

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #04/10-126: Preliminary Determination Pursuant to the Audit of the Department of Cultural Affairs' (DCLA) Equal Employment Opportunity Program from January 1, 2001 through June 30, 2003.

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 Department of Cultural Affairs' 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 Department of Cultural Affairs' 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. DCLA did not establish a plan, which includes a timeframe, to provide EEO training through DOF or any other appropriate organization for its employees.
2. DCLA did not conduct, or petition the Office of Citywide Equal Employment Opportunity of DCAS in writing to obtain the necessary assistance to conduct, adverse impact studies. (Sect. VI, EEOP)

Be It Finally Resolved,

that the Commission authorizes the Vice-Chairman to forward a letter to DCLA Commissioner Kate Levin formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipt of the letter indicating what corrective actions the Department of Cultural Affairs will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on July 29, 2004.

Chereé Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner



Manuel A. Méndez
Vice Chairman

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

RESOLUTION #05/06-126C: Determination of implementation by the Department of Cultural Affairs of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Cultural Affairs' Charter-mandated Equal Employment Opportunity Program from January 1, 2001 to June 30, 2003.

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 Department of Cultural Affairs (DCLA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 29, 2004 setting forth its findings and recommended corrective actions; and

Whereas, in response to EEPC's preliminary determination letter, DCLA submitted its response on August 27, 2004; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on September 2, 2004 identifying those recommendations accepted and rejected by DCLA; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor DCLA for a period not to exceed six months, from October 2004 through March 2005, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department of Cultural Affairs submitted its fourth and Final Compliance Report on February 28, 2005; 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 Department of Cultural Affairs 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,

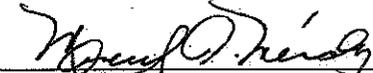
that the Commission authorizes the Vice-Chair to forward a letter to the Commissioner of the Department of Cultural Affairs, Kate D. Levin, formally informing her that DCLA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on March 9, 2005.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner


Manuel A. Méndez
Vice-Chair



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KATE D. LEVIN COMMISSIONER

To: All Staff

From: Kate D. Levin *KDL (MM)*

Date: December 27, 2004

Subject: Equal Employment Practices Commission Audit

The Equal Employment Practice Commission (EEPC) recently completed an audit of the Department of Cultural Affairs compliance with the City's Equal Employment Opportunity Program. The audit specifically addressed the thirty-month period from July 1, 2001 through June 30, 2003. The auditors also looked at our current practices and conducted a mail-in survey of our staff to ascertain how effectively the agency is addressing Equal Employment Opportunity (EEO) issues. I am pleased to report that the EEPC listed only two recommendations both of which have already been implemented.

These recommendations include EEO training for all DCLA employees, and to petition the Department of Citywide Administrative Services (DCAS) Office of Citywide Equal Employment Opportunity (OCEEO) to obtain the technical assistance necessary to conduct adverse impact studies at DCLA.

As Commissioner, I affirm this agency's strong commitment to maintaining fair employment practices for all of its employees and job applicants. DCLA is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under this policy and encouraging a work environment that tolerates and appreciates differences among employees. All personnel should work together to maintain an atmosphere of appreciation for diversity that is reflected in our staff.

I encourage all employees to access the resources available within DCLA and to address any concerns you may have to Cynthia Ingram, DCLA's EEO Officer.