

# EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #04/02-827:** Preliminary Determination Pursuant to the Audit of the New York City Department of Sanitation's Equal Employment Opportunity Program from July 1, 2000 through December 31, 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 New York City Department of Sanitation's (DSNY) 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 New York City Department of Sanitation's compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Some employees indicated that they were not informed in writing of the name, location and telephone number of the EEO Director/Officer.
2. Some internal discrimination investigations did not contain letters to the parties informing them of the resolutions of the complaints.
3. The agency had no EEO Counselors.
4. DSNY did not develop a plan to train existing DSNY employees on EEO who had not received training.
5. DSNY did not incorporate the recent New York City Human Rights legislation in its training modules.
6. Some supervisors who conducted interviews of job applicants did not receive structured interview training.

7. DSNY did not conduct adverse impact studies of selection devices for discretionary hires and other personnel actions.
8. DSNY did not appoint a new career counselor after the audit period.
9. DSNY employees did not receive recommendations for improving job performance and career advancement in their annual performance reviews.
10. The EEO Director did not maintain appropriate documentations of meetings with the agency head.
11. Some supervisors did not hold documented meetings with their staffs regarding the agency's EEO Policies.
12. DSNY's investigatory staff demonstrated a lack of sensitivity in connection with transgender issues.
13. DSNY did not incorporate the New York City Human Rights Law's expanded definition of gender in its EEO Policy.

**Be It Finally Resolved,**

that the Commission authorizes the Vice-Chairman to forward a letter to the Department of Sanitation's Commissioner, John J. Doherty, 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 Sanitation will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on February 12, 2004.

**Angela Cabrera**  
Commissioner

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

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

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

**RESOLUTION #05/04-827C:** Determination of implementation by the Department of Sanitation of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Sanitation's Charter-mandated Equal Employment Opportunity Program from July 1, 2000 to December 31, 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 Sanitation (DSNY), 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, DSNY submitted its response on February 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 April 16, 2004 identifying those recommendations accepted and rejected by DSNY; and

**Whereas**, in response to EEPC's final determination letter, DSNY submitted its response on May 20, 2004; and

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

**Whereas**, on December 27, 2004 the Department of Sanitation requested an extension of the compliance period; and

**Whereas**, the Department of Sanitation submitted its Final Compliance Report on March 2, 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 Sanitation 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 Sanitation, John J. Doherty, formally informing her that DSNY 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



# sanitation

**JOHN J. DOHERTY**

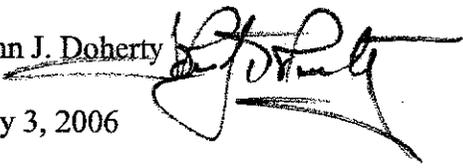
Commissioner

125 Worth Street, Room 720

New York, New York 10013

## MEMORANDUM

**TO:** All Employees

**FROM:** John J. Doherty 

**DATE:** July 3, 2006

**RE:** **Equal Employment Opportunity at DSNY**

The Department of Sanitation is committed to *New York City's Equal Employment Opportunity Policy*. DSNY takes very seriously the prevention of illegal discrimination by ensuring that all employees are aware of their rights and obligations under the EEO Policy, by maintaining fair employment practices for all of our employees, 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 reflection in our staff.

I am pleased with Sanitation's innovations and accomplishments in the area of equal opportunity. I would like to remind all DSNY employees of the following resources available to them and encourage all to make use of these resources:

- **The Equal Employment Opportunity Office of DSNY** is located at 137 Centre Street, Room 505, New York, N.Y. 10013. Tel. # - (917) 237 - 5214, Fax # - (212) 219 - 5010, TTY # - (212) 219 - 3711. Director Fernando L. Camacho can also be reached via e-mail: [fcamacho@dsny.nyc.gov](mailto:fcamacho@dsny.nyc.gov), and Deputy Director Teresa Neal, [tneal@dsny.nyc.gov](mailto:tneal@dsny.nyc.gov).
- **EEO Liaisons/Counselors** - Each of the Borough Offices has two designated EEO Liaisons who have been trained in what constitutes an issue of discrimination and who work closely with the EEO Office if a situation is reported to them. Liaisons are also available at Fresh Kills, the 59<sup>th</sup> St MTS, the Enforcement Headquarters, Lot Cleaning Headquarters and the Bureau of Support Services at CRS.
- **DSNY's Career Counselor** - Chuck McCarthy, who is the Director of Management Development, assigned to the Training Division of DSNY, is extremely well versed in the Department's training and promotional opportunities as well as citywide programs. He can be reached at (718) 334 - 9242 or [cmccarthy@dsny.nyc.gov](mailto:cmccarthy@dsny.nyc.gov).
- **Managers and Supervisors** - have a significant role in DSNY's EEO Program. They have been specially trained in how to immediately and appropriately respond to EEO situations. Employees may seek out their supervisors for guidance in the event they are presented with an EEO issue or contact an EEO Liaison or the EEO Office.

[www.nyc.gov/sanitation](http://www.nyc.gov/sanitation)

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