

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

RESOLUTION #97/10-125: Preliminary Determination Pursuant to the Audit of the Department For The Aging and its compliance with the City Charter-mandated Affirmative Employment Plan from April 1, 1994 to September 30, 1996.

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 For The Aging's compliance with the Affirmative Employment Plan; 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 For The Aging (DFTA) 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 was not available in formats accessible to disabled applicants and employees.
2. DFTA had not posted its Sexual Harassment and EEO Policies on bulletin boards throughout its new location.
3. Supervisors did not uniformly discuss the AEP and the discrimination complaint procedure with their staffs.
4. Managers/Supervisors were not evaluated on their EEO performance.
5. Recruitment sources were not specifically informed that DFTA is an Equal Employment Opportunity Employer; job postings did not include the *Equal Opportunity Employer* tagline.
6. DFTA did not conduct sexual harassment training for all employees annually.
7. DFTA did not conduct adverse impact studies.

8. DFTA did not compare rejection rates between protected class applicants and non-minority and male applicants.
9. The agency's General Counsel served as the male EEO counselor, creating a potential conflict of interest.
10. Supervisors had superficial knowledge of the AEP.
11. The EEO Officer does not spend 100% of her time on EEO activities.

Be It Finally Resolved,

that the Commission authorizes the Chairman to forward a letter to the Commissioner of the Department For The Aging, Herbert W. Stupp, 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 Department For the Aging will take to bring the agency in compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on December 17, 1997.

Angela Cabrera
Commissioner

Manuel A. Mendez
Commissioner

Jeannette Diaz, Esq.
Commissioner



Frank R. Nicolazzi
Vice-Chairman

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

RESOLUTION #99/02-125C. Determination of implementation by the Department for the Aging of recommended corrective actions made by the EEPC pursuant to its audit of the New York City Department for the Aging's Affirmative Employment Plan from April 1, 1994 to September 30, 1996.

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 for the Aging, the Equal Employment Practices Commission issued a preliminary determination letter, dated January 23, 1998, 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 for the Aging for a period of six months, from March 1998 through August 1998, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, The Department of the Aging submitted its final report in December 1998; 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 the New York City Department for the Aging 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 for the Aging, Herbert W. Stupp, formally informing him that the

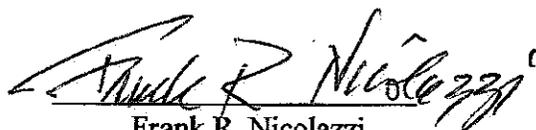
agency has implemented all recommended corrective actions to the Commission's satisfaction.

Approved unanimously on January 7, 1999.

Jeanette Diaz
Commissioner

Manuel Mendez
Commissioner

Angela Cabrera
Commissioner

A handwritten signature in black ink, appearing to read "Frank R. Nicolazzi", written over a horizontal line.

Frank R. Nicolazzi
Vice-Chairman



DEPARTMENT FOR THE AGING

2 LAFAYETTE STREET
New York, New York 10007-1392
(212) 442-1100

Herbert W. Stupp
Commissioner

DRAFT

To: All Staff
From: Valerie Levy, EEO Officer
Subject: EEPC Audit
Date: November 10, 1998

Recently, the Equal Employment Practices Commission (EEPC) conducted an audit of the Department for the Aging's (DFTA) Equal Employment Opportunity activities to insure compliance with federal, State and City laws and regulations. As a result of this audit, DFTA has implemented or will be continuing in the following:

- Thaddeus Taberski, Director of Administration Services, has been appointed DFTA'S male EEO counselor.
- DFTA will continue to provide EEO and Sexual Harassment Prevention training to its staff including refresher training for supervisors, as needed.
- Jeanmarie Weber, Employment Manager in DFTA'S Personnel Unit continues to be available to respond to individual inquiries regarding the City's Civil Service system, civil Service examinations, both open and competitive, DFTA vacancies, and the City's re-deployment program. Marta Bechtold, Assistant to the Director of Personnel, is available for information regarding training and educational opportunities in city Government, including the Mayor's Scholarship Program, the

- Leadership Institute, and skills upgrading and training programs offered by the municipal unions.
- DFTA'S EEO materials are available in alternate formats (large print, audio tapes) for hearing and visually impaired employees. Please contact the EEO officer at (212) 442-3159.
- DFTA will continue to monitor its Personnel actions, including hiring and separation data, to insure equity in employment decisions.
- DFTA'S EEO policies and procedures are posted on bulletin boards throughout the agency. There is also a bulletin board in the 7th floor foyer for you to consult devoted exclusively to EEO material, including reviews of recent court cases.

If you have any questions or comments regarding the above or would like additional information about DFTA'S EEO programs, please call the EEO officer at (212) 442-3159. My office is located at 2 Lafayette Street, room 720B. DFTA remains committed to the principles of equal employment opportunity and looks forward to the continued support of all staff in the implementation of its EEO policies and programs.

cc: Herbert W. Stupp