

# EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #04/01-806:** Preliminary Determination Pursuant to the Audit of the Department of Housing Preservation and Development's Equal Employment Opportunity Program from January 1, 2000 through June 30, 2002.

**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 Housing Preservation and Development'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 Department of Housing Preservation and Development's 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 Officer did not attend the standard 5-day training for EEO professionals provided by the Department of Citywide Administrative Services.
2. The investigation of several complaints were not completed within 90-days of the receipt of the complaint.
3. In circumstances where the investigation was not completed within the 90-day timeframe, the agency did not send a notification delay letter, stating the reason for the delay, to the parties of the investigation.
4. The agency could not locate one of its complaint files for EEPC review.
5. The agency did not petition the Office of Citywide Equal Employment Opportunity of DCAS to obtain the necessary assistance to conduct adverse impact studies.

6. Some staff members, managerial and non-managerial, did not receive an annual performance evaluation.
7. Evaluations of managerial staff did not include their EEO performance.
8. The agency did not amend the EEO segment of its Managerial Performance Evaluation Form to include tasks and standards.
9. The agency did not inform all employees in writing of the identity, location and telephone number of the career counselor.

**Be It Finally Resolved,**

that the Commission authorizes the Vice-Chairman to forward a letter to Commissioner Jerilyn Perine 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 Housing Preservation and Development will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on February 12, 2004.

**Angela Cabrera**  
Commissioner

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

  
**Manuel A. Méndez**  
Vice Chairman

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

**RESOLUTION #05/03-806PC:** Determination of implementation by the Department of Housing Preservation and Development of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Housing Preservation and Development's Charter-mandated Equal Employment Opportunity Program from January 1, 2000 to June 30, 2002.

**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 Housing Preservation and Development (HPD), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated February 12, 2004, setting forth its findings and recommended corrective actions; and

**Whereas**, in response to EEPC's preliminary determination letter, HPD submitted its response on March 3, 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 March 19, 2004 identifying those recommendations accepted and rejected by HPD; and

**Whereas**, in response to EEPC's final determination letter, HPD submitted its response on April 26, 2004; and

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

**Whereas**, the Department of Housing Preservation and Development submitted its Final Compliance Report on December 21, 2004; and

**Whereas**, the Department of Housing Preservation and Development submitted additional information on February 10 and 28, 2005; and

**Whereas**, the Department of Housing Preservation and Development implemented nine of ten recommended corrective actions; and

**Whereas**, the Department of Housing Preservation and Development did not complete the implementation of corrective action number six, which states: "All staff, managerial and non-managerial, should receive an annual performance evaluation"; because in order to be in full compliance, employees must receive their tasks and standards and be evaluated for a twelve-month period; and

**Whereas**, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy. Now Therefore,

**Be It Resolved,**

that the Commission authorizes the Vice-Chair to forward a letter to the Department of Housing Preservation and Development's Commissioner, Shaun Donovan, formally informing him that HPD has **partially complied** with the requirements of Chapters 35 and 36 of the New York City Charter because his office has implemented all but one of the ten recommended corrective actions pursuant to the Commission's audit of compliance by the HPD's with the City's Equal Employment Opportunity Policy; and

**Be It Finally Resolved,**

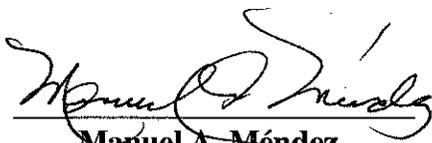
that pursuant to Section 831(d)(5) of the New York City Charter the Equal Employment Practices Commission may initiate another audit of HPD prior to the conclusion of the four-year maximum timeframe mandated by the New York City Charter.

Approved unanimously on March 9, 2005.

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

**Angela Cabrera**  
Commissioner

**Veronica Villanueva, Esq.**  
Commissioner

  
Manuel A. Méndez  
Vice-Chair



City of New York  
DEPARTMENT OF  
HOUSING PRESERVATION AND DEVELOPMENT  
100 GOLD STREET, NEW YORK, N.Y. 10038

SHAUN DONOVAN  
Commissioner

**DATE:** December 17, 2004  
**TO:** All HPD Employees  
**FROM:** Shaun Donovan  
**SUBJECT:** Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEPC) conducts audits of the Equal Employment Offices (EEO) of all city agencies. The EEPC recently completed an audit of the Department of Housing Preservation and Development's Equal Employment Office covering the period January 1, 2000 through June 30, 2002.

We are pleased to announce that EEPC's audit resulted in a very positive report. EEPC had a few recommendations that they believe would be beneficial to the Agency's EEO Office. For example, EEPC recommends that we conduct annual performance evaluations for all staff, including providing EEO Tasks and Standards to all managers and supervisors on the evaluations, further promote the Agency's Career Counseling Program and implement a few changes to our record keeping. We support their recommendations and either have implemented or are in the process of implementing them.

I reaffirm this agency's strong commitment to maintaining fair employment practices for all our employees. HPD is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under our 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 that is reflected in our staff.

I encourage all employees to access the resources available within HPD and to address any EEO related concerns you may have to the Agency EEO Officer, Stanley Whing at (212) 863-6117.

A description of our EEO Program is available on the agency intranet site. To locate this information, please access the Blue E icon, then HPD Info & Resources and finally Equal Employment Opportunity Program.

Thank you.



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