

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

**REPLACEMENT RESOLUTION #03/06-054:** Preliminary Determination Pursuant to the Audit of the Civilian Complaint Review Board's Equal Employment Opportunity Program from January 1, 2000 through June 30, 2002.

**Whereas**, the Equal Employment Practices Commission audited the Civilian Complaint Review Board's Equal Employment Opportunity Program; and

**Whereas**, on May 8, 2003 the Equal Employment Practices Commission adopted Resolution #03/06-054;

**Whereas**, said Resolution erroneously detailed the recommendations as opposed to the preliminary findings pursuant to its audit. Now Therefore,

### **Be It Resolved,**

that pursuant to the audit of the Civilian Complaint Review Board'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 have a general EEO Policy Statement.
2. Copies of the EEO Policy Statements and Discrimination Complaint Procedures were not distributed to all employees.
3. EEO policies were not available in alternate formats for use by persons with disabilities.
4. There was no reasonable accommodation procedure to accompany the EEO Policy.
5. Detailed information about the 55-A program had not been distributed to staff.
6. The current EEO Officer did not receive discrimination complaint investigation training.
7. The agency head did not review and sign the complaint investigation reports.
8. One of the discrimination complaint files did not contain a notification letter to the parties.
9. The agency did not maintain a formal discrimination complaint log.
10. Meetings were not held between the EEO Officer and the EEO Counselors to discuss EEO matters.
11. The EEO Officer devoted approximately 1% to 5% of his time to EEO matters.

12. The EEO did not perform all of the EEO functions identified in the City's EEO Policy

**Be It Finally Resolved,**  
that this Resolution replaces Resolution #03/06-054 adopted on May 8, 2003.

Approved unanimously on February 12, 2004.

**Angela Cabrera**  
Commissioner

**C. Catherine Rimokh, Esq.**  
Commissioner

  
**Manuel A. Méndez**  
Vice Chair/Commissioner

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

**RESOLUTION #04/05-054C:** Determination of implementation by the Civilian Complaint Review Board of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Civilian Complaint Review Board's Charter-mandated Equal Employment Opportunity Program from January 1, 2000 to June 30, 2002.

**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 its audit of the Civilian Complaint Review Board (CCRB), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated May 8, 2003, setting forth its findings and recommended corrective actions; and

**Whereas,** in response to EEPC's preliminary determination letter, CCRB submitted its response on June 6, 2003; and

**Whereas,** in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on July 11, 2003 identifying those recommendations accepted and rejected by CCRB; and

**Whereas,** in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor CCRB for a period not to exceed six months, from October 2003 through March 2004, to determine whether it implemented the aforementioned recommended corrective actions; and

**Whereas,** the Civilian Complaint Review Board submitted its Final Compliance Report on April 1, 2004; 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 Civilian Complaint Review Board 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.

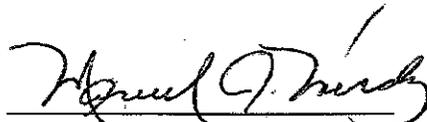
**Be It Finally Resolved,**

that the Commission authorizes the Vice-Chairman to forward a letter to the Executive Director of the Civilian Complaint Review Board, Ms. Florence L. Finkle, formally informing her that her agency has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on May 20, 2004.

**Angela Cabrera  
Commissioner**

**Veronica Villanueva, Esq.  
Commissioner**

  
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**Manuel A. Méndez  
Vice-Chairman**



CIVILIAN COMPLAINT REVIEW BOARD  
40 RECTOR STREET, 2<sup>ND</sup> FLOOR  
NEW YORK, NEW YORK 10006 ♦ TELEPHONE (212) 442-8833  
www.nyc.gov/ccrb

MICHAEL R. BLOOMBERG  
MAYOR

FLORENCE L. FINKLE  
EXECUTIVE DIRECTOR

MEMORANDUM

To: All Staff  
From: Flo Finkle FF  
Date: March 31, 2004  
Re: **Equal Employment Practices Commission Audit**

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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 our agency's Equal Employment Opportunity Program covering the period of January 1, 2000 through June 30, 2002. The EEPC recommended the following actions that the CCRB has included into its EEO program.

***EEPC Recommendation #1: CCRB should issue a general EEO Policy Statement.***

On March 31, 2004, the CCRB re-issued the Employee Manual that includes a general EEO Policy Statement.

***EEPC Recommendation #2: All EEO Policy Statements and Discrimination Complaint Procedures should be distributed to all employees.***

Since June 2003, all newly hired CCRB employees receive a copy of the EEO policy statement and discrimination complaint procedure in their orientation package. In addition, all employees have access to the current EEO policy statements and discrimination complaint procedures via the agency's computer system. A hard copy of the revised EEO policy statement, discrimination complaint procedure and the reasonable accommodation policy and procedure was issued to all CCRB employees on January 29, 2004.

***EEPC Recommendation #3: The agency should follow Section VII of the Citywide EEO Policy and ensure that its EEO policies are available in formats accessible to applicants and employees with disabilities, e.g., audiocassette and Braille.***

The CCRB has prepared a large print version of the EEO policy. In addition, we have access to the Department of Citywide Administrative Services audiocassette and Braille version of the citywide EEO policies, if needed.

***EEPC Recommendation #4: To provide additional information and guidance to agency employees and EEO professionals, the CCRB should adopt and tailor the "Reasonable Accommodation Procedure" and "Request for Reasonable Accommodation" form contained in the Citywide EEO Policy.***

The CCRB issued a hard copy of the "Reasonable Accommodation Policy and Procedure" to all staff on January 29, 2004. It is included in the Employee Manual that was re-issued in March 2004. The "Request for Reasonable Accommodation" form has been tailored for immediate use, as needed.

***EEPC Recommendation #5: CCRB should obtain and distribute Section 55-A Program brochures issued by the Department of Citywide Administrative Services (DCAS).***

The CCRB distributed the 55-A Program brochure to all employees on May 8, 2003. As of that date the brochure was included in the new employee's orientation package and all newly hired employees now receive it on their start date.

***EEPC Recommendation #6: The EEO Officer should be scheduled for DCAS training or attend Cornell University School of Industrial and Labor Relations (EEO Studies Program).***

EEO Officer Ray Patterson and EEO Counselor Beth Thompson completed the DCAS training course during the summer of 2003.

***EEPC Recommendation #7: The EEO Officer should follow the Discrimination Complaint Procedures Implementation Guidelines (issued by DOP, now DCAS, in 1993).***

The CCRB agrees to follow the Discrimination Complaint Procedures Implementation Guidelines.

***EEPC Recommendation #8 & 9: In keeping with Section 12 (b) of the Discrimination Complaint Procedures Implementation Guidelines, the investigator's written reports should be addressed to and signed off by the agency head; and the EEO investigator should always inform all parties to complaints in writing of the outcome of the investigation.***

The CCRB agrees to comply with the directive that the investigator's written report should be addressed to and signed off by the agency head; and that the EEO investigator should always inform all parties to complaints in writing of the outcome of the investigation.

***EEPC Recommendation #10: CCRB should maintain and update a monthly discrimination complaint log.***

The CCRB has created a log that will be updated monthly.

I reaffirm the agency's strong commitment to maintaining fair employment practices for all of our employees. The CCRB is 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. All personnel should work together to maintain an atmosphere of appreciation for the diversity reflected in our staff.

I encourage all employees to review the EEO policy and to address any concerns to EEO officer Ray Patterson at (212) 442-8740 or EEO counselor Beth Thompson at (212) 442-8854.