

# EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #03/01-011:** Preliminary Determination Pursuant to the Audit of the Bronx Borough President Office's Equal Employment Opportunity Program from July 1, 1999 through December 31, 2001.

**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 Bronx Borough President Office'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 Bronx Borough President Office's (BxBPO) 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's EEO Policies do not contain the name, location or phone number of the EEO Officer or EEO Counselor.
2. The agency's Discrimination Complaint Procedure contains out-of-date addresses and phone numbers of the U.S. Equal Employment Opportunity Commission and the New York State Division of Human Rights.
3. The EEO Policies and Discrimination Complaint Procedure have not been distributed separately to current employees.
4. The EEO Policies are not posted on agency bulletin boards.
5. The EEO Policies are not available in formats for use by persons with disabilities.
6. The agency has not issued a Reasonable Accommodation Procedure to accompany its Disabilities Policy.

7. The BxBPO has neither distributed information about, nor participated in, the Section 55-A Program.
8. There were not persons of both sexes available to receive and investigate discrimination complaints during the audit period.
9. The agency did not conduct EEO training for employees during or subsequent to the audit period.
10. The former EEO Officer did not maintain documentation of his meetings with the agency head.
11. The EEO Officer does not devote 100% of his time to EEO matters.

**Be It Finally Resolved,**

that the Commission authorizes the Vice-Chairman to forward a letter to the Bronx Borough President, Adolfo Carrión, 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 Bronx Borough President's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on April 3, 2003.

**Angela Cabrera**  
Commissioner

**Manuel A. Mendez**  
Commissioner

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



**Frank R. Nicolazzi**  
Vice Chairman

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

**RESOLUTION #04/16-011C:** Determination of implementation by the Bronx Borough President's Office of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Bronx Borough President Office's Charter-mandated Equal Employment Opportunity Program from July 1, 1999 to December 31, 2001.

**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 Bronx Borough President's Office (BxBPO), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 3, 2003, setting forth its findings and recommended corrective actions; and

**Whereas**, in response to EEPC's preliminary determination letter, BxBPO submitted its response on August 21, 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 August 28, 2003 identifying those recommendations accepted and rejected by BxBPO; and

**Whereas**, in response to EEPC's final determination letter, BxBPO submitted its response on September 29, 2003; and

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

**Whereas**, on September 1, 2004 the BxBPO requested a three-month extension of the compliance period; and

**Whereas**, on September 15, 2004 the EEPC granted the BxBPO a two-month extension of the compliance period; and

**Whereas**, the Bronx Borough President's Office submitted its Final Compliance Report on November 3, 2004; and

**Whereas**, additional information was received on December 9, 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 all the aforementioned recommendations have been implemented. Now Therefore,

**Be It Resolved,**

that the Bronx Borough President's Office 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 President Adolfo Carrion of the Bronx Borough President's Office formally informing him that his agency has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on December 13, 2004.

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

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

  
**Manuel A. Méndez**  
**Vice-Chair**



Adolfo Carrión, Jr.  
Borough President

OFFICE OF THE BRONX BOROUGH PRESIDENT  
The Bronx County Building  
851 Grand Concourse  
Bronx, New York 10451  
718-590-3500



**MEMORANDUM**

**TO:** ALL STAFF

**FROM:** ADOLFO CARRION, JR. 

**DATE:** JULY 30, 2004

**SUBJ:** EQUAL EMPLOYMENT PRACTICES COMMISSION AUDIT

The Equal Employment Practices Commission (EEPC) conducts audits of the Equal Employment Opportunity Program of all city agencies. The EEPC recently completed an audit of our agency's compliance with the City's Equal Employment Policy covering the period of July 1, 1999 to December 31, 2001. This period covers a former administration, but the current administration has taken corrective actions in response to EEPC's recommendations.

The EEPC made recommendations to enhance the BP's EEO program. I am pleased to report that this agency had already complied with the majority of the EEPC's recommendations.

Although I am pleased with our accomplishments, I would like to call your attention to several areas where the Office of the Borough President incorporated EEPC recommendations, to improve the delivery of our EEO program to better serve you:

**EEPC Recommendation:** The EEO Policy Statements and Discrimination Complaint Procedure should include the name, location, and phone numbers of the EEO Officer and EEO Counselor.

