

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

RESOLUTION #: 97/05-810 Preliminary Determinations Pursuant to the Audit of the Department of Buildings and its compliance with the City Charter-mandated Affirmative Employment Plan from July 1, 1993 to December 31, 1995.

Whereas, pursuant to Chapter 36, Section 831 d (2) and (5) 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 Department of Building's compliance with the Affirmative Employment Plan from July 1, 1993 to December 31, 1995; and

Whereas, in accordance with Chapter 36, Section 832(c) of the City Charter, the Commission may make a preliminary determination pursuant to Section 831 (d) that any plan, program, procedure, approach, measure or standards 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 Department of Buildings (DOB) and its compliance with the City Charter mandated Affirmative Employment Plan (AEP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The AEP is not available in a format accessible to disabled employees.
2. Supervisors do not uniformly meet with staff to discuss the AEP.
3. Managers/supervisors are not uniformly rated on their EEO performance and informed that EEO criteria will be included in their performance evaluation.
4. Employees were not informed of the 55A Program.
5. Standard forms for discrimination complaint investigation were not included in the sampling of discrimination complaint files reviewed.
6. The EEO Officer does not meet with EEO counselors on a regularly scheduled basis.

7. DOB does not conduct annual sexual harassment prevention training for all its employees
8. DOB has not formally reviewed criteria/devices used for selecting, evaluating or promoting employees to determine if they have a disparate impact on protected group members.
9. Rejection rates for protected class persons were not compared to rejection rates of non-minority and male candidates.
10. Meetings between the EEO Officer and agency head are not documented.
11. The EEO Officer does not spend 100% of his time on EEO issues.
12. 30% of survey respondents are unfamiliar with the identity of their EEO Officer.
13. 34% of survey respondents indicated that they did not have a copy of the discrimination complaint procedure and 37% indicated they do not know how to file a discrimination complaint.
14. 57% of survey respondents did not know what the AEP is and 58% did not know how to obtain it.
15. The EEO Officer did not uniformly meet with supervisors to discuss the AEP, nor were supervisors uniformly aware of and familiar with their rights and responsibilities under the AEP.
16. DOB did not invite employees to self-identify for disabilities.

Be it finally resolved,

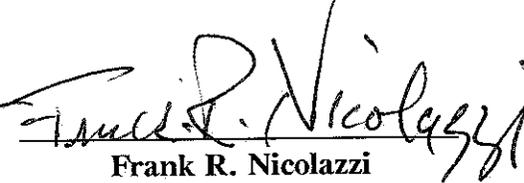
that the Commission authorizes the Chairman to forward a letter to the Commissioner of the New York City Department of Buildings, Gaston Silva, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the New York City Department of Environmental Protection will take to bring the agency in compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously, on Thursday, June 12, 1997.

Angela Cabrera
Commissioner

Jeannette Diaz, Esq.
Commissioner

Manuel A. Mendez
Commissioner


Frank R. Nicolazzi
Vice-Chairman

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

RESOLUTION #99/04-810C. Determination of implementation by the Department of Buildings (DOB) of recommended corrective actions made by the EEPC pursuant to its audit of the New York City Department of Buildings's Affirmative Employment Plan from July 1, 1993 to December 31, 1995.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) 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 its audit of the New York City Department of Buildings, the Equal Employment Practices Commission issued a preliminary determination letter, dated July 12, 1997, setting forth its findings and recommended corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC monitored the New York City Department of Buildings for a six months, from November 1997 through April 1998, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, all of the aforementioned recommended corrective actions are required by the City's Equal Employment Opportunity Policy which replaced the former Affirmative Employment Plan (AEP). Now, Therefore,

Be It Resolved, that, as of March 1999, the New York City Department of Buildings has fully implemented all 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 Commissioner of the New York City Department of Buildings, Gaston Silva, formally informing him that the agency has implemented all recommended corrective actions to the Commission's satisfaction.

Approved unanimously on April 22, 1999.

Manuel Mendez
Commissioner

Angela Cabrera
Commissioner

Jeanette Diaz
Commissioner

Frank Nicolazzi
Commissioner

A handwritten signature in cursive script, appearing to read "Charles Hughes", written in black ink.

Charles Hughes
Chairman