

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

**RESOLUTION # 96/04-836:** Preliminary Determinations Pursuant to the Audit of the Department of Finance and its compliance with the City Charter-mandated Affirmative Employment Plan from January 1, 1993 to June 30, 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 Finance's compliance with the Affirmative Employment Plan; 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 Finance (DOF) 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. DOF does not refer to the AEP at orientation of new employees.
2. The AEP is not available in a format accessible to employees with disabilities.
3. DOF's condensed discrimination complaint procedure contained in its EEO Policy statement does not contain necessary information on employee rights relating to the discrimination complaint procedure; 58% of survey respondents indicated they do not know how to file a complaint.
4. DOF does not conduct sexual harassment prevention training annually.
5. DOF ceased implementation of the Management Development Institute which

identified employees for promotion.

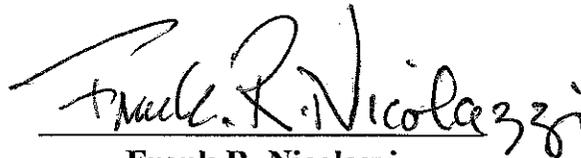
6. Discrepancies exist between the DOF and CEEDs workforce data.
7. DOF does not advertise vacancies for titles in which underutilization of women and/or minorities have been identified in media oriented to women and minority audiences.
8. DOF's discretionary logs are not uniformly completed and available. Job posting are not uniformly available.
9. DOF does not currently track the referral source of applicants for vacancies and data on the method of recruitment is not uniformly available.
10. DOF has not reviewed selection, evaluation and promotion devices/criteria to determine if they have a disparate impact on protected group member.
11. The EEO Officer does not report directly to the agency head on all EEO matters.
12. DOF supervisors are not uniformly aware of the AEP and its contents, nor are copies of the AEP uniformly kept in their work units.
13. DOF's managerial performance evaluation form does not include a rating for performance on EEO related criteria.
14. 58% of survey respondents indicated that the agency's EEO Policy Statement was not posted on agency bulletin boards; 52% indicated the same with respect to the Sexual Harassment Policy Statement.
15. 31% of survey respondents indicated that they are not evaluated on an annual basis.
16. DOF does not document the results of its analysis of rejection rates among ethnic/gender groups.
17. Supervisors do not uniformly meet with staff to discuss the AEP; 69% of survey respondents indicated they do not know what the AEP is and 70% said it was not available to them.

**Be it finally resolved,**  
that the Commission authorizes the Chairman to forward a letter to the Commissioner of the Department of Finance, Alfred Cerullo, 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 of Finance will take to bring the agency in compliance with the Affirmative Employment Plan.

Approved unanimously on July 17, 1996.

**Jeannette Diaz, Esq.**  
**Commissioner**

**Yvette M. Armstrong, Esq.**  
**Commissioner**



**Frank R. Nicolazzi**  
**Vice-Chairman**

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

**RESOLUTION #98/03-836C** Determination of implementation of compliance by the Department of Finance with recommended corrective actions made by the EEPC pursuant to its audit of the Department of Finance's Affirmative Employment Plan from January 1, 1993 to June 30, 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 Department of Finance, the Equal Employment Practices Commission issued a preliminary determination letter dated January 23, 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 Department of Finance for a period of six months, from July through December 1997, to determine whether it implemented the aforementioned recommended corrective actions. Now, Therefore,

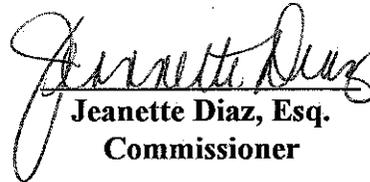
**Be It Resolved**,  
that the Department of Finance has fully implemented all recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

**Be It Finally Resolved**,  
that the Commission authorizes the Chairman to forward a letter to the Commissioner of the Department of Finance, Alfred C. Cerullo formally informing him that the agency has implemented all recommended corrective actions.

Approved unanimously on February 5, 1998.

**Angela Cabrera**  
**Commissioner**

**Manuel A. Mendez**  
**Commissioner**

  
**Jeanette Diaz, Esq.**  
**Commissioner**