**BBPO's Steps to Comply:** The agency's EEO Policy Statements and Discrimination Complaint Procedures now includes the name, location and phone number of our new EEO Officer. This revised page is being distributed on July 30, 2004.

**EEPC Recommendation:** The Discrimination Complaint Procedure should be revised to include the current addresses and telephone numbers of the U.S. Equal Employment Opportunity Commission and the New York State Division of Human Rights.

**BBPO's Steps to Comply:** The agency has made revisions to include the current addresses and phone numbers of the U.S. Equal Employment Opportunity Commission and the New York State Division of Human Rights. Said revised information was distributed separately to all employees, on March 15, 2004.

**EEPC Recommendations:** The revised EEO Policy Statements and Discrimination Complaint Procedure should be distributed separately to all employees.

**BBPO's Steps to Comply:** The Revised EEO Policy Statements and Discrimination Complaint Procedures were distributed separately to all employees. The new EEO Officer will continue to distribute upon completion of new hiring.

**EEPC Recommendations:** The **BBPO** should post its revised EEO Policies and Discrimination Complaint Procedure on agency bulletin boards.

**BBPO's Steps to Comply:** The Revised **BBPO's** EEO Policy Statements and Discrimination Complaint Procedures have been posted on agency bulletin boards.

**EEPC Recommendations:** The agency should ensure that its EEO Policies are available in formats accessible to applicants and employees with disabilities, e.g. audiocassette and braille.

**BBPO's Steps to Comply:** The agency has produced the EEO Policies in large-print format for persons with disabilities. An English version audiocassette has also been produced. A copy can be obtained at the Office of the Legal Counsel. Our agency does not have its EEO policies in Braille format.

**EEPC Recommendations:** The **BBPO** should adopt and tailor the "Reasonable Accommodation Procedures" and "Request for Reasonable Accommodation" form contained in the Citywide EEO Policy.

**BBPO's Steps to Comply:** The **BBPO** has adopted and tailored the "Reasonable Accommodation Procedures" and "Request for Reasonable Accommodation" form from the Department of Citywide EEO, and has distributed separately to all employees. The new EEO Officer will continue to distribute upon completion of new hiring.

**EEPC Recommendation:** The **BBPO** should participate in the Section 55-A Program. At a minimum, the agency should obtain and distribute Program brochures issued by DCAS.

**BBPO's Steps to Comply:** The EEO Officer has obtained a Section 55-A Program brochure issued by DCAS, and has distributed separately to all employees. The new EEO Officer will continue to distribute upon completion of new hiring.

**EEPC Recommendation:** The new EEO Officer and EEO Counselor should be scheduled for EEO training conducted by DCAS as soon as possible.

**BBPO's Steps to Comply:** The new EEO Officer (Vivian Velez) has received formal EEO training conducted by DCAS.

**EEPC Recommendation:** After receiving EEO training, the new EEO Officer should develop a plan to provide EEO training to all existing and new employees.

**BBPO's Steps to Comply:** The former EEO Officer and EEO Counselor provided an agency-wide EEO training on February 2003. The new EEO Officer has scheduled an EEO training for September 14, 2004.

**EEPC Recommendation:** The agency EEO Officer should devote 100% of his time to EEO matters.

**BBPO's Steps to comply:** Our agency is strongly committed to EEO matters, but due to fiscal exigencies we do not have the financial resources to have a full time EEO Officer.

**EEPC Recommendation:** If an internal workforce analysis reveals that women or minorities are underrepresented in particular job groups, the agency should develop a targeted recruitment plan to address that under representation: advertising relevant job vacancies in minority- and female-orientated publications and distributing job vacancies notices to organizations serving women and minorities.

**BBPO's Steps Taken:** A full review of our employment data indicates that there is no under representation of women and minorities in any job groups in the Office of the Bronx Borough President. We will continue to monitor the data to ensure that any identified under representation is appropriately addressed.

**EEPC Recommendation:** The Executive Director should disseminate an agency-wide memorandum to discuss audit findings.

**BBPO's Steps Taken:** This memo discusses the audit findings as per the EEPC Recommendations.

As Borough President, I reaffirm the agency's strong commitment to maintaining fair employment practices for all employees. The office of the Bronx Borough President 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 access the resources available within this agency and to address any concerns you have to the attention of Vivian Velez at (718) 590-3567 and Sherry Callwood at (718) 590-6125 and David Mojica at (718) 590-6005.