint investigations. (EEPC/Sect. 831, City Charter)

5. Although the male EEO Officer met with the agency head on a weekly basis to discuss EEO matters, no formal notes of those meetings were kept. (Commission's Position, EEP/Sec. 831, City Charter)

Be It Finally Resolved,

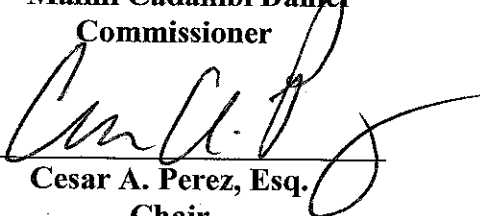
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to President Seth W. Pinsky, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within thirty days of receipt of the letter indicating what corrective actions the CFB will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved by the affirmative vote of three commissioners with the chair abstaining on September 9, 2011.

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 #12/05-998C: Determination of implementation by the New York City Economic Development Corporation of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the New York City Economic Development Corporation's compliance with its Equal Employment Opportunity Program from January 1, 2007 to December 31, 2009.

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 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 New York City Economic Development Corporation's (EDC) 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 EDC submitted its response to the EEPC's preliminary determination letter, on October 11, 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 18, 2011, confirming the EDC'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 EDC for a period not to exceed six months, from March 2012 through August 2012, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the New York City Economic Development Corporation submitted its Final Compliance Report on March 15, 2012; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the New York City Economic Development Corporation'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 New York City Economic Development Corporation 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 New York City Economic Development Corporation President, Seth Pinsky, formally informing him that the EDC has implemented the recommended corrective actions to the Commission's satisfaction.

Approved by vote of three with one abstention April 12, 2012.

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva R. Rice
Commissioner



Cesar A. Perez, Esq.
Chair

MEMORANDUM

To: NYCEDC Staff
From: Seth Pinsky *(SR)*
Subject: Results of the Equal Employment Practices Commission Audit
Date: October 11, 2011

Pursuant to Chapter 36 of the New York City Charter, The Equal Employment Practices Commission (EEPC) recently audited and evaluated the employment practices, programs and policies and procedures of NYCEDC and our efforts to ensure fair and effective equal employment opportunity for minority group members and women. As a result of this audit and your feedback, I am pleased to announce, the EEPC found NYCEDC compliant with the EEPC's practices, with only a few suggestions that they thought would improve our performance even further.

First, EEPC suggested that NYCEDC redistribute information regarding its Equal Employment Opportunity (EEO) personnel, policies and programs. We have agreed to comply with this suggestion. Therefore, for any assistance or information on these or other personnel or EEO issues, please review the EEO Program and Anti-Harassment Policy and Complaint Policy Procedure or contact our EEO Officers Kristine Pizzo (3608), Elsa Burgos (4206) or Khary Hair (4224) in the Human Resources Department located on the 4th floor.

Second, to further assist you, EEPC suggested that all new human resources staff members will attend the City's intake and investigation training class. Again, we intend to comply with this suggestion.

Finally, EEPC suggested that I meet with your EEO Officers regularly to discuss and document decisions that impact the administration of the EEO program. We intend to comply with this last suggestion, as well.

As you know, NYCEDC promotes an atmosphere that encourages employees to speak freely with members of management thanks to office hours or one-on-ones, when requested. Additionally, NYCEDC encourages its employees to discuss with their supervisor or any Human Resources staff member any workplace issues that they might encounter, so that appropriate action may be taken.

I want to thank you for your continuing efforts to foster and draw upon the diversity and talent that remains one of EDC's and New York's core strengths. I look forward to working together with all of you to continue, in a fair, equitable and respectful way, to do everything we can to attract and retain the highest quality staff of every background.