

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

**RESOLUTION #05/06-EDC:** Preliminary Determination Pursuant to the Audit of the Economic Development Corporation's (EDC) Equal Employment Opportunity Program from July 1, 2002 through June 30, 2004.

**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 EDC'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 EDC's compliance with its Equal Employment Opportunity Program, 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 has not established a comprehensive EEO Program.
2. The agency's three EEO documents are deficient in various ways.
3. EDC's EEO Officer has not received EEO training from DCAS or another appropriate agency.
4. The agency cannot locate the files of the previous co-EEO Officers.

**Be It Finally Resolved**,  
that the Commission authorizes the Vice-Chairman, or his designee, to forward a letter to the Economic Development Corporation President, Andrew M. Alper, 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 Economic Development Corporation will take to bring the agency into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on April 27, 2005.

**Chereé A. Buggs, Esq.**  
**Commissioner**

**Veronica Villanueva, Esq.**  
**Commissioner**

  
**Angela Cabrera**  
**Commissioner**

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

**RESOLUTION #06/04-EDC/C:** 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 Economic Development Corporation's Charter-mandated Equal Employment Opportunity Program from July 1, 2002 to June 30, 2004.

**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,** the Economic Development Corporation (EDC) maintains that as a public benefit corporation of the State of New York, Chapter 36 of the New York City Charter does not apply to it, the EDC has adopted, as a matter of policy, procedures that would permit it to comply with the substance of the requirements of Chapter 36.

**Whereas,** pursuant to its audit of the EDC, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 27, 2005, setting forth its findings and recommended corrective actions; and

**Whereas,** the EDC submitted its response to EEPC's preliminary determination letter, on June 23, 2005; and

**Whereas,** in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its response on July 7, 2005; 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 September through February 2006, to determine whether it implemented the aforementioned recommended corrective actions; and

**Whereas,** the Economic Development Corporation submitted its Final Compliance Report on April 25, 2006; 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 Economic Development Corporation 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 President of the Economic Development Corporation, Mr. Andrew M. Alper, formally informing him that EDC has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on April 28, 2006.

**Chereé A. Buggs, Esq.**  
Commissioner

**Angela Cabrera**  
Commissioner



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**Ernest F. Hart, Esq.**  
Chair

TO: All EDC Employees  
FROM: Andrew M. Alper *AM*  
RE: Equal Employment Practices Commission Audit  
DATE: April 25, 2006

In September 2005, the Equal Employment Practices Commission began conducting an audit of New York City Economic Development and concluded in February 2006. The following audit recommendations have been adopted by EDC.

Recommendation: The EEO Officer should receive EEO training from DCAS or another reputable organization such as Cornell University's School of Industrial and Labor Relations (EEO Studies Program)

EDCs Steps to Comply: EDC has named two EEO officers to provide gender alternatives. Both have been trained by DCAS. One has received additional training by Cornell University.

Recommendation: EDC should develop a plan with timetable to train staff on EEO.

EDCs Steps to Comply: All staff have received EEO Training from DCAS and Cornell University.

Recommendation: EDC should develop a plan with timetable to ensure those individuals involved in job interviewing receive structured interview training. If training occurs before compliance period ends, please provide sign-in sheets.

EDCs Steps to Comply: Structured Interviewing training provided by DCAS will be offered to all hiring managers this month.

Recommendation: Provide a narrative of how you are proactively involved in developing recruitment strategies and selecting recruitment media.

EDCs Steps to Comply: We have been provided the City's list of Websites and are employing that list to ensure our recruiting efforts reach a diverse group.

Recommendation: Provide copy of "Reasonable Accommodation Procedure".

EDCs Steps to Comply: EDC provided a copy to all employees on 4/15/05.

Recommendation: The EEO Officer should supervise the EEO-related activities of EEO Counsleors(s). For example, the EEO Officer should meet with the EEO Counselor(s) at least at quarterly intervals to ensure that they are carrying out their EEO functions satisfactorily and are kept abreast of internal and external EEO developments. These meetings should be memorialized.

EDCs Steps to Comply: Valerie Burett and Jason Wright are co-EEO officers and meet regularly to discuss EEO requirements and developments. Meetings are memorialized.

Recommendation: EDC should issue a "Reasonable Accommodation Procedure" and ensure that all employees are notified of the procedure."

EDCs Steps to Comply: EDC has adopted and tailor the procedure available in the Citywide EEO Policy and distributed it to all EDC employees.